

**ORDINANCE 12-05**

**An Ordinance Providing For Removal Of  
Junk Motor Vehicles Within The Village  
of South Point, Replacing Ordinance 05-15  
And Declaring an Emergency**

**Whereas**, Inoperable, abandoned and/or unlicensed vehicles stored or parked within the Village of South Point on residential property and on Village right of ways has caused numerous complaints from residents as the vehicles are unsightly, health hazards as they harbor rodents, and depreciating property values in the areas where they are stored.

**Now, Therefore Be It Resolved**, by the Council of the Village of South Point, that:

Section 1. It shall be unlawful for any person, firm, or corporation to use the streets or public ways of the Village of South Point for the purpose of storing vehicles. Storing shall be deemed to exist when a vehicle has been parked continuously, and has not moved for a period of ten consecutive days when such vehicle is inoperable and/or fails to display current vehicle registration plates. Parking as used above also means the standing of a vehicle upon a public street or way.

Section 2. No person shall willfully leave a "Junk Motor Vehicle" as defined by Section 4513.63 divisions (B), (C), (D), and (E) of the Ohio Revised Code in the open for more than ten days after receipt of a "Notice To Remove" given by the Chief of Police of the Village of South Point.

Section 3. Upon a complaint from a village resident, or observation by a police officer, of a junk motor vehicle, including an inoperable, abandoned and/or unlicensed vehicle, or an improperly stored vehicle as defined by Section 1 herein, the Chief of Police, or his designee, shall inspect the vehicle and if he determines the vehicle to be a junk motor vehicle, shall issue the owner of the vehicle, in person or by certified mail, a Notice To Remove. The owner of the junk motor vehicle shall either house the vehicle in a garage or other suitable structure, or shall remove the vehicle from the property within ten days of receiving the Notice To Remove.

Section 4. Upon receiving a Notice To Remove a vehicle, a resident may apply at the Mayor's Office for a forty five (45) day Permit to restore a vehicle to operable condition. The fee for the permit shall be twenty (\$20.00) dollars and may not be renewed.

Section 5. Any person not complying with a Notice To Remove a junk motor vehicle or improperly stored vehicle issued by the Chief of Police shall be in violation of this ordinance and the vehicle shall be removed by securing a wrecker under the direction of the Chief of Police. Such vehicles will be released to the owner upon the payment of necessary and reasonable towing and storage fees together with any other proper fines levied against the owner thereof. Violations of this ordinance are subject to minor misdemeanor charges. If the vehicle is not claimed by the owner after 30 days from notification, the vehicle shall be disposed of at the reasonable discretion of the Chief of Police and any and all money received for the dispossession shall be deposited into the General Fund.

Notice of intended disposition shall be sent to the titled owner if one exists or to the address where the vehicle was picked up, at least ten (10) days before disposition. Owner, if verified may apply for any remaining funds within thirty (30) days of the disposition date and upon verification of ownership shall receive any monies remaining after payment and all costs and fines. If no such application is made, then any remaining funds will become the property of the Village.

Section 6. Repealing former action. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

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Section 7. This ordinance is hereby needed to preserve the public peace, welfare, health and safety of the citizens of the Village of South Point are involved and shall become effective immediately upon passage.

Adopted This 3<sup>rd</sup> Day of April, 2012

Ron West  
Ron West, Mayor

Attest: Scott Thomas  
Scott Thomas, Clerk