

**TOWN OF HAMPDEN, MAINE
JUNKED VEHICLE ORDINANCE**

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ADOPTED: Hampden Town Council August 15, 1988
Effective: September 13, 1988

AMENDED: Hampden Town Council March 18, 1996
Effective: April 14, 1996

**TOWN OF HAMPDEN, MAINE
JUNKED VEHICLE ORDINANCE**

Pursuant to the authority vested in the Town of Hampden by virtue of 30 M.R.S.A. § 1917, THE TOWN OF HAMPDEN HEREBY ORDAINS:

Section 1. Short Title. This ordinance is hereby enacted by the Town of Hampden and shall be known as the "Junked Vehicle Ordinance of the Town of Hampden."

Section 2. Definition. For the purposes of this ordinance, the following terms, phrases, words, and their derivations shall have the meaning given herein. All other terms, phrases, and words shall be given their customary meanings such as the context shall imply. When not inconsistent with the context, words used in the present tense include the future, words in the plural number include the singular number, and words in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

2.1. *Motor Vehicle* is any vehicle which is selfpropelled and designed to travel along the ground and shall include, but not be limited to, automobiles, buses, motorbikes, motorcycles, motorscooters, trucks, tractors, campers, all-terrain vehicles, and snowmobiles.

2.2. *Person* shall mean any person, firm, partnership, association, corporation, company or organization of any kind.

2.3. *Private property* shall mean any real property within the Town of Hampden which is privately owned.

2.4. *Public property* shall mean any street or highway which shall include the entire width between the boundary lines of every way publicly maintained for the purposes of vehicular travel, and shall also mean any other publicly owned property or facility.

2.5. *Structure* shall mean a permitted building meeting all building codes associated with its use. (*Amended: 3/18/96*)

2.6. *Unserviceable* shall mean a motor vehicle which does not have a current vehicle inspection sticker and/or registration.

Section 3. Prohibited Activity.

3.1. No person shall park, store, leave, or permit the parking, storing, or leaving of more than one motor vehicle of any kind which is in an abandoned, unserviceable, wrecked, dismantled, inoperative, rusted, junked, partially dismantled, stripped, or disrepaired condition upon any public or private property within residential zones A and B within the Town of Hampden. The one motor vehicle permitted must be located at least fifteen feet (15') from any property line. (*Amended : 3/18/96*)

3.2. No more than one motor vehicle of any type shall at any time undergo major overhaul, including body work, within residential zones A and B within the Town of Hampden, under the Hampden Zoning Ordinance unless such work is performed inside a structure or similarly enclosed area designed and approved for such purposes.

3.3. Sections 3.2 and 3.1 shall not apply to any vehicle enclosed within a structure on private property or to any vehicle present on the property in connection with a business enterprise which is lawfully in existence and properly operated in accordance with all other laws and ordinances applicable thereto.

3.4. The presence of any prohibited motor vehicle left on private or public property in violation of this ordinance is hereby declared to be a public nuisance.

Section 4. Enforcement. This ordinance shall be administered and enforced by the Code Enforcement Officer.

Section 5. Responsibility For Removal. The owner of any motor vehicle parked, stored, or left on private or public property in violation of this ordinance shall remove it from said property within sixty (60) days from receipt of a notice from the Code Enforcement Officer notifying them of the existence of the nuisance. In addition, the owner or occupant of private property shall remove such vehicle from the premises within sixty (60) days from receipt of a notice from the Code Enforcement Officer notifying them of the existence of the nuisance.

Section 6. Legal Actions. The Code Enforcement Officer, and/or the Town Attorney, is hereby authorized and directed to institute any and all actions and proceedings, either in law or in equity, that may be appropriate or necessary to obtain compliance with the provisions of this ordinance.

Section 7. Severability. If any section, subsection, sentence, clause, phrase or other portion of this ordinance is for any reason held invalid, or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such determination shall not affect the validity of the remainder of this ordinance.

Section 8. Penalties. Any person who violates any of the provisions of the ordinance, or fails to comply with the requirements hereof, shall be guilty of a civil violation and upon conviction thereof shall be subject to a fine of not less than \$100.00 nor more than \$500.00. Each day any violation continues to exist after notification shall constitute a separate offense. All civil penalties imposed shall inure to the Town of Hampden.