

TOWN OF OWENSVILLE, INDIANA
ORDINANCE NO. 2022-6

JUNK OR ABANDONED VEHICLES, WHERE VISIBLE FROM A PUBLIC PLACE OR
RIGHT-OF-WAY, A NUISANCE, PROVIDING FOR THE ABATEMENT THEREOF, AND
PRESCRIBING A PENALTY

WHEREAS, the Town of Owensville has an existing ordinance on this subject, but the existing ordinance being obsolete, the Town Council feels that it is incumbent upon them to repeal any existing ordinances pertaining to junk or abandoned vehicles where visible from a public place or right-of-way, a nuisance, and to adopt a new ordinance for the purpose and understanding of regulating junk or abandoned vehicles visible from a public place or right-of-way, a nuisance, and providing for the abatement thereof, and prescribing a penalty.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF OWENSVILLE, INDIANA:

SECTION 1. The Town Council finds that inoperative, junk, or abandoned vehicles which are located in any place where they are visible from a public place or public right-of-way are detrimental to the safety, morals, health, and welfare of the general public and detrimental to the economic welfare of the Town of Owensville by producing a scenic blight which is adverse to the maintenance and continuing development of the Town of Owensville, and such vehicles are hereby declared a nuisance.

SECTION 2:

For the purpose of this ordinance, the following terms shall have the following meanings:

- a. VEHICLE-any machine which is designed to transport persons or property, automobile, motorcycle, truck, trailer, semi-trailer, truck-tractor, bus, school bus, house car, motor bicycle, farm tractor, or wheeled implement or the chassis, frame, body, power components, or any easily visible portions of any such machines.
- b. ABANDONED VEHICLE- "Abandoned Vehicle" means the following:
 1. A vehicle located on public property illegally.
 2. A vehicle left on public property without being moved for three (3) days.
 3. A vehicle located on public property in such a matter as to constitute a hazard or obstruction to the movement of pedestrian or vehicular traffic on a public right-of-way.
 4. A vehicle that has remained on private property without the consent of the owner or person in control of that property for more than forty-eight (48) hours.
 5. A vehicle from which the engine/transmission, or differential has been removed or that is otherwise partially dismantled or inoperable and left on public property.

6. A vehicle that has expired license plates and is left on public property.
 7. A vehicle that has been removed by a towing service or public agency upon request of an officer enforcing a statute or an ordinance other than this chapter if the impounded vehicle is not claimed or redeemed by the owner or the owner's agent within twenty (20) days after the vehicle's removal.
 8. A vehicle that is at least three (3) model years old, is mechanically inoperable, and is left on private property continuously in a location visible from public property for more than twenty (20) days.
- c. PUBLIC PREMISES-any public right-of-way, sidewalk, street, highway, alley, park, or other state, county or municipally owned property.
 - d. PRIVATE PREMISES-all property which is not classified within the definition of Public Premises.
 - e. PERSON-all natural persons, firms, partnerships, and corporations.
 - f. OWNER-the last known record title holder to a vehicle according to the records of the Bureau of Motor Vehicles of the State of Indiana or, in the case of an untitled vehicle, the person having custody or the right of possession thereof.

SECTION 3: No person shall store, park, or allow to remain in the open upon public or private premises any abandoned vehicle within the limits of the Town of Owensville.

SECTION 4: Whenever the Town Marshall of the Town of Owensville shall find any abandoned vehicle within the Town of Owensville, Indiana, he shall tag such vehicle to be remove within three (3) days or seventy-two (72) hours before the said vehicle is towed at owner's expense.

SECTION 5: This ordinance shall not apply to vehicles kept or stored in connection with an automotive repair business operating under a store license issued by the State of Indiana or to auto salvage yards or junkyards licensed by the State of Indiana.

SECTION 6: If in the opinion of the officer the market value of an abandoned vehicle or parts determined under IC 9-22-1-12 is less than seven hundred fifty dollars (\$750.00), The officer shall immediately dispose of the vehicle to an automobile scrap yard. A copy of the abandoned vehicle report and photographs relating to the abandoned vehicle shall be forwarded to the bureau. The public agency disposing of the vehicle shall retain the original records and photographs for at least two (2) years. Pursuant to IC 9-22-1-13.

SECTION 7: Any person found guilty of violating any of the provisions of this ordinance or who interferes in any way whatsoever with the due process of enforcement of any of the provisions of this ordinance, or who does not obey within the time fixed any order issued pursuant to this ordinance, shall be subject to a fine in the amount of \$50.00. Each abandoned vehicle involved shall constitute a separate offense and a separate offense shall be deemed committed upon each day during which a violation occurs or continues.

SECTION 8: This ordinance shall be in full force and in effect from and after its passage and publication as provided by law.

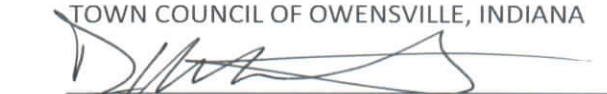
SECTION 9: This Ordinance repeals Ordinance No. 1970-1, Ordinance No. 2004-2, and Ordinance 2011-6.

PASSED AND ADOPTED by the Town Council of the Town of Owensville, Indiana, this 2nd day of May 2022.

ATTEST:


VANESSA RIGGS
CLERK TREASURER

TOWN COUNCIL OF OWENSVILLE, INDIANA


DWAYNE MATSEL, COUNCIL PRESIDENT


COREY TAYLOR, COUNCIL MEMBER


CLYDE SCOTT, COUNCIL MEMBER