

RESOLUTION NO. 2021-9

RESOLUTION ESTABLISHING AN ADMINISTRATIVE ABATEMENT PROCESS FOR THE ABATEMENT OF JUNK VEHICLES DETERMINED TO BE A NUISANCE IN ACCORDANCE WITH THE CITY OF WOODWARD CODE OF ORDINANCES.

WHEREAS, The City Council of Woodward has passed Resolution No. 2021-5 Establishing Civil Penalties for Noncompliance with Established City Ordinances and Resolutions and;

WHEREAS, The City Council of Woodward has passed Resolution No. 2021-6 Establishing the Notification and Administrative Abatement Process for Noncompliance with Established City Ordinances and Resolutions and;

WHEREAS, The City of Woodward has established Chapter 50 – “Nuisance Abatement Procedure” in the Code of Ordinances for Woodward, Iowa and;

WHEREAS, The City of Woodward has established Chapter 51 – “Junk and Junk Vehicles” in the Code of Ordinances for Woodward, Iowa and;

WHEREAS, The City of Woodward has established Chapter 155 – “Property Maintenance Code” in the Code of Ordinances for Woodward, Iowa and;

WHEREAS, Ordinance 19-395 amending the Section 155.06(11) Parking on Un-surfaced Portion of Yard and;

WHEREAS, This Resolution documents the Administrative Process for addressing nuisance abatement of Junk Vehicles.

WHEREAS, Chapter 51 (Junk and Junk Vehicles in the Code of Ordinances for Woodward, Iowa) – states Junk and Junk Vehicles means any vehicle legally placed in storage with the County Treasurer or unlicensed and which has any of the following characteristics:

A. Broken Glass. Any vehicle with a broken or cracked windshield, window, headlight or tail light, or any other cracked or broken glass.

B. Broken, Loose or Missing Part. Any vehicle with a broken, loose or missing fender, door, bumper, hood, steering wheel or trunk lid.

C. Habitat for Nuisance Animals or Insects. Any vehicle which has become the habitat for rats, mice, or snakes, or any other vermin or insects.

D. Flammable Fuel. Any vehicle which contains gasoline or any other flammable fuel.

E. Inoperable. Any motor vehicle which lacks an engine or two or more wheels or other structural parts, rendering said motor vehicle totally inoperable, or which cannot be moved under its own power or has not been used as an operating vehicle for a period of thirty (30) days or more.

F. Defective or Obsolete Condition. Any other vehicle which, because of its defective or obsolete condition, in any other way constitutes a threat to the public health and safety.

WHEREAS, merely licensing a vehicle which exhibits the above characteristics does not protect that vehicle from governance under Chapter 51 (Junk and Junk Vehicles in the Code of Ordinances for Woodward, Iowa) or this resolution and;

WHEREAS, Chapter 51 (Junk and Junk Vehicles in the Code of Ordinances for Woodward, Iowa) declares Junk Vehicles unlawful, a nuisance, and constitutes a threat to the health and safety of the citizens of Woodward in accordance with Section 657.1 of the Code of Iowa.

SECTION ONE: Upon discovery of any Junk Vehicle(s) as defined by the criteria established in Chapter 51 (Junk and Junk Vehicles in the Code of Ordinances for Woodward, Iowa), the City shall within 5 days initiate abatement procedures as established in Chapter 50 (Nuisance Abatement Procedure in the Code of Ordinances for Woodward, Iowa) and as further set forth in this Resolution.

SECTION TWO: The City of Woodward shall consider the acceptable period for the removal of a junk vehicle to be 14 days from the instance, complaint or observation and verbal notification by Woodward City Representatives.

SECTION THREE: After the initial period of 14 days, Woodward City Representatives will formally notify the responsible party for the property in question by written notification of non-compliance. The written notification will allow for another period of 14 days for the responsible party to abate the nuisance.

SECTION FOUR: After the period of 28 days with no remediation, the compliance officer may issue appropriate civil penalties for non-compliance. Additional penalties may be issued for additional offenses for additional 14-day periods of non-compliance.

SECTION FIVE: After multiple remediation periods have passed, and the appropriate penalties have been assessed, in the interest of public safety and civic harmony, it may be necessary for the city to initiate abatement actions under this administrative abatement process. At this time, the responsible party will be notified in writing that the city is going to abate the nuisance and will also inform the responsible party that they will be responsible for any and all costs associated with the abatement action. Once the decision is made to initiate abatement actions, there is no further waiting period required as long as the formal notification is initiated at the same time.


That this Resolution shall be in full force and effect from April 12, 2021.

PASSED and APPROVED THIS 12th day of April, 2021.



Todd Folkerts, Mayor

ATTEST:



Angie Hoyt, City Clerk