

## Chapter 11.36

### Abandoned, Unauthorized and Junk Vehicles

#### Sections :

- 11.36.010 Abandoned, Unauthorized and Junk Vehicles Regulated by MTO
- 11.36.020 Abandonment and Removal of Junk or Unauthorized Motor Vehicles or Parts Thereof From Private Property
- 11.36.030 Penalties

#### **11.36.010 Abandoned, Unauthorized and Junk Vehicles Regulated by MTO.**

All abandoned, unauthorized and junk vehicles shall be controlled by the applicable provisions of the MTO as adopted by Section 11.04.015 of the Snohomish Municipal Code, with the exception of those vehicles on private property which constitute a public nuisance.

#### **11.36.020 Abandonment and Removal of Junk or Unauthorized Motor Vehicles or Parts Thereof From Private Property.**

A. The storage or retention of an unauthorized vehicle, as defined in RCW 46.55.010(12), or a junk vehicle as defined in RCW 46.55.010(4), or parts of a junk vehicle, on private property is a public nuisance subject to removal and impoundment by the City. The police shall inspect and investigate complaints relative to unauthorized or junk vehicles, or parts thereof, on private property. Upon discovery of such nuisances, the Police Department shall give notice in writing to the last registered owner of the vehicle, and to the property owner of record, that within ten days of such notice either the nuisance must be abated or a written request for a hearing before the Evergreen District Court must be filed with the Police Chief. In the event

such notice is not complied with, the vehicle will be removed by the City as provided below.

- B. If a request for a hearing is received, a notice giving the time, location and date of the hearing on the question of abatement and removal of the vehicle or part thereof as a public nuisance shall be mailed, by certified mail, with a five-day return receipt requested, to the owner of the land as shown on the last equalized assessment roll and to the last registered and legal owner of record of the vehicle unless the vehicle is in such condition that the identification numbers are not available to determine ownership.
- C. The owner of the land on which the vehicle is located may appear in person at the hearing or present a written statement in time for consideration at the hearing, and deny responsibility for the presence of the vehicle on the land, with reasons for the denial. If it is determined at the hearing that the vehicle was placed on the land without the consent of the landowner and that he has not subsequently acquiesced in its presence, then the court shall not assess costs of administration or removal of the vehicle against the property upon which the vehicle is located or otherwise attempt to collect the cost from the owner of the land.
- D. Cost of removal of vehicles or parts thereof under this section shall be assessed against the last registered owner of the vehicle or automobile hulk if the identity of the owner can be determined, unless the automobile hulk has complied with RCW 46.12.101, or the costs may be assessed against the owner of the property on which the vehicle is stored, unless the property owner establishes the facts set forth in subsection (b) of this section.

E. This section shall not apply to:

1. A vehicle or part thereof that is completely enclosed within a building in a lawful manner where it is not visible from the street or other public or private property; or
2. A vehicle or part thereof that is stored or parked in a lawful manner on private property in connection with the business of a licensed dismantler or licensed vehicle dealer and is fenced according to RCW 46.80.130.

F. After notice has been given of the City's intent to dispose of the vehicle and after a hearing, if requested, has been held, the vehicle or parts thereof shall be removed at the request of a police officer and disposed of to a licensed motor vehicle wrecker or hulk hauler with notice to the Washington State Patrol and the Department of Licensing that the vehicle has been wrecked.

**11.36.030 Penalties.** Any person violating any provision of this chapter shall be guilty of an infraction and shall be punished by a penalty of up to \$250 for each day that the violation continues.