

ORDINANCE NO. 88-06

AN ORDINANCE REGULATING UNLICENSED MOTOR VEHICLES
WITHIN THE CITY OF WENDOVER, UTAH.

The Wendover City Council has deemed it reasonable and prudent in order to promote the health and safety of the citizens of the community to institute the following ordinance.

WHEREFORE, the following is now adopted as the law in the City of Wendover, Utah.

SECTION ONE - FINDINGS AND PURPOSE:

Wendover City Council has found that the unabated accumulation of unlicensed motor vehicles within the City of Wendover has created a potential danger to health, in that said vehicles are a source of contamination or pollution to water resources and property, and are a breeding place or habitation for insects, rodents, and other forms of life deleterious to human habitation and are unsightly and deleterious to human habitation and their surroundings. Therefore, this Ordinance is for the purpose of establishing a means whereby Wendover City may cause that said unlicensed vehicles be regulated and removed or abated, when necessary. It is hereby declared that the storage or keeping of more than 2 unlicensed motor vehicles as defined herein, is a nuisance and is declared unlawful within Wendover City under the circumstance specified herein.

SECTION TWO - DEFINITIONS:

(A) "Unlicensed Motor Vehicle" means any vehicle which initially was designed or constructed to be self-propelled and which is not currently registered or licensed by the State of Utah, but does not include vehicles exempt from registration under Section 41-22-9, Utah Code Annotated, 1953, as amended, provided that such exempt vehicle is operable. Also, "Unlicensed Motor Vehicle" does not include any motor vehicle kept or stored at an approved impound lot or commercial storage yard.

(B) "Property" means a contiguous unit of land held or intended to be held in separate lease or ownership.

(C) "Keep" or "Storage" means the placement or location of unlicensed motor vehicles on property for more than thirty (30) days, except that any unlicensed motor vehicles located totally within a building, garage, or other structure which complies with Wendover City's Zoning Ordinances or Building Code shall not be subject to the provisions of this Ordinance.

SECTION THREE - REGULATION OF UNLICENSED MOTOR VEHICLES:

No person, firm or corporation shall keep or store more than 2 unlicensed motor vehicles upon any property within Wendover City, nor shall they allow any other person to keep or store more than 2 unlicensed motor vehicles upon their property located within Wendover City.

SECTION FOUR - NOTICE OF VIOLATION:

Before any civil or criminal action is instituted to enforce the provisions of this Ordinance, Wendover City, or any affected individual, shall give thirty (30) days written notice to the person, firm or corporation allowing others to keep or store unlicensed motor vehicles on their property, contrary to the provisions of this Ordinance. Said written notice shall be served personally or delivered by registered mail, shall specify the nature of the violation, and that the violation be removed or brought into compliance with the provisions of this Ordinance within thirty (30) days. If after thirty (30) days notice, the violation continues, civil or criminal proceedings may be instituted.

SECTION FIVE - CONFLICT:

This Ordinance shall not nullify the more restrictive provisions of other Wendover City Ordinances or other laws, but shall prevail notwithstanding any such provisions which are less restrictive.

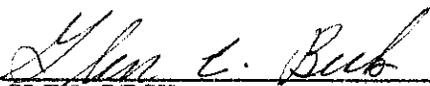
SECTION SIX - CRIMINAL PENALTY:

Any person, firm or corporation who violates the provisions of this Ordinance, after having been given thirty (30) days written notice to remove the same or bring the violation into compliance, is guilty of a Class "C" misdemeanor and shall, upon conviction, be subject to pay a fine not exceeding five hundred dollars (\$500), and may be sentenced to serve a term in the Tooele County Jail for a term not to exceed ninety (90) days, or by both such fine and imprisonment. Each additional day of a violation of this Ordinance shall constitute an additional offense.

SECTION SEVEN - EFFECTIVE DATE:

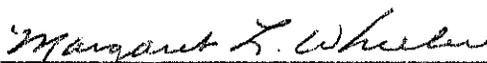
That this ordinance shall become effective and in force fifteen (15)³⁰ days after its passage and legal posting, or when published, whichever is later.

IN WITNESS WHEREOF, the Wendover City Council have passed, approved and enacted this Ordinance this 10th day of August, 1988.



GLEN BECK
MAYOR

Attested to by:



MARGARET WHEELER
Recorder/Clerk