

ORDINANCE 2010 - 07

**AN ORDINANCE OF THE CITY OF LA FERIA, TEXAS
DEFINING A "JUNKED VEHICLE," AMENDING
SECTION 8.04.001 OF THE CITY OF LA FERIA CODE
OF ORDINANCES, AND ESTABLISHING AN
EFFECTIVE DATE**

WHEREAS, the City Commission approved Ordinance 2000-09 on May 11, 2000, codified as Article 8.04, which ordinance defined "junked vehicles," declared junked vehicles to be public nuisances, established notice requirements to owners and lienholders of the vehicles and the owners and occupants of real property where junk vehicles are located, and provided other details as to what constitutes a violation with regard to junk vehicles and the enforcement of the ordinance;

WHEREAS, it is now determined that the definition of "junked vehicle" is unclear and subject to an overly broad interpretation; and

WHEREAS, the City Commission desires to clarify the definition of junked vehicle,

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF LA FERIA, TEXAS, THAT:

1. Section 1 of Ordinance 2000-09, Definitions, as codified at Chapter 8, Article 8.4, Section 8.04.001, is hereby amended to define "Junked Vehicle" as follows:

A vehicle that is self-propelled, does not have lawfully attached to it both an unexpired license plate and a valid unexpired motor vehicle inspection certificate, and is either

- (1) wrecked, dismantled or partially dismantled, or discarded; or
- (2) inoperable and has remained inoperable for more than:
 - (A) 72 consecutive hours, if the vehicle is on public property; or
 - (B) 10 consecutive days, if the vehicle is on private property.

2. All ordinances or parts of ordinances in conflict herewith are, to the extent of such conflict, hereby repealed.
3. This amendment shall take effect immediately upon approval by the City Commission of the City of La Feria.

PASSED AND APPROVED THIS THE 8TH DAY OF JUNE, 2010.

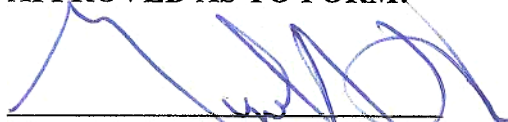


STEVE BREWER, MAYOR

ATTEST:


Olga Oberwetter, City Secretary

APPROVED AS TO FORM:


Miguel D. Wise, City Attorney