

ORDINANCE NO. 265

AN ORDINANCE prohibiting the keeping, maintaining or storing of junked and inoperative motor vehicle within the Village of Dubach, defining junked and inoperative motor vehicles, providing exceptions therefor by special permit from the Chief of Police of the Village of Dubach providing for notice and subsequent Court procedure to have a motor vehicle declared a junked and inoperative motor vehicle and ordering it removed, providing the order or judgment can be used in proceedings for violation and providing the penalty for violation of the Ordinance.

WHEREAS, the keeping, maintaining and storing of junked and inoperative motor vehicles within the Village of Dubach is declared a public nuisance and on occasions dangerous to the health, welfare and safety of the citizens of the Village of Dubach.

SECTION 1 - THEREFORE, BE IT ORDAINED BY THE MAYOR AND TOWN COUNCIL IN REGULAR SESSION CONVENED, that it shall be unlawful for the owner or occupant of any immovable property within the Village of Dubach to keep, maintain or store any type of junked and inoperative motor vehicle within the Village of Dubach.

SECTION 2 - BE IT FURTHER ORDAINED BY THE MAYOR AND TOWN COUNCIL IN REGULAR SESSION CONVENED, that junked and inoperative motor vehicle, owner and occupant are for the purposes of this Ordinance defined as follows:

1. JUNKED OR INOPERATIVE MOTOR VEHICLE is any motor driven vehicle that does not have affixed to it an unexpired license plate and a valid safety inspection certificate provided, however, that this Ordinance shall not apply to any motor vehicle qualifying and licensed as an "antique" vehicle, even though such vehicle may not have a current, valid inspection certificate.
2. OWNER is any person who is legally vested with title and ownership to any immovable property that is located within the Village of Dubach.

3. OCCUPANT is any person in possession of immovable property who is not the owner thereof.

SECTION 3 - BE IT FURTHER ORDAINED BY THE MAYOR AND TOWN COUNCIL IN REGULAR SESSION CONVENED, that the Chief of Police of the Village of Dubach may, upon showing of good cause, issue to an owner or occupant a permit to keep, maintain or store a junked or inoperative motor vehicle for a period of thirty (30) additional days from the date of receipt of notice of violation of this article.

An owner or occupant possessing such special permit so issued shall not be considered as being in violation of this article during this grace period of thirty (30) days. An additional extension shall not be issued by the Chief of Police of the Village of Dubach.

SECTION 4 - BE IT FURTHER ORDAINED BY THE MAYOR AND TOWN COUNCIL IN REGULAR SESSION CONVENED, that the Village of Dubach shall notify, in writing, any owner or occupant of property on which a junked or inoperative motor vehicle is located, to remove the vehicle from the premises within (30) days from the receipt of the notice and upon the failure of the owner or occupant to comply with the notice, proceed as set forth in SECTION 5.

SECTION 5 - BE IT FURTHER ORDAINED BY THE MAYOR AND TOWN COUNCIL IN REGULAR SESSION CONVENED, that the Village of Dubach may, by filing of a petition in the Ruston City Court, direct the owner and/or occupant of the immovable property to show cause why a motor vehicle described in the proceedings should not be declared a junked and inoperative motor vehicle and a public nuisance, and if the Court finds that the owner or occupant has such junked and inoperative motor vehicle as defined herein on the immovable property, the

Court shall order the motor vehicle removed within ten (10) days. All costs shall be taxed against the owner and/or occupant.

SECTION 6 - BE IT FURTHER ORDAINED BY THE MAYOR AND TOWN COUNCIL IN REGULAR SESSION CONVENED, that if the owner or occupant fails to remove the motor vehicle within ten (10) days from the date of the order and judgment of the Court, then such order and judgment of the Court shall be prima facie evidence of violation of this Ordinance and shall be received in evidence on any proceedings against such owner or occupant for violation of the said Ordinance.

SECTION 7 - BE IT FURTHER ORDAINED BY THE MAYOR AND TOWN COUNCIL IN REGULAR SESSION CONVENED, that anyone who violates the provisions of this Ordinance shall be punished as provided for by Section \_\_\_\_\_ of the Code of Ordinances of the Village of Dubach.

This Ordinance was read and considered section by section and as a whole and was declared adopted on this 21 day of JANUARY, 2002, by the following ye and nay vote.

YEA: STEVE COPELAND, L.L. CARRICO, RONNIE ROBERSON

HATTIE GRAHAM, DARRELL MCADAMS

NAY: Ø

ABSENT: Ø

Cadace Castro  
CLERK

Margaret Rozen  
MAYOR