

ORDINANCE NO. 428

AN ORDINANCE AMENDING CHAPTER 1 OF TITLE VI OF THE CODE OF THE CITY OF POLSON, MONTANA, 1965.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF POLSON, MONTANA:

CHAPTER 1 of TITLE VI of the City Code of Polson, 1965, shall be amended in its entirety and shall read as follows:

6-1-46(a): WHEREAS, it has been repeatedly brought to the attention of the City Council of the City of Polson, Montana, that wrecked, junked or unlicensed motor vehicles have been permitted to accumulate on the public streets as well as on private property within the city limits of the City of Polson, Montana; and whereas all such wrecked, junked or unlicensed motor vehicles are contrary to the best interest of the inhabitants of the City of Polson, Montana; are offensive, unsightly and a hazard to the safety and well-being of the inhabitants of the City of Polson, Montana, and are deemed to be a public nuisance; and whereas the responsibility for the removal of such junked, wrecked or unlicensed motor vehicles is deemed to be the responsibility of the owner or person in possession and control thereof.

6-1-46(b): It shall be unlawful, from and after the date of the passage and approval of this ordinance to keep, maintain, own or possess any junked, wrecked or unlicensed vehicle on any real property, either public or private, within the city limits of the City of Polson, Montana, which is not stored or maintained entirely within an enclosed building or structure.

6-1-46(c): All such wrecked, junked or unlicensed motor vehicles presently within the city limits of the City of Polson, Montana, shall be removed therefrom within fifteen (15) days following the date of passage and approval of this ordinance. Each day that a violation of this ordinance shall continue unabated shall be deemed a separate offense and charged accordingly.

6-1-46(d): For the purpose of this ordinance, "junked or wrecked motor vehicle" shall be defined as any vehicle which is inoperative by reason of mechanical or structural failure or cannot be operated safely under its own power upon the public streets, avenues, alleys and ways within the city limits of the City of Polson, Montana. An "unlicensed motor vehicle" shall be defined as any motor vehicle which has not been duly and lawfully licensed by the State of Montana for the current license year.

6-1-46(E): EXCEPTION: Nothing in this ordinance shall prohibit the impoundment of wrecked or junked motor vehicles for a period not to exceed ninety (90) days in an I-1 zone, provided said storage is in conjunction with a lawful I-1 use by right as defined in Ordinance No. 321.

6-1-46(f): Any person, firm, or corporation convicted of a violation of this Ordinance shall be fined not less than Five Dollars (\$5.00) nor more than Five Hundred Dollars (\$500.00) or by imprisonment in the County Jail for not more than six (6) months, or by both such fine and imprisonment.

REPEALING CLAUSE: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

PASSED AND APPROVED this 5th day of March, 1984.

John Dowdall/s
John Dowdall, Mayor

ATTEST:

Kathy L. Cox/s
Kathy L. Cox, City Clerk