

ORDINANCE NO. 1961

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, AMENDING TITLE 8 OF THE MUNICIPAL CODE TO INCLUDE INOPERABLE VEHICLES AS A NUISANCE AND INCLUDE A DEFINITION OF INOPERABLE VEHICLES.**

**WHEREAS**, the City recognizes the need to maintain neighborhood livability; and

**WHEREAS**, the parking of inoperable vehicles on private property detract from the livability of neighborhoods; and

**WHEREAS**, inoperable vehicles create a nuisance and blemish the visual appeal of neighborhoods;

**NOW, THEREFORE, THE CITY OF MILWAUKIE DOES ORDAIN AS FOLLOWS:**

Section 1: Milwaukie Municipal Code Section 8.04.070(B) is amended to read as follows:

B. Debris on Private Property. Accumulations of debris, rubbish, manure, and junk, junk machinery or junk vehicles of any kind, inoperable vehicles, and other refuse located on private property that are not removed within a reasonable time and that affect the health, safety or welfare of the city;

Section 2: Milwaukie Municipal Code Section 8.04.010 is amended to read as follows:

**8.04.010 Definitions.**

Except where the context indicates otherwise, the singular number includes the plural and the masculine gender includes the feminine, and the following definitions shall apply:

A. "City" means the City of Milwaukie.

B. "City manager" means the city manager or person authorized by the city manager.

C. "Council" means the governing body of the city.

D. "Inoperable vehicle" means any vehicle which has no current valid state vehicle license, or which cannot be moved without being repaired or dismantled, or which is no longer usable for the purposes for which it was manufactured, and which has been in that condition for at least 15 days. "Inoperable vehicle" does not include any vehicle kept on an enclosed building or any vehicle kept on the premises of a business lawfully engaged in wrecking, junking or repair of vehicles.

E. "Person" means a natural person, firm, partnership, association or corporation.

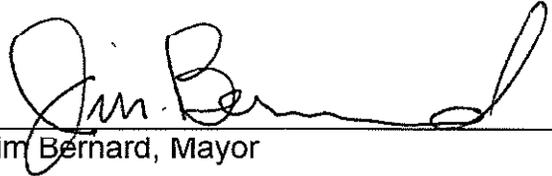
F. "Person in charge of property" means an agent, occupant, lessee, contract purchaser or person, other than the owner, having possession or control of the property.

G. "Public place" means a building, place or accommodation, whether publicly or privately owned, open and available to the general public.

Read the first time on 5/16/06 and moved to second reading by 4 to 1 vote of the City Council.

Read the second time and adopted by the City Council on 06/06/06.

Signed by the Mayor on 06/06/06

  
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Jim Bernard, Mayor

ATTEST:

APPROVED AS TO FORM:

Ramis, Crew, & Corrigan, LLP

  
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Pat DuVal, City Recorder

  
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City Attorney