

Ordinance revision September 19, 2022

IT IS HEREBY FURTHER RESOLVED that Paragraph 17 of ORDINANCE NUMBER 215.010 be added to read as follows:

17. The storage of any tire upon premises within the city in such a manner that the tire is exposed to the elements of nature is hereby declared to be a nuisance which is subject to abatement at the expense of the owner of such premises as provided by law.

Ordinance revision October 17, 2022

Section 219.010. Definitions. – The following words or phrases when used in this ordinance mean.

- (1) “Driveway”, an area (of sufficient width so as to operate a conventional passenger vehicle upon) which is surfaced with chat, asphalt or concrete and is located on private property extending from a street or alley to a garage, carport or parking space located on the same or adjoining lot.
- (2) “Parking Space”, an area which is surfaced with asphalt, concrete or chat located on private property on the front, side or rear of a lot to which a driveway extends and upon which one (1) or more vehicles may be parked or placed.
- (3) “Vehicles”, as set forth in Section 300.010 of this Code of Ordinances.
- (4) “Inoperable Vehicle” or “Inoperable Motor Vehicle”, any of the following:
 - a. Any vehicle or motor vehicle which is dismantled, in whole or part, or which is not mechanically operable as a result of defect, malfunction, or state or repair.
 - b. Any vehicle or motor vehicle which cannot legally be operated on public streets or highways by reason of lacking the equipment required by Missouri Motor Vehicle Code and/or other laws of the State of Missouri.
 - c. Any vehicle or motor vehicle which is not currently licensed, or for which the vehicle registration has expired and which is not capable of being licensed for operation on public streets and highways under provisions of Missouri Motor Vehicle Codes or other applicable provisions of the Laws of the State of Missouri.
- (5) “Inoperable Vehicle” or “Inoperable Motor Vehicle” does not include any of the following:
 - a. A motor vehicle that is mechanically operable, but unlicensed because it is owned, leased or co-signed to a duly licensed and lawful new or used car dealer, if the motor vehicle is located on premises under the control of the car dealer for the purpose of sale or delivery;
- (6) “Junk Vehicle” or “Junk Motor Vehicle” means any of the following:
 - a. Any vehicle or motor vehicle which by reason of damage resulting from an accident, dismantling, disrepair or other cause that is incapable of being propelled under its own power.
 - b. Any vehicle or motor vehicle that is unsafe for operation in the manner for which it was designed, manufactured or modified by reason of damage resulting from an accident, dismantling, or disrepair or other cause.
 - c. Any vehicle or motor vehicle that is incapable of being operated in the manner for which it was designed, manufactured, or modified by reason of its inability to comply with any code, regulation or statutes of the State of Missouri governing the operation of such vehicle.
 - d. Any vehicle or motor vehicle which has been so damaged or dismantled so as to be a total loss.
 - e. Any component part of a vehicle or motor vehicle, including tires and wheels, which by reason of disrepair, damage or other cause is incapable of functioning or being operated in the manner for which it was designed, manufactured or modified.
- (7) “Junk Vehicle” or “Junk Motor Vehicle” does not include any term excluded from the definition of “inoperable vehicle” or “inoperable motor vehicle” under Section (4) above.
- (8) “Motor Vehicle” means every vehicle which is intended to be self-propelled.
- (9) “Person” means any individual, association, organization, corporation, partnership, firm (either incorporated or unincorporated), or business entity of any type including but not limited to limited liability companies.
- (10) “Total Loss” means the cost to fully repair a damaged or dismantled vehicle or motor vehicle exceeds the fair market value for such vehicle. Fair market value may be determined by using any nationally recognized appraisal book or method.
- (11) “Historical Vehicle” mean any motor vehicle over twenty-five (25) years old that is owned solely as a collector’s item and which is used or intended to be used for exhibition and educational purposes and which is permanently registered with the State of Missouri pursuant to the provisions of Section 301.131 RSMo.
- (12) “Restore” means taking a vehicle mechanical system to a workable state and the body to a point of complying with the standards for licensing a motor vehicle.

New ordinances passed October 17th 2022

Section 219.020. Parking of Unlicensed Vehicles.

- A. The parking or storage of more than one (1) unlicensed vehicle (or the trailer or other transporting device upon which a vehicle may be situated) in the side, rear or front yard of any lot is prohibited, provided that parking of the same shall be restricted to locations being a designated parking space, a driveway providing access to a garage, carport or parking space for a dwelling located on the same lot, or in conjunction with a business being conducted on said lot adjoining lot. This Section shall not apply to the parking of unlicensed vehicles upon the lot of the business location or a licensed vehicle dealer and shall not apply to commercial or agricultural vehicles. Unlicensed vehicles stored on a residential property or business property not designated as a vehicle dealer for more than 30 days shall be registered with the City of Chaffee. The unlicensed vehicle shall not be allowed to remain on the property for more than 180 days in any calendar year. This section shall not be construed to authorize or permit any activity which is prohibited pursuant to the City Ordinances of the City of Chaffee.

Section 219.030. Impounding.

- B. The Chief of Police or any member of the Chaffee Police Department is hereby authorized to remove or have removed any vehicle left at any place within the City of Chaffee that reasonably appears to be in violation of this Chapter or lost, stolen or unclaimed. Such vehicle shall be impounded until lawfully claimed or disposed of in accordance with the provisions of this Chapter and applicable State law.

Section 219.040. Entry Upon Private Property.

- A. The Chief of Police or any member of the Chaffee Police Department is hereby authorized to enter upon private property for the inspection of any vehicle or junk and prior to towing or removal shall issue a notice of violation for and breach of this Chapter. The recipient of such notice of violation may, within seventy-two (72) hours, notify the Clerk of the Municipal Court of his/her desire to submit to the jurisdiction of the Municipal Court for the purpose of contesting the notice and upon such submission and shall be given a summons and a court date. Should the recipient not make such a request, within seventy-two (72) hours, the Chief of Police or any member of the Chaffee Police Department may enter upon the property for the purpose of removing any vehicle or junk in accordance with this Chapter. Notice of violations shall be served personally or by certified mail.

Section 219.050. Removal for Unsatisfied Parking and Traffic Violations.

- A. The Chief of Police or any member of the Chaffee Police Department is hereby authorized to tow and impound any motor vehicle within the City Limits wherever there are four (4) or more issued notices or one (1) or more traffic summons in which the driver, owner or person in charge of said vehicle fail to appear in court in response to a summons regarding a violation of Chapter 219