

Chapter 187

VEHICLES, ABANDONED

[HISTORY: Adopted 1-29-1973 by the Special Town Meeting of the Town of Somers, effective 2-20-1973. Amendments noted where applicable.]

§ 187-1. Findings; purpose.

- A. Discarded motor vehicles, discarded motor vehicle parts and other unsightly material have a blighting and deteriorating effect upon the value and enjoyment of properties nearby and constitute a health and safety hazard, particularly to children in the area.
- B. The purpose of this chapter is to eliminate discarded motor vehicles, discarded motor vehicle parts and other unsightly material from the Town.

§ 187-2. Prohibition within Town limits.

Discarded motor vehicles, discarded motor vehicle parts and other unsightly material, as hereinafter defined, are prohibited within the limits of the Town.

§ 187-3. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

DISCARDED MOTOR VEHICLE — A motor vehicle located on public and/or private property for a period of thirty (30) consecutive days, which vehicle is inoperative, unregistered and not in condition for legal use on the public highways and is in such condition, in the opinion of the Town Building Inspector, based on the standards set forth in this chapter, as to create a blighting or deteriorating effect on the public landscape or nearby private property or otherwise a public nuisance or a safety hazard.

DISCARDED MOTOR VEHICLE PARTS — Used parts of motor vehicles or old iron, metal, glass, paper, cordage or other waste or discarded or secondhand material which has been a part or is intended to be a part of any vehicle, located on public or private property for a period of thirty (30) consecutive days, provided that any such parts or materials are not lawfully stored within a garage, building or structure.

MOTOR VEHICLE — Any vehicle propelled or drawn by any power other than muscular, to include but not be limited to automobiles, trucks, buses, tractors, trailers, motorcycles, snowmobiles and like vehicles.

UNSIGHTLY MATERIALS — Unusable and/or discarded household appliances, furniture, equipment, building materials, junk and refuse, as well as any other material which is unsanitary or tending to create a nuisance located on public or private property for a period of thirty (30) consecutive days, provided that any such material is not lawfully within a garage, building or structure.

§ 187-4. Exemptions.

This chapter shall not apply to:

- A. Discarded motor vehicles and discarded motor vehicle parts located in a motor vehicle junkyard licensed in accordance with the provisions of the Connecticut General Statutes, as amended, or permitted under any exemption to such licensing requirement.
- B. Licensed garages, service stations and new or used car lots, as such uses shall be regulated by the provisions of Chapter 214, Zoning, and the Connecticut General Statutes.
- C. Existing contractors' yards for building materials, equipment, etc., as such uses shall be regulated by the provisions of Chapter 214, Zoning, and the Connecticut General Statutes.
- D. Farm equipment used by a person whose principal occupation is the cultivation, operation or management of a farm for gain or profit, either as owner or tenant. The term "farm equipment" does not include any type of motor vehicle licensed by the State of Connecticut for travel on the public highways, except vehicles bearing farm plates. The term "farm" includes livestock, dairy, poultry, fruit, tobacco and truck farms.

§ 187-5. Penalties for offenses.

Any owner of a discarded motor vehicle or of discarded motor vehicle parts or of other unsightly material and any owner of property or person in possession of property on which a discarded motor vehicle or discarded motor vehicle parts or other unsightly material is located shall be subject to a fine of ten dollars (\$10.) per day for each day that such condition continues commencing thirty (30) days after the Town has given written notice to remove to such owner or person, as hereinafter provided. Each day shall constitute a new and separate offense, punishable hereunder.

§ 187-6. Removal procedure.

- A. When it is determined that a discarded motor vehicle or discarded motor vehicle parts or other unsightly material is located on private or public property, the Town shall notify the person in possession or control of such property and the owner of such property and also the owner of said vehicle, parts or material, if known, in writing by registered or certified mail, postage prepaid, to remove said vehicle, parts or material, and shall also post a notice of said notification in the Town Hall. Notice shall also be provided in a newspaper having a substantial circulation in such Town. [Amended 4-29-1996 by the Board of Selectmen, effective 5-23-1996]
- B. If such persons and/or owners have not caused the removal of said vehicle, parts or material within twenty (20) days after receipt of said notification, the Town shall cause said motor vehicle, motor vehicle parts or other unsightly material to be removed to a licensed motor vehicle junkyard or to an area authorized by proper authority for impoundment and retention or for disposal of such vehicles, parts or material or from the person in possession or control of the property or from the owner of the property, from which said vehicle, parts or material were removed.

§ 187-7. Notice to Commissioner of Motor Vehicles.

Prior to removal of any discarded motor vehicle as provided for the foregoing, the Town shall give written notification to the State of Connecticut Commissioner of Motor Vehicles of the issuance, by the Town, of the aforementioned notices, such notification to include the location of the vehicle, the identification number, if available, and such other description or identification of the vehicle as may assist in establishing the legal ownership of the vehicle.