

ORDINANCE AMENDING CHAPTER 16 RELATED TO TRAFFIC AND VEHICLES; ADDING ARTICLE VII. UNATTENDED, UNAUTHORIZED, AND ABANDONED VEHICLES

WHEREAS, during the full recodification of the Mankato City Code it was indicated by the Code Attorney that further review was needed related to unattended, unauthorized, and abandoned vehicles; and

WHEREAS, the section has been reviewed by city staff and in conjunction with State Statute and is requested to be added to Chapter 16 relating to Traffic and Vehicles.

NOW THEREFORE BE IT ORDAINED by the City Council for the City of Mankato that Mankato City Code, Chapter 16, Article VII, relating to unattended, unauthorized, and abandoned vehicle be and hereby is adopted as follows:

ARTICLE VII. UNATTENDED, UNAUTHORIZED, AND ABANDONED VEHICLES

Sec. 16-190. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Abandoned vehicle means a motor vehicle that has remained illegally for a period of more than 48 hours on public property illegally or lacking vital component parts, or has remained for a period of more than 48 hours on private property without the consent of the person in control of such property or in an inoperable condition such that it has no substantial potential further use consistent with its usual functions unless it is kept in an enclosed garage or storage building, or a motor vehicle voluntarily surrendered by its owner to and accepted by a unit of government or its agent. Vehicles on the premises of junk yards and automobile graveyards which are defined and maintained in accordance with M.S.A. § 161.242 or which are licensed and maintained in accordance with local laws and zoning regulations shall not be considered abandoned motor vehicles within the meaning of this definition.

Junk vehicle means a vehicle that:

- (1) Is three years old or older;
- (2) Is extensively damaged, with the damage including such things as broken or missing wheels, motor, drive train, or transmission;
- (3) Is apparently inoperable;
- (4) Does not have a valid, current registration plate; and
- (5) Has an approximate fair market value equal only to the approximate value of the scrap in it.

Vital component parts means those parts of a motor vehicle that are essential to the mechanical functioning of the vehicle, including, but not limited to, the motor, drive train, and wheels.

Sec. 16-191. Unlawful parking or storage.

- (a) No person shall cause or permit the parking, keeping or storage for more than two hours of any bus, camper, or truck, or other similar vehicles for the purpose of repair, replacement or exchange of parts or any other maintenance work thereon, in or on any public street, alley, road, highway, parking lot, parking structure, park or other public property or premises in or on any private lands or premises unless such vehicles on any such private lands are within an enclosed building.

- (b) No person shall cause or permit the parking, keeping or storage for more than 24 hours of any tractor, semi-trailer, racing or junk cars or other similar vehicles, in or on any public street, alley, road, highway, parking lot, parking structure, park or other public property or premises in or on any private lands or premises unless such vehicles on any such private lands are within an enclosed building.

Sec. 16-192. Notice.

When an impounded vehicle is taken into custody, the city or impound lot operator taking it into custody shall give written notice of the taking within five days, excluding Saturdays, Sundays, and legal holidays to the registered vehicle owner and any lienholders.

The notice shall: set forth the date and place of the taking; provide the year, make, model, and serial number of the impounded vehicle, if such information can be reasonably obtained, and place where the vehicle is being held; inform the owner and lienholders of their right to reclaim the vehicle under Sec. 16-193; state that failure of the owner or lienholders to exercise their right to reclaim the vehicle and contents shall be deemed a waiver by them of all right, title, and interest in the vehicle and contents and a consent to the sale of the vehicle and contents at a public auction pursuant to Sec. 16-194.

The notice shall be sent by mail to the registered owner, if any, of the impounded vehicle and to all readily identifiable lienholders of record. If it is impossible to determine with reasonable certainty the identity and address of the registered owner and all lien holders, the notice shall be published once in a newspaper of general circulation in the area where the motor vehicle was abandoned. Published notices may be grouped together for convenience and economy.

Sec. 16-193. Right to reclaim.

- (a) The owner or any lienholder of a motor vehicle shall have the right to reclaim such vehicle from the towing contractor upon payment of the towing, impoundment, storage, clerical and administrative fees as provided in the city fee schedule and the furnishing of proof of insurance within 15 days after the date of the notice required by Sec. 16-192.
- (b) Nothing in this article shall be construed to impair any lien of a garagekeeper under the laws of this state, or the right of a lienholder to foreclose. For the purposes of this section, the term "garagekeeper" is an operator of a parking place or establishment, an operator of a motor vehicle storage facility, or an operator of an establishment for the servicing, repair, or maintenance of motor vehicles.

Sec. 16-194. Sale of unclaimed vehicles.

- (a) An abandoned motor vehicle or vehicle constituting a public nuisance taken into custody and not reclaimed shall be sold to the highest bidder at public auction or sale, following reasonable published notice thereof. The purchaser shall be given a receipt which shall be sufficient title to dispose of the vehicle. The receipt shall also entitle the purchaser to register the vehicle and receive a certificate of title, free and clear of all liens and claims of ownership.
- (b) Abandoned motor vehicles not sold pursuant to paragraph (a) shall be disposed of.
- (c) From the proceeds of the sale of any vehicle constituting a public nuisance or an abandoned motor vehicle, the towing contractor shall receive the cost of towing, preserving and storing the vehicle as stated in the towing contract. The city shall reimburse itself for all notice and publication costs incurred pursuant to this article and clerical and administrative expenses stated in the towing contract. Any remainder from the proceeds of a sale shall be held for the owner of the vehicle or entitled lienholder for 90 days and then shall be deposited in the general fund of the city treasury.

This Ordinance shall, in accordance with the provisions of Section 2.14 and 5.06 of the Mankato City Charter, become effective thirty (30) days after publication of notice of its adoption.

Adopted this _____ day of October 2025.

Najwa Massad
Mayor

Attest: _____
Rena Kopischke, MMC
City Clerk