

## **Record of Ordinances**

Ordinance No.: 2023-22

Passed: May 22, 2023

### **AN ORDINANCE REGULATING JUNK MOTOR VEHICLES INCLUDING BOATS, AND MOTOR HOMES WITHIN THE VILLAGE OF WEST LAFAYETTE**

**WHEREAS**, The Council of the Village of West Lafayette has determined it necessary to regulate junk motor vehicles, including boats and motor homes within the Village of West Lafayette.

**WHEREAS**, the Council of the of West Lafayette has determined that the keeping, storage, and harboring of junk motor vehicles, including boats and motor homes, depress the property values within the village, and

**WHEREAS**, the Council of the Village of West Lafayette desires to regulate the keeping, storage, and harboring of junk motor vehicles, including boats and motor homes, within the Village of West Lafayette.

**NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL** of the Village of West Lafayette, Coshocton County, Ohio that:

**Section 1. DEFINITIONS:** For the purpose of this ordinance, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

1. Junk motor vehicle means a motor vehicle, boat, or motor home that is:
  - A. Apparently inoperable; and
  - B. Extensively damaged, including, but not limited to any of the following: deflated, wrecked, or missing tires or rims; missing or wrecked body parts; broken or missing headlights, taillights, or brake lights; missing windows or windshield; missing all or some of the motor or transmission; missing or invalid license plate(s).
2. Junk motor vehicle parts: Any portions of motor vehicles, boats or motor homes including, but not limited to hoods, fenders, radiators, rims, motor parts, not being utilized for repair of a motor vehicle, boat, or motor home.
3. Inoperative condition: being incapable of being propelled under its own power.

#### **Section 2. Storage of Junk Motor Vehicles Prohibited.**

No person, firm, or corporation, including any officer, agent, or employee of any firm or corporation acting in its behalf and within the scope of the officer's, agent's, or employee's office or employment, unless otherwise authorized by law, shall keep, store, place or allow to remain on private property with the Village of



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West Lafayette any junk motor vehicles, junk boats, junk motor homes, junk motor vehicle parts, or motor vehicle in an inoperative condition, unless such is fully enclosed within the garage or other suitable permanent structure.

### **Section 3. Abandonment of motor vehicles.**

No person shall abandon any motor vehicle, boat, or motor home on any public or private property within the limits of the village. A vehicle will be considered abandoned if it is left for more than twenty-four (24) hours on private property without permission of a person having the right to the possession of the property, or if it is left for more than forty-eight (48) hours on a public street or other public property open to the public for purposes of vehicular travel or parking, within the right-of-way of any road.

### **Section 4. Impounding.**

The Chief of Police or any member of his Department is hereby authorized to remove any vehicle abandoned within the Village in violation of this ordinance. Such vehicle shall be impounded until lawfully claimed or disposed of in accordance with the ordinance.

### **Section 5. Notice to Remove Junk Motor Vehicle or Enclose.**

1. The Village Administrator upon obtaining knowledge of a violation of this ordinance, shall notify the person in charge or control of such junk motor vehicle, junk motor vehicle parts, or motor vehicle in an inoperative condition to remove the violating property or to enclose the violating property within a garage or other suitable fully enclosed permanent structure within ten (10) days of receipt of the notice. The ten (10) day period shall commence to run on the day it is provided. The Village Administrator may extend the ten (10) day period at his/her discretion should the person in violation of this Ordinance submit a plan for remediation to the Village Administrator within the ten (10) day period.
2. Upon failure of the person in charge or control of the junk motor vehicle, junk motor vehicle parts, or motor vehicle in an inoperable condition to comply with the notice to remove or enclose the property, or to submit a plan for remediation, the Village Administrator may proceed to issue a citation for any violation of this ordinance existing after the ten (10) day period, or other agreed upon period of time, has expired.
3. If the violation has not been abated, or the remediation plan is not completed in the agreed time frame, or no remediation plan is submitted, the Village Administrator shall meet with the Buildings and Properties committee to discuss and approve all legal action.



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### Section 6. Exception.

1. The provisions of the ordinance shall not apply to a junk motor vehicle, junk motor vehicle parts, or motor vehicle in an inoperable condition that are fully enclosed within a garage or other suitable permanent structure or within an impound lot.

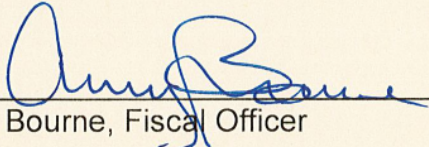
### Section 7. Penalty.

Whoever violates any provision of this Ordinance shall be guilty of a 4<sup>th</sup> Degree misdemeanor punishable by up to \$200.00 fine for each offence and shall be assessed any cost incurred by the Village of West Lafayette in disposing of such motor vehicle, junk motor vehicle, including boats, and motor homes, junk motor vehicle parts, or motor vehicles in an inoperable condition. Each day that a violation of this Ordinance continues constitutes a separate offence and each violating vehicle, boat, or motor home, or part, thereof, constitutes a separate offense.

PASSED IN COUNCIL THIS 22 day of MAY, 2023.

  
Stephen R. Bordenkircher, Mayor

ATTEST:

  
Amy Bourne, Fiscal Officer