

ORDINANCE NO. 92 (MOP)  
Adopted February 26, 1985

AN ORDINANCE SETTING FOR THE DEFINITION OF JUNK, THE PROHIBITION AGAINST AND THE PENALTIES THAT MAY BE ASSESSED FOR VIOLATION THEREOF.

Sec. 1. Definitions.

As used in this article, the following terms shall have the respective meanings ascribed to them:

- (1) Junk: Any wrecked, dismantled, inoperative, abandoned or discarded appliance, furniture, machinery or tools of every nature, including but not limited to refrigerators, air conditioners, kitchen stoves, and junked vehicles.
- (2) Junked vehicles: Any motor vehicle which does not have lawfully affixed thereto, both an unexpired license plate or plates and a valid motor vehicle safety inspection certificate and the condition of which is one or more of the following:
  - (a) wrecked
  - (b) dismantled
  - (c) partially dismantled
  - (d) inoperative
  - (e) abandoned
  - (f) discarded

Exceptions: The provisions hereof shall not apply to: Any motor vehicle in operable condition specifically adapted or constructed for racing or operation or privately owned drag strips or raceways; any motor vehicle stored as the property of a member of the Armed Forces of the United States who is on active duty assignment.

- (3) Owner: Any person legally vested with the title and ownership of any immovable property situated within the City.
- (4) Vehicle: Any vehicle which was originally operable on two (2) or more wheels and which was originally capable of transporting one or more persons.

Sec. 2. Same - Keeping Prohibited; Declared Nuisance.

No person, firm or corporation, owning, leasing, occupying or having charge of premises, shall keep, deposit, maintain or allow to be kept

maintained or deposit or allow to remain any junk or junked vehicles on property situated within the City; and the presence of such junk or junked vehicles are hereby declared to be a public nuisance.

Sec. 3. Same - Keeping Prohibited; Declared Nuisance.

In the event that any person, firm or corporation allows the public nuisance defined in Section 2 above, to remain on said property for more than thirty (30) days without causing said junk or junked vehicles to be enclosed within a solid non-transparent wall or fence with a minimum height of seven (7) feet from the ground level, excepting for not more than two (2) entrances and two (2) exits, each such entrance or exit shall not exceed fifteen (15) feet in width.

Sec. 4. Deposit of Junk or Junked Vehicles on Private or Public Premises.

No person, firm or corporation shall place, cause to be placed, deposit, leave or dump any junk or junked vehicles on any premises in the City, whether they be public or private without the consent of the owner or tenant in possession thereof.

Sec. 5. Same - Notice to Remove.

The Chief of Police or his designated representative shall notify the owner of property as determined from the latest assessment rolls, a written notice requiring said person, firm or corporation, to remove or cause to be removed, any junk or junked vehicle, which such notice shall be posted by Registered or Certified Mail and said Notice shall require the removal to be completed within fifteen (15) days from the date of the letter.

Sec. 6. Penalty.

If there has been no compliance by said property owner or occupant with the requirements of this article within fifteen (15) days of notification of violation, the owner or occupant shall be charged with misdemeanor and on conviction thereof, shall be punished by fine of not more than \$300.00 or imprisoned for not more than thirty (30) days or both.

Sec. 7. General Penalty.

Any person violating any provision of this ordinance shall be guilty of a misdemeanor and shall be fined not more than \$300.00 or imprisoned for not more than thirty (30) days or both.

Sec. 8. Invalidity Clause:

The invalidity of any one or more clauses of past of this ordinance, shall not cause the whole to be invalid.

Sec. 9. Repealing Clause:

All ordinances or parts of ordinances in conflict herewith, are hereby repealed as of the effective date of this ordinance, but this repeal shall be only insofar as such ordinances conflict or are inconsistent herewith.

Sec. 10. This ordinance, the public health and necessity requiring it shall become effective after its publication in accordance with law.

Amended 3-21-89  
(see next page)