

ARTICLE XXXXJUNKED VEHICLES

Section X.01 Definitions

Antique vehicle means a passenger car or truck that is at least 25 years old.

Junked vehicle means a vehicle, including a motor vehicle, aircraft, or watercraft, that is self-propelled and:

- (1) For motor vehicles, does not have lawfully affixed to it both a license plate and an unexpired registration sticker; or
- (2) For aircraft, does not have lawfully printed on the aircraft an unexpired federal aircraft identification number registered under Federal Aviation Administration aircraft registration regulations in 14 C.F.R. part 47; or
- (3) For watercraft,
 - a. does not lawfully display an unexpired registration decal and
 - b. is not a watercraft described by section 31.055, Parks and Wildlife Code; and
- (4) For all vehicles described in this section:
 - a. Is wrecked, dismantled, partially dismantled, or discarded; or
 - b. Has remained inoperable for more than 45 consecutive days on private property or 48 hours on public property.

Motor vehicle means a motor vehicle that is subject to registration under the state Certificate of Title Act.

Special interest vehicle means a motor vehicle of any age that has not been changed from original manufacturer's specifications and, because of its historic interest, is being preserved.

Storage facility means a garage or facility for the storing of motor vehicles.

Section X.02 General Provisions

Adjustments, Waivers, Or Variances

Unless otherwise stated herein, adjustments to existing structures, waivers, or variances from these ordinance restrictions are for the purpose of alleviating hardships for owners and assisting in the orderly development of the City. Only the Board of Adjustments, in writing, may grant such adjustments, waivers or variances.

Section X.03 Junked Vehicle Regulations

Junked vehicles are prohibited on public property.

- (1) It is a violation of this ordinance for a person to cause or permit a junked vehicle or a part of a junked vehicle to be placed or to remain on any public property or public right-of-way.

A vehicle that remains in violation of this ordinance for a period of more than 48 hours constitutes an abandoned motor vehicle and may be state law for removal of abandoned motor vehicles removed in accordance with the Texas Transportation Code 683.002 Junked vehicles are prohibited on private property.

- (1) It is a violation of this ordinance for a person that owns or controls any real property to maintain, allow, cause, or permit a junked vehicle to be placed or to remain on the property within the City limits.
- (2) It is a violation of this ordinance for a person to maintain, allow, cause, or permit a junked vehicle to be placed or to remain on real property without the permission of the owner of the property.
- 3 A junked vehicle that remains in violation of this ordinance for a period of more than 45 days, and is not exempted under Section 4 Exceptions, or the subject of a written adjustment, variance, or waiver granted by the Board of Adjustments, may be removed in accordance with the Texas Transportation Code Sections 683.075-683.076.

(4) Exceptions. This section shall not apply to a junked vehicle on private property if:

- (a) The vehicle or vehicle part is maintained in a manner so that it does not constitute a health hazard and is:
 - i. completely enclosed within a building, or
 - ii. located behind a fence, trees or shrubbery serving as a screen, or
 - iii. limited to one vehicle per property and completely covered by a heavy duty, fitting cover so that no part of the vehicle except the tires is exposed to public view, or
 - iv. concealed by other appropriate means so the vehicle or vehicle part is not visible from the street or other private or public property, or
- (b) The vehicle is an unlicensed, operable, or inoperable antique or special interest vehicle and meets the conditions of (4) Exception (a) listed above.