CODE ORDINANCE

CITY OF WASILLA
ORDINANCE SERIAL NO. 03-31

AN ORDINANCE OF THE WASILLA CITY COUNCIL AMENDING WMC 10.16.020, PRESUMPTION OF ABANDONMENT RELATING TO ABANDONED VEHICLES AND PROPERTY.

*   **Section 1.   Classification.**   This ordinance is of a general and permanent nature and shall become part of the city code.

*   **Section 2.   Amendment of section.** WMC 10.16.020, Presumption of abandonment, is amended to read as follows:

10.16.020   Presumption of abandonment.

A. A vehicle, or other property which has been left unattended, standing, parked upon or within ten (10) feet of the traveled portion of a street or highway, in excess of forty-eight (48) hours, or a vehicle left standing or parked on private property in excess of twenty-four (24) hours or upon other public property for more than thirty (30) days, without the consent of the owner or person in charge of the property, notwithstanding other statutory provisions, may be removed under Section 10.16.030 of this chapter and treated as an abandoned vehicle, or other property, unless the vehicle, or other property is reclaimed and removed before action regarding removal is taken under Section 10.16.030 of this chapter.

B. Notwithstanding other provisions of law, a wrecked or junk vehicle that reasonably appears to have been left unattended, standing, parked upon or within

Bold and underline added. [CAPS AND BRACKETS, DELETED.]

10 feet of the traveled portion of a highway or vehicular way or area in excess of 24 hours, or a wrecked or junk vehicle that reasonably appears to have been left standing or parked on private property or other public property in excess of 24 hours and without the consent of the owner or person in charge of the property, may be removed under Section 10.16.030 of this chapter and treated as an abandoned vehicle, unless the vehicle is reclaimed and removed before action regarding removal is taken under Section 10.16.030 of this chapter.

C. In this section,

1. "junk vehicle" means a vehicle that

a. is not currently registered under AS 28.10, except for a vehicle not currently registered under AS 28.10 and used exclusively for competitive racing;

b. is stripped, wrecked, or otherwise inoperable due to mechanical failure;

c. has not been repaired because of mechanical difficulties or because the cost of repairs required to make it operable exceeds the fair market value of the vehicle; or

d. is in a condition that exhibits more than one of the following elements:

i. broken glass;

ii. missing wheels or tires;

iii. missing body panels or parts; or

iv. missing drive train parts.

2. "wrecked vehicle" means a vehicle that is disabled and cannot be used as a vehicle without substantial repair or reconstruction.
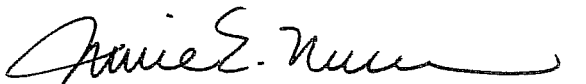
*   **Section 3.   Effective date.** This ordinance shall take effect upon adoption of the Wasilla City Council.
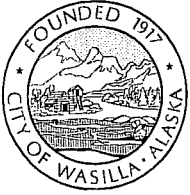
ADOPTED by the Wasilla City Council on June 9, 2003

Dianne M. Keller
DIANNE M. KELLER, Mayor

ATTEST:

Jamie E. Newman
JAMIE E. NEWMAN, CMC
Acting City Clerk

[SEAL]

CITY OF WASILLA

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PHONE: (907) 373-9090
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TO: Wasilla City Council

THRU: Mayor Dianne M. Keller

FROM: Don Shiesl, Public Works Director
           Don Savage, Chief of Police

DATE: May 20, 2003

SUBJECT: **Ordinance Serial No. 03-31**

SUMMARY:

The current city ordinance requires that a vehicle cannot be left standing or parked more than 30 days. The problem with the existing ordinance is that from the time the vehicle is tagged many days have elapsed before the vehicle is towed. The proposed ordinance requires that junk or wrecked vehicles cannot be left standing or parked on within 10 feet of a road, on private property, or public property in excess of 24 hours. This ordinance clarifies the description of junked or wrecked vehicles.

FISCAL IMPACT: If yes, amount requested: Towing in many situations may be recovered.

Account No.:

RECOMMENDED ACTION:

Introduce and set for public hearing. '