

Vehicle Regulation Ordinance 10-02

History: Adopted by the Town Board of the Town of Morrison 11/09/2010

This ordinance also amends Ordinance 7-02(Chapter 33) Public Nuisance Ordinance Section 6.8 Abandoned Vehicles. Adopted Nov. 13, 2007.

This ordinance also references 99-2(Chapter 16) Ban on Parking on County and Town Roads for Snow Removal Purposes. Adopted Dec. 7, 1999.

1. PURPOSE

The purpose of this ordinance is to authorize the Town of Morrison to regulate and to prohibit junked motor vehicles on the public grounds and on private property.

2. DEFINITIONS

The following words, terms and phrases, and their directive, when used in this chapter, shall have the meaning ascribed to them in this section, except where the context clearly indicates a different meaning:

A. Abandoned Motor Vehicle:

A vehicle that is left:

1. On any public street, highway or public or private property, for such time and under such circumstances as to cause the vehicle to reasonably appear to have been abandoned for longer than 48 hours. When any such vehicle has been left unattended on any Town street or on any public or private property within the District without the permission of the owner for more than forty eight (48) hours, the vehicle is deemed abandoned and constitutes a public nuisance.
2. On property owned or operated by the Town for longer than 24 hours
3. On private property without the written consent of the owner, occupant, or lessee thereof for longer than two hours.

B. Hazardous Motor Vehicle:

Any motor vehicle on private or public property that is declared to be a health or safety hazard by the Town of Morrison Code Enforcer or appointed designee or member of the Town Board when the vehicle is found to be:

1. A breeding ground or harbor for mosquitoes or other insects, snakes, rats, or other pests;
2. A point of weed growth and/or other vegetation over 12 inches in height;
3. A point of collection for ponds or water;
4. A point of concentration of gasoline, oil or flammable or explosive materials;
5. So located that there is a danger of the vehicle fall or turning over;
6. A place in which debris, bottles or other solid waste is discarded and is present within the vehicle;
7. A source of danger for persons through entrapment in areas of confinement that cannot be opened from the inside or from exposed surfaces of metal, glass or other rigid materials; or

8. The creation of another similar condition or circumstance which exposes the general public to safety or health hazards.

C. Junked Motor Vehicle

A vehicle that does not display a current and valid license plate lawfully upon that vehicle and that:

1. Is partially dismantled, wrecked, nonoperational or discarded; or
2. Cannot be self-propelled or moved in the manner in which it originally was intended to move.

D. Motor Vehicle

A self-propelled device used or intended to be used for the transportation of freight or passengers upon a street or highway or while attached to any self-propelled device.

E. Owner

An individual, firm, partnership, association, corporation, governmental agency, or combination thereof, holding and presenting the legal certificate of title to the particular vehicle.

3. Determination of junked vehicle; applicability.

In determining whether a vehicle constitutes a junked motor vehicle, the Town Board of the Town of Morrison or an appointed designee, in applying the specific criteria in the definition of the term 'junked motor vehicle,' shall take into consideration, but not limited to, whether the tires, wheels and other essential parts of the vehicle are present for the operation of the vehicle, flat tires, removed parts, the condition of the exterior or any other specific evidence that would support a finding that the vehicle violates this section.

This section shall not apply to a vehicle in an enclosed building; a vehicle on the premises of a lawfully operated business enterprise involving the sale, dismantling, repair, or restoration of such vehicles; a vehicle in an appropriate storage place or depository maintained in a lawful place and manner by or on behalf of the Town; nor to a dismantled, non-operating vehicle which is licensed as an antique or collector's auto and which is actively being restored.

4. PARKING PROHIBITED

It shall be unlawful for any person to leave a vehicle.

- A. On any public street or highway longer than 48 hours;
- B. On property owned or operated by the Town for longer than 24 hours; or
- C. On private property without the consent of the owner, occupant or lessee thereof for longer than two hours.

5. ABANDONED, JUNKED, AND HAZARDOUS MOTOR VEHICLES

It shall be unlawful for the owner of a motor vehicle or the owner, lessee or occupant of the real property upon which the motor vehicle is located to leave or allow to remain on the property any motor vehicle which is an abandoned, junked or hazardous motor vehicle.

6. PUBLIC STREETS AND PROPERTY

No person shall leave any partially dismantled, non-operating, nonregistered, wrecked, or junked vehicle on any street or highway within the Town or on any public property within the Town.

A. Overnight parking

1. Residents and visitors are not allowed to park on the streets of the Town of Morrison between the hours of 2:00 a.m. and 6:00 a.m., Monday through Friday, without prior approval.
2. Residents and visitors will be allowed to park on the streets of the Town of Morrison during other hours and from 2:00 a.m. and 6:00 a.m. on Saturday and Sunday, with the exception of emergency snow days to allow roadways to be cleared.
3. No vehicle shall park on the road right of way of County and Town Roads, Nov 1-April 1, from the hours of 3am to 8am, for snow removal, see Town Osrd 99-2 Ban on Parking on County and Town Roads for Snow Removal Purposes.

B. Stopping, standing or parking outside of business or residence districts.

1. No person shall park stop or leave standing any vehicle, whether attended or unattended, upon the roadway of any highway outside a business or residence district when it is practical to park, stop or leave such vehicle standing off the roadway, but even the parking, stopping or standing of a vehicle off the roadway of such highway is unlawful unless the following requirements are met.
 - a. An unobstructed width upon the roadway of such highway must be left opposite such standing vehicle for the free passage of other vehicles.
 - b. Such standing vehicle must be capable of being seen by operators of other vehicles from a distance of 500 feet in each direction along such highway.
 - c. Vehicles parking on the side of the roadway shall remain on the hardened surface or shoulder area adjacent to the roadway.
2. This section also applied to vehicles or equipment used in highway maintenance or construction work unless the nature of the work is such as to require the stopping or standing of the vehicle or equipment on the roadway.
 - a. Parking during construction or event shall be on the side of roadway consistent with the flow of traffic. If the residence or business area contains mailboxes only on one side of the roadway, construction vehicle(s) shall park on the roadway opposite the mailboxes.

C. Bicycle lanes. It is unlawful for any person to operate, drive, park or leave standing any motor vehicle in or upon any of the bicycles lanes designated or established in the Town of Morrison.

7. VIOLATIONS AND PENALTIES

- A. Any person violating any of the provisions of this ordinance shall, upon conviction thereof, pay a forfeiture in accordance with Town Fee Schedule, together with the costs of prosecution for each violation. Beginning with the notification, each day a violation exists shall constitute a separate offense.

B. This section shall not preclude the Town of Morrison from maintaining any appropriate action to prevent or remove a violation of this chapter.

Todd Christensen
Todd Christensen, Chairman

Colleen Magley
Attest: Colleen Magley, Clerk

Posted: 11-15-10