

ORDINANCE NO. 756

AN ORDINANCE AMENDING CHAPTER VIII, SECTION 8-303 OF THE CODE OF THE CITY OF SOLOMON, KANSAS CONCERNING THE REGULATION OF INOPERABLE VEHICLES AND MOTOR VEHICLE NUISANCES WITHIN THE CITY OF SOLOMON, KANSAS,

BE IT ORDAINED, BY THE GOVERNING BODY OF THE CITY OF SOLOMON, KANSAS:

SECTION ONE. Section 8-303 of the Code of the City of Solomon, Kansas is hereby amended to read as follows:

8-303. Nuisances unlawful; defined; exceptions.

It shall be unlawful for any person to maintain or permit any motor vehicle nuisance within the city.

(a) A motor vehicle nuisance is any motor vehicle which is not currently registered or tagged pursuant to K.S.A. 8-126 to 8-149 inclusive, as amended; or parked in violation of city ordinance; or incapable of moving under its own power; or in a junked, wrecked or inoperable condition. Any one of the following conditions shall raise the presumption that a vehicle is junked, wrecked or inoperable;

- (1) Absence of a current registration plate upon the vehicle;
- (2) Placement of the vehicle or parts thereof upon jacks, blocks, or other supports;
- (3) Absence of one or more parts of the vehicle necessary for the lawful operation of the vehicle upon street or highway.

(b) The provisions of this article shall not apply to:

- (1) Any motor vehicle which is enclosed in a garage or other building;
- (2) To the parking or storage of a vehicle being repaired, but otherwise properly registered, tagged, and insured, for a period of 30 consecutive days or less; or
- (3) To any person conducting a business enterprise in compliance with existing zoning regulations or who places not more than two (2) vehicles behind screening of sufficient size, strength and density to completely screen such vehicles from the view of the public and to prohibit ready access to stored vehicles by children. However, nothing in this subsection shall be construed to authorize the maintenance of a public nuisance.
- (4) Demolition derby vehicles.

The provisions of Section 8-303(a) shall not apply to any person, partnership, or corporation with respect to demolition derby vehicles, between June 1 and September 15, subject to the following:

(a) There shall not be more than two (2) demolition derby vehicles located on a tract at a time.

(b) Demolition derby vehicles shall be registered at the office of the City Clerk without charge.

(c) Demolition derby vehicles shall not be operated within the City between the hours of 10:00 p.m. and 8:00 a.m., unless the engine is properly muffled.

(d) Any ancillary parts or equipment related to the demolition derby vehicle, including, but not limited to parts, tires, motors, roll cages, trailers, welders, supplies, etc., shall not be stored outside an enclosed garage or an area completely enclosed on all sides by a privacy type fence. Demolition Derby Vehicles sitting in a driveway shall be covered with a tarp at all times persons are not actively and directly working on the demolition derby car.

(e) Demolition derby cars shall not be worked on or stored in any location other than a driveway, garage, or within an area enclosed with a privacy type fence.

SECTION THREE. Existing Section 8-303 is hereby repealed.

SECTION FOUR. This ordinance shall be in full force and effect from and after its adoption and publication once in the official city newspaper by the following summary:

Ordinance No. 756 Summary

On July 10, 2023, the City Council passed Ordinance No. 756. The ordinance amends Chapter VIII, Section 8-303 of the Code of the City of Solomon, Kansas concerning the regulation of inoperable vehicles and motor vehicle nuisances within the City of Solomon, Kansas. A complete copy of the ordinance is available online at www.solomon-ks.com or in the office of the City Clerk, 116 W. Main, in Solomon, Kansas, free of charge. This summary is certified by the City's legal counsel.

APPROVED AND PASSED by the City Council of the City of Solomon, Kansas, this 10th day of July, 2023.

Colten Kohman
President of City Council and Acting Mayor

Attest:

Dana Eye, City Clerk

The publication summary set forth above is certified this 10th day of July, 2023.

Aaron O. Martin, City Attorney