

AN ORDINANCE PROHIBITING ABANDONED AND JUNK MOTOR VEHICLES WITHIN THE CORPORATE LIMITS OF THE CITY OF HEBRON ESTATES, BULLITT COUNTY, KENTUCKY.

BE IT ORDAINED by the City Commission of the City of Hebron Estates, Bullitt County, Kentucky, as follows:

Section I: The City of Hebron Estates, Bullitt County, Kentucky, does hereby prohibit the abandonment and storage of junk cars within the corporate limits of the City of Hebron Estates, Bullitt County, Kentucky.

Section II: Definitions.

For the purpose of this Ordinance the following definitions shall apply unless the context clearly indicates or requires a different meaning.

"ABANDONED VEHICLES" - Any automobile or parts which are left on public or private property within the city under circumstances indicating a desertion, relinquishment, non-use, or divestment of the vehicle.

"AUTOMOBILE PARTS" - Any portion or parts of any motor driven vehicle as detached from the vehicle as a whole.

"INOPERATIVE CONDITION" - Unable to move under its own power due to defective or missing parts, and which has remained in such condition for a period of not less than ten (10) consecutive days.

"JUNKED VEHICLE" - Any vehicle or parts which do not have lawfully affixed to them an unexpired license plate and are in one or more of the following conditions: rusted, wrecked, partially dismantled, or otherwise non-functional. Junked vehicles may be deemed to include major parts thereof including, but not limited to bodies, engines, transmissions, and rear ends.

"MOTOR VEHICLE" - Any style or type of motor driven vehicle used for the conveyance of persons or property.

"NUISANCE" - Public nuisance.

"PRIVATE PROPERTY" - Any real property in the city which is privately owned.

"PUBLIC PROPERTY" - Any real property to which the general public has a right to resort.

"SCRAP METAL" - Pieces or parts of steel, iron, tin, zinc, copper, aluminum, or any alloy thereof, whether covered with porcelain or any other material, whether intact or in parts, which has served its usefulness in its original form and can no longer be used for its originally intended purpose.

"UNFIT FOR FURTHER USE" - In a dangerous condition; having defective or missing parts; or in such a condition generally as to be unfit for further use as a conveyance.

"VEHICLE OWNER" - Any individual, firm, corporation, or unincorporated association with a claim, either individual or joint, or ownership, or any legal or equitable interest in a motor vehicle.

Section III:

(A) It shall be unlawful for any person to park, store, leave, or permit parking or storing of any vehicle of any kind or parts thereof for a period of time in excess of 14 days which is rusted, wrecked, junked, partially dismantled, or inoperative, or in an abandoned condition, whether they are attended or not, on any private or public property within the city limits. This section shall not apply to a vehicle in an enclosed building, a vehicle on the premises of a business enterprise operated in a lawful place and manner when necessary to the operation of the business enterprise, or a vehicle in an appropriate storage place or depository maintained in a lawful place and manner by the city.

(B) Accumulation or storage of one or more abandoned or junked vehicles or parts thereof on private or public property shall constitute a nuisance detrimental to the health, safety, and welfare of the inhabitants of the city. It shall be the duty of the registered owner of the vehicle, the owner of record of the property, or the person in possession of the private property upon which the vehicle or parts thereof is located, to abate the nuisance through removal of the vehicle from the city limits, or have the same housed in a building where it will not be visible from the street.

Section IV: In addition to the penalties provided in Section X, the Mayor of the City may issue written notice and order to the registered owner of any abandoned or junked vehicle or to the owner of person in possession of private property on which the abandoned or junked vehicle may be situated, requiring that the vehicle be removed from the property or that the violation be otherwise removed and abated within ten (10) days. This notice may be served on the appropriate party, either personally or by certified mail. In addition, notice shall be conspicuously affixed to the abandoned or junked vehicle or parts thereof.

Section V: In the event any person fails to comply with an order issued pursuant to this subchapter, the Mayor or someone designated in his behalf may have the abandoned or junked vehicle removed and disposed of and may impose on the person violating the order a reasonable charge to cover the direct and indirect costs, if any, for the removal and disposition of the vehicle or parts thereof.

Section VI: Upon the failure of the appropriate party to pay the reasonable charges to cover the direct and indirect cost of the removal of any vehicle pursuant to the terms of this subchapter, the party shall be notified that an assessment has been made upon his property as an addition to his property tax for that year. The assessment is to appear on a tax bill and shall be collected by the City Clerk/Treasurer with the payment of the property taxes.

Section VII: Any person aggrieved by an order issued pursuant to this subchapter may request a hearing before the City Commission.

Section VIII: The Mayor is empowered and directed to file criminal complaints in the District Court for the enforcement of this subchapter.

Section IX: Whoever violates any provision of this Ordinance for which another penalty is not provided shall be fined not more than \$500.00 for each offense. Each day's continued violation shall constitute a separate offense. Any person violating Section

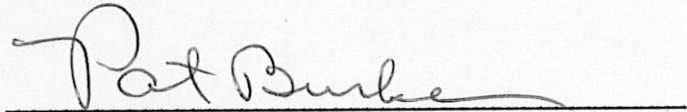
III shall be guilty of a violation and shall, upon conviction, be punished by a fine not less than \$50.00 nor more than \$250.00. Each day the violation continues shall be deemed a separate offense.

Section X: This Ordinance shall take effect upon publication.

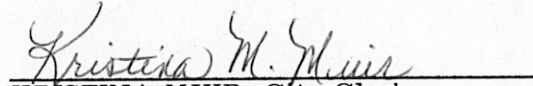
Section XI: Should any section, clause, line, paragraph or part of this Ordinance be held unconstitutional or invalid for any reason, the same shall not effect the remainder of this Ordinance.

Section XII: Any ordinance or part of ordinance in conflict with this Ordinance or any part of this Ordinance is hereby repealed.

Given first reading at a regular meeting of the City Commission of the City of Hebron Estates, Bullitt County, Kentucky, on the 6th day of September, 1988. Given second reading, voted upon and passed at a regular meeting of the City Commission of the City of Hebron Estates, Bullitt County, Kentucky, on the 4th day of October, 1988.

  
PAT BURKE, Mayor

ATTEST:

  
KRISTINA MUIR, City Clerk

	<u>Votes For</u>	<u>Votes Against</u>	<u>Abstentions</u>
George Riedling	<u>✓</u>	_____	_____
Barbara Atherton	<u>✓</u>	_____	_____
Tom Usher	<u>✓</u>	_____	_____
Herschel Ricketts	<u>✓</u>	_____	_____