

Abandoned, Derelict and Nuisance Vehicles
Ordinance 2025-06
Replacing Ordinance VT-1 – 2005

No person shall cause or permit a nuisance on public or private property and causing or permitting a nuisance constitutes an offense under this ordinance. The following are declared to be nuisances to be abated and/or cited as provided in this ordinance.

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Section 1: *Definitions*

Abandoned Vehicles - Abandoned vehicle” means any vehicle that has been deserted or relinquished without claim of ownership. A vehicle shall be considered abandoned if it has remained in the same location for more than 72 hours.

Derelict Vehicles - A vehicle, trailer or recreational vehicle which is inoperative and wrecked and, not currently registered with the Oregon Department of Motor Vehicles or is no longer safely usable for the purposes for which it was manufactured or constructed.

Nuisance Vehicle - A vehicle that is considered a nuisance vehicle is subject to immediate removal by Morrow County Sheriff’s Office (MCSO) upon the request from city personnel, if it has one or more of the following characteristics, or any other combination of factors that may constitute a nuisance or hazard to the public:

- Vehicle leaks hazardous liquids or materials;
- Vehicle’s engine is partially or fully dismantled, or has no engine;
- Vehicle is missing drive train components, the drive train or transmission is partially or fully dismantled, or has no transmission;
- Vehicle is missing two or more tires, or has two or more deflated tires;
- Vehicle has an altered or missing vehicle identification number (VIN);
- Vehicle has broken, shattered, or missing windows where exposed glass is present;
- Vehicle’s contents pose a threat to public health and safety.

City Administrator - means the person holding the position of city administrator or any agent, employee, or designee authorized to perform the duties of this chapter by the city administrator.

City - means the City of Lone.

Costs - means the expense of removing, storing or selling an impounded vehicle.

Owner - means any individual, firm, corporation or unincorporated association with a claim, either individually or jointly, of ownership or any interest, legal or equitable, in a vehicle.

Towing - means taking possession of a vehicle and removing it to a storage facility at the request of a city officer or employee.

Section 2: *Prohibited- Abandoned, Derelict, and Nuisance Vehicles*

Whether attended or not, it is unlawful to park, store, leave, or permit the parking or storing of any licensed or unlicensed motor vehicle of any kind for a period of time in excess of seventy-two (72) hours, which is in a rusted, wrecked, junked, partially dismantled, inoperative, abandoned condition or detrimental to the health, safety, and welfare of the inhabitants of the City, upon any public or private property within the City. This shall constitute unsightly nuisance. If the owner of an abandoned vehicle or the private property owner or

lessee responsible for placement, or allowing for or assisting in the placement of the subject vehicle in front of or contiguous to his or her real property fails to remove the vehicle after notice is provided as required in ORS [819.170](#), then City personnel may have the vehicle towed and dispose of it in accordance with ORS [819.110\(1\)\(a\)](#), [819.110\(2\)-\(5\)](#) and ORS [819.120](#) through ORS [819.280](#) unless it is in connection with a business enterprise, lawfully licensed by the City, and properly operated in the appropriate business zone, pursuant to the zoning laws of the City. Movement within a block shall not remove the vehicle from violation. In all cases, adequate evidence of the right of possession of the vehicle or trailer, as determined by the Sheriff Department, must be presented prior to issuing the release of the vehicle.

No person shall live, sleep, or reside in a vehicle that is parked upon a public street or public right-of-way.

- a. A person may temporarily occupy a recreational vehicle legally parked on a public street as long as:
 - i. The period of occupancy is not longer than five consecutive days in any two calendar weeks. For purposes of this section, if a vehicle is tagged for towing, and is found to be in the same location after the fifth day, there shall be a rebuttable presumption that the vehicle remained in the location for five consecutive days in violation of this chapter. The vehicle owner shall have the burden of disproving the presumption.
 - ii. The recreational vehicle is owned by the resident, or guest of the resident, and is parked immediately in front of or immediately adjacent to the residence.
 - iii. The recreational vehicle is parked in a manner that does not violate paragraph D of this section.
- b. No person shall park in front of the entrance of any place where mail is received or within ten feet of a mailbox during the hours of 8:00 a.m. to 5:00 p.m.
- c. A vehicle shall not be parked on a public street or public right-of-way without license plates, with expired tags, with expired registration, or with an expired temporary licensing permit.
- d. No person shall park a vehicle in a manner which interferes with the safe flow of traffic or creates a safety hazard by obstructing the view of other drivers.

Any vehicle that is found to be in violation of this ordinance section is subject to being tagged and towed consistent with the process provided in this chapter for "disabled" vehicles, including Section 4 and Chapter 819 of the Oregon Revised Statutes. The statutory and code requirements under these provisions require notice and explanation of procedures available for obtaining a hearing prior to towing. Any locks installed to prevent towing of the vehicle may be removed for the purpose of towing the vehicle. Any vehicles parked in such a manner as to prevent the towing of a vehicle in violation of this chapter may be temporarily moved for the purpose of providing access for towing of the vehicle in violation.

Section 3: City Officials and Morrow County Sherrif's Office (MCSO) Entry to Private Property

City personnel and MCSO are authorized at all reasonable times to enter private property to:

- Examine a vehicle to determine whether it is discarded and in violation of this ordinance;
- Examine a vehicle to determine ownership;
- Remove the vehicle pursuant to this ordinance.
- However, before entering upon private property, the city personnel or MSCO deputy shall obtain the consent of an occupant thereof or a warrant of the municipal court authorizing his or her entry for the purpose of inspection except when an emergency exists.

Section 4: Notice Prior to Removal.

City personnel will place a notice of removal or contact the Morrow County Sherrif's Office (MCSO) to place such notice upon a vehicle prior to its removal as abandoned that includes the following information:

- When the vehicle will be impounded if it is not removed from the location.
- The reason for impounding the vehicle;
- The telephone number to call to determine the location of the vehicle if it is impounded.
- That if the vehicle is taken into custody and towed, the owner will be subject to towing and storage charges and that a lien will be attached to the vehicle and its contents.
- That the owner is entitled to a hearing under ORS 819.190 to contest the validity of removal, and towing and storage charges.
- The time within which the hearing and the method to request a hearing must be given.

Section 5: Mailing to Owner, Landowner, or Lessee After Removal

If the owner is identified, he or she shall be notified immediately by certified or registered mail. The notice to the owner shall also state:

- The reason for impounding the vehicle;
- The existing costs charged against the vehicle;
- An estimate of future costs, including the cost of advertising the vehicle for sale;
- That unless the owner redeems the vehicle, within 10 days from the day of mailing the notice if the address of the owner is within the State of Oregon, or within 20 days of the day of mailing the notice if the address of the owner is outside the state of Oregon, and pays all the costs, the vehicle:
 - ♦ Will be advertised for sale and will be sold at a public auction, at a definite time and place within the city to the highest and best bidder for cash or otherwise disposed of as provided by law.

Section 6: *Alternate Procedure - Abatement by City*

If the notice is given, and the person upon whom said notice and demand is made shall fail to remove vehicle or vehicles or fail to be housed in a building where it will not be visible from the street, then such person shall be in violation of this ordinance. The following penalties may be assessed to the vehicle's registered owner, landowner, or lessee:

- As an alternate procedure, 5 days after the giving of notice or after the decision of the city administrator, declaring a vehicle to be a public nuisance as set forth in this ordinance, the city shall be deemed to have acquired jurisdiction to abate the nuisance and may remove the vehicle by use of city employees or duly authorized independent contractors.
- The City may remove the vehicle(s) by a city truck or be a commercial tow truck to a commercial garage, an automobile wrecking yard, or any other suitable place for storage of the vehicle as may be designated by the City Council.
- Within forty-eight (48) hours after the removal and storage of such vehicle notice shall be given in the manner prescribed to the registered owner of such vehicle, and also to the owner, lessee, or person in possession of the land from which the vehicle was removed, that said vehicle or vehicles have been impounded and stored for violation of this ordinance.
- The notice shall include the location of the place where the vehicle(s) are stored, and the costs incurred by the City for the removal or towing, if said charges are not paid in full to the City Administrator within ten (10) days following the mailing of such notice.

Section 7: *Failure to Abate – Penalty*

In addition to abatement, the owner of the vehicle(s) and/or the owner(s) of the property, shall be subject to a civil penalty in an amount of \$50 per day for each day of the violation(s) for each vehicle, with each day being treated as separate violations.

- It shall be unlawful for any person to interfere with, hinder or refuse to allow such people to enter upon private property for the purpose of removing a vehicle.

Section 8: *Sale or Disposition of Vehicle*

If a vehicle is appraised at a value of \$500 or less by a person who holds a certificate issued under ORS 819.480 the City or tow company who towed the vehicle shall:

- Photograph the vehicle or trailer;
- Notify the Department of Transportation that the vehicle and its contents will be disposed of by a person who holds a valid dismantler certificate issued by the Department of Transportation.

Within 72 hours (excluding holidays, Saturdays, and Sundays) after the written statement is provided to the person or tow company towing a vehicle, then they must give written notice to the persons whose names are furnished in the statement stating that a person entitled to

possession of the vehicle 10 days in state address or 20 days from our of state address from the mailing date of the notice to claim the vehicle and that if the vehicle is not claimed, it will be disposed of as provided in this section.

If the City fails to provide the person or tow company who towing the vehicle with the written statement within 72 hours after the vehicle is towed, the person may dispose of the vehicle as provided in O.R.S.ORS 819.210.

Disposal of a vehicle to a dismantler as provided in this section extinguishes all prior ownership and possessor rights

If the owner cannot be identified or no claim is made by a notified owner within the time specified by the City, a notice of sale shall be posted in at least three conspicuous public places within the city for a continuous period of not less than ten days preceding said sale; said notice of sale may also be published in a newspaper circulated within the city if in the discretion of the officer posting said notice such publication would be advisable. The notice of said sale shall state:

- The sale is of abandoned property in possession of the City;
- A description of the vehicle, including the type, make, motor number, serial number, and any other information which will aid in accurately identifying the vehicle;
- The terms of the sale; and
- The date, time and place of the sale.

If a tow company chooses to sell or dispose of an abandoned or discarded vehicle the tow company shall comply with all provisions of Oregon law regarding such vehicles.

A vehicle impounded under the provisions of this chapter may be redeemed by its owner or by the person in charge of the property from which the vehicle was removed before a sale or disposition has taken place by applying to the city, whereupon he or she shall:

- (1) Submit evidence of his or her ownership or interest in the vehicle satisfactory to the city administrator that such claim is rightful;
- (2) Pay the costs due and owed at the time the application to redeem is made; and (3) Give evidence that the nuisance character of the vehicle will not be allowed to be resumed.

Upon compliance with the above, the city administrator shall execute a receipt and cause the vehicle to be returned.

ADOPTED by the Ione City Council this 13th day of January 2026.


Jesse Shoemake, Mayor

ATTEST by the City Administrator this 13th day of January 2026.


Elizabeth Peterson, City Administrator

SUMMARY OF VOTES:

Jesse Shoemake, Mayor	Yes
SaBrina Bailey Cave, Council Chair	No
Jason Carson, Councilor	Absent
Bruce McMinn, Councilor	Yes
Mark Patton, Councilor	Yes
Michael Skow, Councilor	Yes
Brian Spivey, Councilor	No