

CITY OF LAVON
ORDINANCE NO. 2001-10-04

AN ORDINANCE OF THE CITY OF LAVON, SUPERCEDING ORDINANCE NO. 91-4-2, THAT MAKES IT UNLAWFUL AND A NUISANCE TO LEAVE, PARK OR STAND, IN ANY FRONT, SIDE OR REAR YARD OF ANY LOT OR TRACT OF LAND IN THE CITY LIMITS, A MOTOR VEHICLE DEFINED AS A "JUNKED VEHICLE", PROVIDING A DEFINITION, PROVIDING A SEVERABILITY CLAUSE, PROVIDING PENALTIES, PROVIDING AN EFFECTIVE DATE, AND DECLARING AN EMERGENCY.

WHEREAS, the State of Texas has redefined what determines a motor vehicle to be declared a "junked vehicle"; and

WHEREAS, Ordinance No. 91-4-2 utilizes the former definition and is now not a viable ordinance.

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAVON, COLLIN COUNTY, TEXAS:

SECTION 1. The existence of the following conditions shall raise the presumption of and shall be prima facie evidence that such a motor vehicle is in a condition such as to make it deemed a "junked vehicle"

a. The vehicle does not have lawfully attached to it a current registration or motor vehicle inspection certificate.

And

b. Any such vehicle or vehicle part which has stood at such location for a period longer than thirty (30) days on private property or seventy-two (72) hours on public property, with a deflated tire or tires or a missing wheel or wheels or any other visible missing part to said vehicle which would be necessary in order for said vehicle to be driven or is incapable of being driven or operated for any reason or has been wrecked to the point that the vehicle is inoperable.

SECTION 2. It shall be unlawful and a nuisance for any person, firm or corporation to leave, park or stand for a period longer than thirty (30) days on private property or seventy-two (72) hours on public property in any front, side or rear yard of any lot or on any tract of land within the City Limits any motor vehicle or vehicle part which may be deemed a "junked vehicle" except where such vehicle is screen from public view by a solid wall or fence or completely enclosed in a building.

SECTION 3 Any passenger car or truck that is at least twenty-five (25) years old is classified as an "antique vehicle" and is exempt from the "junked vehicle" regulations.

SECTION 4 If any section, paragraph, subdivision, clause, phrase, or provision of this ordinance is adjudged invalid or held unconstitutional, the same shall not affect the validity of this ordinance as a whole or any part or provisions thereof, other than the part so decided to be invalid or unconstitutional.

SECTION 5 All ordinances or parts of ordinances in conflict or inconsistent with any of the provisions of this ordinance are hereby repealed insofar as the same are in conflict with the provisions hereof and insofar as necessary to give this ordinance full force and effect.

SECTION 6 The fact that the present City regulations are inadequate to properly protect the public health, safety and welfare, creates an urgency and an emergency and requires that this Ordinance shall take effect immediately from and after its adoption by the City Council and publication of its caption as the law provides in such cases.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF LAVON, COLLIN COUNTY, TEXAS ON THIS 18TH DAY OF OCTOBER 2001.



Jim Albright
Jim Albright, Mayor

ATTEST:

Chris Wess
Chris Wess, City Secretary