

*Attach H 3*

**Junk Vehicles and Maintenance of Property  
Ordinance 20040907**

**WHEREAS, it is deemed necessary by the City Council of the City of Romney to establish an ordinance for the regulation of junk vehicles and for the maintenance of property.**

**NOW, THEREFORE, the City Council of the City of Romney adopts the following ordinance:**

**SECTION ONE, Short Title**

This article may be known and may be cited as the "Junk Vehicle and Maintenance of Property " ordinance.

**SECTION TWO, Definitions**

When used in this article, the following terms shall have the meanings set forth in this section:

**Refuse** - The word refuse shall include garbage and trash either or both.

**Trash** - The word "trash" shall be construed to include all nonputrescible wastes, including discarded and abandoned articles and including clippings, tree limbs, leaves and similar vegetation residues.

**Weeds** - the word "weeds" shall be construed to include all rank vegetable growth, which exhales unpleasant and noxious odors, and also high and rank vegetable growth that may conceal filthy deposits.

**Junk Vehicles** - the word "Junk Vehicles" shall mean any vehicle that is not lawfully or validly registered and remains inoperative or incapable of being driven for a period of ten days after the vehicle becomes inoperative or incapable of being driven and which the owner, bailee or finder, whichever is applicable, within the ten-day period, fails to have made operative or capable of being driven or fails to make arrangements to have the vehicle made operative or capable of being driven.

**Abandoned Vehicles** - The words "Abandoned Vehicles" shall mean any vehicle or major part thereof that is inoperative and is left unattended on public property for any period of time over ten days, or any vehicle or major part thereof that has remained on private property without the consent of the owner or person in control of the property for any period of time over ten days or any vehicle or major part thereof that is unattended, discarded, deserted and unlicensed or is inoperative for any period of time over one hundred eighty days.

**SECTION THREE, Requirements as to Maintenance of premises**

(A) It shall be unlawful for any person, being the owner, lessee, occupant, or person in charge of any lot or parcel of land situated within the city, to knowingly permit to remain thereon any unsightly condition, junk vehicles, collection of rubbish, trash or debris or any other material whatsoever which creates an unsightly condition which is or may be observed from adjoining public or private property: and refuse which originates on any premises within the city shall not be suffered by the owner, occupant or person in charge of the premises to accumulate in such manner or in such quantity as to constitute a fire or safety hazard or a danger to health, or so as to become unsightly or otherwise give offence to persons in the neighborhood.

(B) No owner, occupant or person in charge of any premises, or his agent or employee, shall suffer or permit thereon any growth of weeds to the height of more than 12 inches, nor shall any such person suffer or permit the growth of any weeds or grass on any part of the sidewalk abutting upon such premises.

(C) All premises shall be maintained by the owners, occupants and persons in charge thereof free of vegetation which affords a breeding place for insects, reptiles or rodents, and upon all premises not devoted to agricultural use the grass shall be trimmed to a height of not more than twelve inches.

(D) Grass, weeds and vegetation, when cut down, shall be removed from the premises and disposed of in such manner as not create a nuisance.

**SECTION FOUR, Requirements as to Abandoned or Junked Vehicles**

No person shall, within the corporate limits of The City of Romney, abandon any vehicle or place or deposit any junked vehicle or any major part thereof upon the right-of-way of any road, street, alley, or sidewalk, or upon any other public property, or upon any private property which he does not own, lease, rent, or otherwise control unless it be a licensed salvage yard.

**SECTION FIVE, Violation, Penalties**

(A) In the event of violation of any provision under this ordinance, the owner, occupant, or person in charge of the premises involved shall be given a written notice to correct any or all conditions referred to under provisions of this ordinance within ten (10) days and to prevent the conditions from reoccurring for a period of one (1) year.

(B) In the event of failure to correct such condition within the time provided, the Mayor may cause such refuse, waste, trash, debris, junk vehicle or abandoned vehicle, or any offensive or unwholesome substance or matter to be removed and cause such grass, weeds, and foreign growth to be cut and removed, and all expenses incurred by the city shall be chargeable to and paid by the owner of such property, occupant, or person in charge of the premises involved.

(C) The payment of the amount so chargeable to such owner, occupant or person in charge of the premises shall not relive him of any fine imposed for his violation or constitute a defense against any violation of the provisions of this ordinance.

(D) In addition to any other remedy which may be available to the Mayor and City Council to correct any or all conditions referred to in this ordinance, any person failing or refusing to correct such condition within the time provided, shall be guilty of a misdemeanor and shall, upon conviction, be fined not more than \$250.00, with each succeeding 24 hour period to constitute a separate offense as long as the condition remains uncorrected or should the condition to reoccur in a twelve (12) month period.

This Ordinance shall become effective immediately on date of passage and adoption.

Any and all prior ordinances related to the forgoing Curfew Ordinance are hereby repealed.

Mayor William E. Harris

First Reading 02 AUG 04

Recorder Jeff Mathis

Second Reading 16 AUG 04

Final Reading 07 SEPT 04