

## Chapter 171

### VEHICLES, ABANDONED AND JUNKED

**[HISTORY: Adopted by the Town Council of the Town of Callahan 6-1-1970 as Ord. No. 1-1970. Amendments noted where applicable.]**

#### GENERAL REFERENCES

Vehicles and traffic — See Ch. 173.

#### **§ 171-1. Definitions.**

The following definitions shall apply in the interpretation and enforcement of this chapter:

**PERSON** — Any person, firm, partnership, association, corporation, company or organization of any kind.

**PROPERTY** — Any real property within the town which is not a street or highway.

**STREET or HIGHWAY** — The entire width between the boundary lines of every way publicly maintained when any part thereof is open to the use of the public for purposes of vehicular travel.

**VEHICLE** — A machine propelled by power other than human power designed to travel along the ground by use of wheels, treads, runners or slides and transport persons or property or pull machinery and shall include, without limitation, automobile, truck, trailer, motorcycle, tractor, buggy and wagon.

#### **§ 171-2. Abandonment of vehicles.**

No person shall abandon any vehicle at any place within the town for such time and under such circumstances as to cause such vehicle reasonably to appear to have been abandoned.

#### **§ 171-3. Disposition of wrecked or discarded vehicles.**

No person in charge or control of any property within the town, whether as owner, tenant, occupant, lessee or otherwise, shall allow any partially dismantled, nonoperating, wrecked, junked or discarded vehicle to remain on such property longer than two hundred forty (240) hours; and no person shall leave any such vehicle on any property within the town for a longer time than two hundred forty (240) hours; except that this chapter shall not apply with regard to a vehicle in an enclosed building; a vehicle on the premises of a business enterprise operated in a lawful place and manner, when necessary to the operation of such business enterprise; or a vehicle in an appropriate storage place or depository maintained in a lawful place and manner by the town.

#### **§ 171-4. Impoundment.**

The Chief of Police or any member of his Department designated by him is hereby authorized to

remove or have removed any vehicle left at any place within the town which reasonably appears to be in violation of this chapter or lost, stolen or unclaimed. Such vehicle shall be impounded until lawfully claimed or disposed of in accordance with § 171-4A and B.

- A. Disposition of junk vehicle. If any vehicle is not removed and caused to be in compliance with the terms of this chapter within the time allowed and such vehicle is impounded, the vehicle may be disposed of as junk if the vehicle is not reasonably repairable, and any sums received from the sale of such junk shall be deposited in the general fund of the town to assist in defraying expenses for the enforcement of this chapter.
- B. Disposition of repairable vehicle. If such vehicle so impounded may be reasonably repaired so that title thereto may be transferred by appropriate authority, the same may be done through the procedure authorized under the provisions of Chapter 705, Florida Statutes, or under such other procedure as may be authorized by law. From the funds received from any such sale, there shall be deposited in the general fund of the town to assist in defraying expenses of the enforcement of this chapter all necessary expenses incurred in connection with the impounding and sale of such vehicle, and the balance thereof may be claimed by the rightful owner within thirty (30) days from the date of such sale.

**§ 171-5. Penalties for offenses.**

Any person violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be fined in an amount not exceeding five hundred dollars (\$500.) or be imprisoned in the Town Jail for a period not exceeding one hundred eighty (180) days or be both so fined and imprisoned. Each day such violation is committed or permitted to continue shall constitute a separate offense and shall be punishable as such hereunder.