



Staff Report

Agenda Item: **INOPERABLE VEHICLES ON PRIVATE PROPERTY -**
Discussion and direction to staff relating to a Town Code
Amendment for Inoperable Vehicles on Private Property, Section
302.8, 2003 International Property Maintenance Code.

Staff Contact: Mike Baker, Sherry Bailey

Meeting Date: December 11, 2007

Background: When the 2003 International Property Maintenance Code was approved by Council for inclusion in the Town Code, one of the amendments allowed an unspecified number of inoperable or unlicensed vehicles to be stored on private property as long as they were covered by a commercial cover, or stored inside a building. The Community Development Department (CDD), as well as the Mayor and several Council members, have received complaints from residents that even though the vehicles are covered, they are still an eyesore, especially when they are stored on a smaller lot. The residents who have complained feel that rather than having the vehicles covered, they should be removed, or at the very least, completely screened, and a limitation established for the number of inoperable vehicles that may be openly stored.

The following is the result of a survey of inoperable vehicle laws from Prescott, Sedona, and Cottonwood.

The City of Prescott defines an abandoned vehicle as a vehicle without a current license plate or tab, which is stripped, unclaimed, junked or discarded. A vehicle, including a trailer, being repaired that takes longer than ninety days to complete, and a motor vehicle incapable of being propelled under its own power, are considered inoperable vehicles. Inoperable vehicles are allowed to be stored on private property provided that they are not in the front yard and are adequately screened by fences, walls, or hedges, from public view.

City of Sedona uses the term abandoned vehicle and defines it as any vehicle, trailer, or semi-trailer, subject to registration, that has been abandoned on public or private property. Any abandoned or junk vehicle, and all places maintained as junk yards (other than those permitted by law) dumping grounds, repair and rebuilding areas, and the storage of worn out vehicles, machinery, and parts of any kind that interferes with the comfortable enjoyment or quality of life or property is considered to be a public nuisance.

City of Cottonwood's ordinance allows junk automobiles to be stored in the rear yard only. They must be screened by a fence and not visible from any public street. No more

than two junk autos can be stored on any lot, tract, or parcel unless authorized by a conditional use permit issued by the Planning and Zoning Commission. All outdoor storage of junk automobiles is required to comply with these regulations within one year of the passage of the ordinance.

Based on the complaints received, Staff feels that the best change of the current regulation for inoperable vehicles would require:

1. All inoperable vehicles shall be allowed to be stored in the rear yard only, with the exception of a suitable garage or outbuilding.
2. A limit of no more than two vehicles be allowed per premises.
3. An opaque fence, complying with the Zoning Ordinance, must be used to screen any inoperable vehicles from public and private view. Slats inserted into a chain link fence, would not be a proper screen.
4. The above provisions would take effect one year from the adoption of these amendments.

Recommendations: This is a work session and no action is required. Staff would appreciate direction from Council on any refinements they would like to see to the Property Maintenance Code Program.