

VEHICLES OR OTHER MACHINERY, ETC.

Chapter 88

VEHICLES OR OTHER MACHINERY ABANDONED
OR INOPERABLE

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[**HISTORY:** Adopted by the Mayor and Common Council of the City of Gloucester City 9-2-65. Amendments noted where applicable.]

GENERAL REFERENCES

- Garbage collection — See Ch. 50.
- Junk dealers — See Ch. 58.
- Abandoned refrigerators — See Ch. 68.
- Sidewalks, streets and shade trees — See Ch. 73.
- Tow cars — See Ch. 84.
- Vehicles and traffic, generally — See Ch. 87.

Be it ordained by the Mayor and Common Council of the City of Gloucester City, in the County of Camden and State of New Jersey, that:

§ 88-1. Declaration.

It is hereby determined and declared that the placing, abandonment, leaving, keeping or storage out-of-doors of any motor vehicle not currently in use for transportation and not licensed for the current license year, or any other unused machinery or equipment on public or private lands in Gloucester City, is contrary and inimical to the public welfare in that such articles so placed, abandoned, left, kept or stored attract or may attract persons of tender years who, being so attracted, may play in and about them and be injured in so doing, and in that such articles so placed, abandoned, left, kept or stored out-of-doors, exposed to the elements, deteriorate and in themselves are detrimental to and depreciate the value of properties in the neighborhood where they are located and in Gloucester City as a whole.

§ 88-2. Keeping or storing on certain lands.

No person shall place, abandon or leave, keep or store, or suffer or permit the placing, abandoning, leaving, keeping or storage of, any article described in § 88-1 of this ordinance out-of-doors upon any public or private land in Gloucester City or between the right-of-way side lines of any public thoroughfare therein. Nothing herein contained shall be deemed to prohibit the placing, keeping or storage of any such article in an enclosed garage, barn or other building.

§ 88-3. Interpretation.

If any article described in § 88-1 of this ordinance shall be left, placed, kept or stored on private lands for fifteen (15) days

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or more, it shall be presumed that the owner or tenant in possession of said land left, placed, kept or stored it there or permitted or suffered it to be left, placed, kept or stored there.

§ 88-4. Procedure for violations on privately owned land.

Whenever it shall appear to any member of the Police Department of Gloucester City that § 88-2 of this ordinance is being violated and that the land on which the violation exists is privately owned, he shall, in writing, notify the owner or tenant in possession of the land on which the violation exists to abate the violation by removing the article or articles constituting the violation from the Gloucester City or into an enclosed garage, barn or other building within ten (10) days of the service of the notice, which notice shall be served upon such owner or tenant, if he resides in Gloucester City, personally or by leaving it at his usual place of abode with some member of his household over the age of fourteen (14) years; but if any such owner or tenant shall reside outside Gloucester City, the notice shall be served upon him by registered or certified mail addressed to him at his usual residence if ascertainable, otherwise by notice published in the newspaper in which the legal notices of Gloucester City may be published, and the said owner or tenant shall so abate the violation within the time fixed by the notice.

§ 88-5. Procedure for violations on public lands or between right-of-way side lines.

Whenever it shall appear to any member of the Police Department of Gloucester City that § 88-2 of the ordinance is being violated and that the violation exists on the public lands or between the right-of-way side lines of any public thoroughfare, he:

A. Shall determine whether any article constituting the violation constitutes or may constitute a traffic hazard, and if so, he shall move it or cause it to be moved to a non-hazardous location or into an enclosed storage place.

B. Shall ascertain, if he can, who is the owner of the article or articles, and shall, in writing, notify such owner to abate the violation forthwith and in all events within ten (10) days after the service of the notice upon him, which notice shall be given as required in § 88-4 for the service of notice thereunder.

C. If any article constituting the violation constitutes or may constitute a traffic hazard and it cannot be moved to a nonhazardous location, or if the name and address of the owner of the article cannot be ascertained, or if the violation be not abated in the time required by the notice given under the foregoing Subsection B, he shall:

(1) Determine whether the article or articles have a value in excess of the cost of removing it or them to enclosed storage and the cost of storing it or them for thirty (30) days in the case of motor vehicles and for six (6) months for all other articles.

[Amended 4-7-66]

(2) Unless the article or articles appear to have a value clearly in excess of such cost, he shall arrange, if he can, for the removal of it or them by someone who will undertake that removal without cost to the Gloucester City, but otherwise he shall arrange for that removal at the expense of the Gloucester City to an authorized dump.

(3) If the article or articles appear to have a value clearly in excess of said cost, he shall remove it or

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them or cause it or them to be removed at the expense of Gloucester City to enclosed storage.

- (4) If the articles are removed under the foregoing Subsection A or Subsection C(2) or (3), he shall, in the manner required by § 88-4 or service of notice thereunder, give notice to the owner of that removal and of the place to which the article or articles have been removed and of the owner's right to reclaim it or them by paying the cost of removal and interim storage charges.

§ 88-6. Forfeiture; disposal. [Amended 4-7-1966]

If any article impounded by the Police Department of Gloucester City under this ordinance shall remain in its possession for 30 days after notice of the impounding in the case of motor vehicles and for six months for all other article, the impounded article shall be deemed to have been abandoned and forfeited by the owner, and the article shall be sold and disposed of as provided by N.J.S.A. 39:10A-1 et seq. in the case of motor vehicles and as provided by N.J.S.A. 40A:14-157 in the case of all other articles.

§ 88-7. Violations and penalties. [Amended 12-5-1974;¹ 3-3-1983 by Ord. No. 4-1983; 5-19-2003 by Ord. No. 11-2003]

Anyone who shall violate this ordinance may be fined not less than \$200 but not more than \$1,000 for each offense or be imprisoned in the county jail for not more than 90 days, or both, in the discretion of the judge before whom he may be convicted.

¹ Editor's Note: See Ch. 1, § 1-6B(1).

§ 88-8. Repeal of inconsistent ordinances.

All other ordinances or parts of ordinances inconsistent with the provisions of this ordinance are hereby repealed.

§ 88-9. When effective.

This ordinance shall take effect from and after its passage and publication as provided by law.