

**ORDINANCE NO. 480**

AN ORDINANCE AMENDING THE CODE OF THE CITY OF BRITT, IOWA, BY DELETING CURRENT SECTIONS IN TITLE III, CHAPTER 9, AND SUBSTITUTING NEW SECTIONS IN TITLE III, CHAPTER 9, AND ADDING SECTIONS.

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**BE IT ENACTED** by the City Council of the City of Britt, Iowa:

**SECTION 1.** The Britt Code of Ordinances is amended by deleting the following subsection of Title III, Chapter 9, Section 3-9-1 and substituting in lieu thereof:

3-9-1 PURPOSE. The purpose of this chapter is to protect the health, safety, and welfare of the citizens of Britt, Iowa, and safety of property of this City by providing for removal of junk, abandoned and junk motor vehicles and machinery and the elimination of the open storage of junk, abandoned and junk motor vehicles and machinery except in authorized places.

**SECTION 2.** The Britt Code of Ordinances is amended by adding the following subsection of Title III, Chapter 9, Section 3-9-2(6):

JUNK: Any used or obsolete automobiles or trucks not currently licensed, any inoperable vehicles or any unsafe vehicles, except that this shall not preclude the legal storage of an unlicensed vehicle within a proper enclosure or building by virtue of the surrender of the license plates to the County Treasurer. Junk shall also include all old or scrap copper, brass, lead, or any other non-ferrous metal; old rope, rags, batteries, paper, trash, rubber debris, waste, used lumber or salvaged wood; dismantled or inoperable machinery and appliances or parts of such machinery or appliances; iron, steel, or other old or scrap ferrous material; old discarded glass, tinware, plastic, or old discarded household goods or hardware; cut brush, including dead or decaying plant material. Junk shall not include a contained compost pile or orderly stacked firewood if cut in lengths less than or equal to four feet.

**SECTION 3.** The Britt Code of Ordinances is amended by deleting Title III, Chapter 9, Section 3-9-8 and substituting therefore the following:

3-9-8 JUNK, JUNK VEHICLES AND JUNK MACHINERY DECLARED A NUISANCE. It is hereby declared that any junk or junk vehicles located upon private property, unless excepted by Section 3-9-14, constitutes a threat to the health and safety of the citizens of the City of Britt, Iowa, and is a nuisance within the meaning of Section 657.1, Code of Iowa. If any junk, junk vehicle or junk machinery is kept upon private property in violation hereof, the owner of and

persons occupying the property upon which it is located shall be prima facie liable for said violation.

**SECTION 4.** The Britt Code of Ordinances is amended by adding Title III, Chapter 9, Section 3-9-14:

3-9-14 EXCEPTIONS. The provisions of this chapter do not apply to any junk, junk vehicle or machinery stored within a garage or other enclosed structure.

**SECTION 5. REPEALER.** All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

**SECTION 6. SEVERABILITY CLAUSE.** If any section, provision or part of this ordinance shall be adjudged invalid or unconstitutional such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

**SECTION 7. WHEN EFFECTIVE.** This ordinance shall be in effect from and after its final passage, approval and publication as provided by law.

Passed by the Council the 7th day of December, 2015, and approved this 7th day of December, 2015.

\_\_\_\_\_\s\Marvin Hillenga\_\_\_\_\_  
Marvin Hillenga, Mayor

ATTEST:  
\_\_\_\_\_\s\Michelle Anderson\_\_\_\_\_  
Michelle Anderson, City Clerk

I certify that the foregoing was published as Ordinance No. 480 on the 16th day of December, 2015.

\_\_\_\_\_\s\Michelle Anderson\_\_\_\_\_  
Michelle Anderson, City Clerk