

COPY

GENERAL ORDINANCE NO. 1, 1995

AN ORDINANCE DEFINING A "JUNK CAR" AND
DECLARING A JUNK CAR TO BE A NUISANCE AND
PROVIDING FOR PENALTIES.

WHEREAS, numerous complaints have been received from residents of the Town of LaFontaine relating to unsightly and unlicensed motor vehicles; and

WHEREAS, the Town Board of the Town of LaFontaine, Indiana, desires to enforce removal of abandoned, unsightly, unlicensed, and/or unused motor vehicles.

NOW, THEREFORE, BE IT ORDAINED by the Town Board of the Town of LaFontaine, Indiana, as follows:

Section 1. "Junk car" for the purpose of this ordinance shall mean an abandoned motor vehicle as defined under I.C. 9-13-2-1, as amended, and which does not have attached to the motor vehicle a current valid license plate and is not kept in a garage or other building on a regular basis.

Section 2. Because of the danger to the health from vermin, insects, and to children attracted to such motor vehicles, junk cars are declared to be nuisances except where lawfully kept in a junk yard, automobile sales lot or other area lawfully operated for motor vehicles awaiting permission for junking from the Bureau of Motor Vehicles.

Section 3. Any member of the police department or the health department or the building department may order any junk car removed within 30 days.

Section 4. Notice of such order shall be placed upon said junk car. Copies of said notice shall be served upon any adult

occupying the real estate on which the junk car is located and upon the owner of the real estate and junk car, if known. Service of the notice shall be sufficient if delivered in person or by registered or certified mail. If no occupant or owners of the real estate or owner of the junk car can be found, a notice affixed to any building on the real estate shall constitute notice to the owner and occupant of the real estate and to the owner of the junk car. If there is no building on the real estate, said notice may be affixed elsewhere on the real estate.

Section 5. If said junk car is not removed within the time so fixed, the police department, health department or building department may cause said motor vehicles to be removed at the expense of the owner of the real estate, which expense shall constitute a lien on the real estate.

Section 6. Any order not obeyed within the time affixed as aforesaid shall be deemed to be a Class "B" Infraction and the owner of the real estate upon which the junk car is kept is responsible for its removal. Each day the junk car is permitted to remain on the real estate after the time affixed as aforesaid shall constitute a separate offense.

Section 7. Notice as herein required shall be in the following form:

STATE OF INDIANA)	
)	SS:
COUNTY OF WABASH)	NOTICE OF VIOLATION OF CITY ORDINANCE

To the owner of the real estate
and
To the occupant of the real estate upon
which this notice is posted
and

To the owner of the Junk Car upon which this notice is posed.

You are hereby notified that this Junk Car has been declared a nuisance by General Ordinance No. 1, 1995, of the Town Board of the Town of LaFontaine, and as such, shall be removed within thirty (30) days from the date indicated below.

Your failure to obey this notice and remove the motor vehicle shall subject you to a civil penalty as a Class "B" Infraction of up to \$1,000.00 and any other penalties as provided by law.

(Officer or person serving notice)

Dated this _____ day of _____, 19__.

Section B. After notice shall have been given and during the thirty (30) day period following such notice, the owner or person entitled to possession of such motor vehicle may make application to the Town Board of LaFontaine for a stay of the removal order for a period not in excess of six (6) months, and said Board shall grant said stay if it be shown to the satisfaction of the Board that such motor vehicle is or will be operative, licensed or disposed of within the period of the stay.

Section 9. This Ordinance shall be in full force and effect from and after its passage and publication as required by law.

PASSED by the Town Board of the Town of LaFontaine this 5 day of June, 1995.

TOWN BOARD OF THE TOWN OF
LAFONTAINE, INDIANA

Bary D Wood

Guy Mc Coy

R. ut a. Madoga

ATTEST:

Linda Harris, Clerk-Treasurer
LINDA HARRIS, Clerk-Treasurer