

AN ORDINANCE REGULATING THE PARKING OF MOTOR VEHICLES OPEN TO PUBLIC VIEW WITHIN THE CITY LIMITS OF FOLEY THAT ARE DISMANTLED, WRECKED, ABANDONED OR INOPERABLE, AND PROHIBITING THE PARKING OF MOTOR VEHICLES ANYWHERE BUT ON DRIVEWAYS OR PARKING LOTS, PROVIDING FOR REMOVAL OF SUCH VEHICLES AND PUNISHMENT OF VIOLATORS.

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF FOLEY, MISSOURI, AS FOLLOWS:

Section 1: That cities of the fourth class, Foley being such, have the authority under Sections 71.780 and 79.450 (7) et seq. RSMo. 1978, as amended, to enact ordinances to regulate and suppress all nuisances which are or may be injurious to the health and welfare of the inhabitants of the City.

Section 2: That the Board of Aldermen of the City of Foley firmly believe that the parking of motor vehicles open to public view within the city limits that are dismantled, wrecked, abandoned, or inoperable constitutes a nuisance because it is injurious to the public health and welfare, being detrimental to property values as well as the quality, character and stability of residential, commercial and industrial areas. For the same reasons the Board also believes that the parking of any motor vehicle anywhere but along a street, on a driveway or parking lot, constitutes a nuisance that should be suppressed.

Section 3: A rebuttable presumption shall exist that a motor vehicle is abandoned when:

- a) more than one tire is flat or missing;
- b) there are no current registered license plates properly displayed on the vehicle;
- c) parts essential for its operation are missing;
- d) one or more windows are shattered or missing.

Section 4: That a Foley Police Officer who observes a vehicle parked in violation of the provisions of this ordinance shall cause a Notice to Abate Nuisance Within 10 Days to be given either personally or by United States Mail to the real property owner or his agent, or the resident, or by posting such notice on the premises.

Section 5: That after the expiration of the 10 day notice period, a Foley Police Officer is hereby authorized to cause the removal and disposal of any motor vehicle found to be in violation of this ordinance.

Section 6: That any person failing to comply with such Notice to Abate Nuisance shall be subject to a fine of up to Five Hundred Dollars (\$500.00) for each day of such violation as well as to the expense of abatement, and a special tax bill shall be issued in violation for the expense of abatement.

Section 7: That this ordinance shall be in full force and effect immediately upon its enactment and approval.

READ THREE TIMES AND PASSED BY THE BOARD OF ALDERMEN OF THE CITY OF FOLEY, MISSOURI, THIS 15TH DAY OF NOVEMBER, 1989.

Caroline S. Colbert

MAYOR