

AN ORDINANCE FOR JUNK VEHICLES WITHIN THE
VILLAGE OF WEST LIBERTY, OHIO

303.09 JUNK CARS.

(a) For the purpose of this section, the terms “junk”, “junk cars”, “rubbish”, “owner” and “notice”, as used herein, are defined as follows:

- (1) “Junk” is any worn out, castoff, or discarded material which is ready for destruction or has been collected or stored for salvage or conversion to some other use. Any article or material which, unaltered or unchanged and without further reconditioning, can be used for its original purpose as readily as when new shall not be considered junk.
- (2) “Junk car” is any used car or motor vehicle not in the process of reconditioning, which has been abandoned for use as a motor vehicle on a public highway and which is in unsafe operating condition and shall have remained in such condition for a period in excess of thirty days. Portions of junk cars, such as hoods, fenders, radiators, rims, motors, etc., not being utilized for the repair of a motor vehicle, shall be considered as junk.
- (3) “Rubbish” means and includes wire, chips, shavings, bottles, broken glass, crockery, tin, coast or wooden ware, boxes, rags, dead weeds, stumps, tree trunks, brush, paper circulars, handbills, boots, shoes, ashes, or any waste material other than garbage or offal.
- (4) “Owner” as used herein shall be the person, firm or corporation in whose name said premises are posted in the Records of Deeds in the Recorder’s Office for Logan County, Ohio.

(b) No person, firm or corporation shall deposit, store, maintain, collect or permit the storage, deposit, maintenance or collection of any junk, junk cars, vehicles without current registration, or rubbish on his own premises or any premises it or they own or use under his or their control, or in any other place within the Municipality, City street and alley right of way or otherwise, except as expressly provided by law.

(c) Any person, firm or corporation violating the provisions of this section shall, within fifteen days after notification of said violation by the Clerk of Council, remove or cause to be removed any junk, junk cars, vehicles without current registration, or rubbish or have the same placed in an adequate enclosure and building, and in the event of failure, he or they shall be deemed guilty of violating the provisions of this section.

(1) Such notice, as is hereinabove provided, shall be issued by an officer of the Police Department or by the Code Enforcement Officer, and served upon the owner, and tenant if there is such, by certified mail or by an officer of the Police Department. Such written notice shall contain:

- A. The name of the property owner.
- B. The property address at which the junk motor vehicle is located.
- C. The make and model of the vehicle.
- D. The license plate number, if any.
- E. The vehicle identification number (VIN), if available.
- F. A description of the condition of said vehicle.
- G. A statement to the effect that the person in charge or in control of the private property upon which such vehicle is located and the titled owner of such vehicle are jointly and severally liable for all costs incurred by the Municipality for the removal, storage and disposal of such vehicle, plus an administrative fee of one hundred dollars (\$100.00).
- H. A notice of any right to appeal.

(2) The fact that such premises are rented or leased by the owner to another party shall not relieve said owner from the responsibilities herein created.

d) If the owner, lessee, agent or person having charge of the land, or the title owner of the motor vehicle, served with the notice, fails to remove such junk motor vehicle, an officer of the Police Department approved by the Chief of Police, or the Code Enforcement Officer, is authorized to remove and impound any junk motor vehicle remaining at any place within the Municipality in violation of this section. Such junk motor vehicle shall be impounded until lawfully claimed or disposed of in accordance with Ohio R.C. 4513.63. Upon impounding of a junk motor vehicle a photograph shall be taken.

(e) All expenses related to the removal and impoundment of such junk motor vehicle by the Municipality shall be paid out of funds appropriated by Council upon vouchers approved by the Mayor. The expenses shall consist of the following:

- (1) All direct costs for the removal and impoundment of the vehicle; plus
- (2) The costs for preparing and serving all notices; plus
- (3) An administrative fee in the amount set forth in Section 303.09(c)(1)G.

(f) In the event that the owner or other person in charge or control of such property, and/or the title owner of said vehicle, fails to pay such expenses within thirty days after being notified in writing, by regular U.S. mail, of the amount thereof by the Code Official, the expenses set forth in subsection (e) hereof may be collected using one or more of the following methods, provided, however, that the expenses may only be collected once:

- (1) Such expenses may be submitted by the Code Enforcement Officer to the County Auditor and placed upon the tax duplicate for collection as a special assessment and thereupon shall be collected as other taxes and assessments; or
- (2) The Village Solicitor is authorized to bring suit and take other necessary legal action to collect all such expenses.

(g) The owner, lessee, agent, tenant or person otherwise having charge or control of such premises, and the titled owner of such vehicle, are jointly and severally liable for all expenses incurred by the Municipality as set forth in subsection (e) hereof.

(h) The movement of a vehicle in violation of this section to any other location within the Municipality limits that does not abate the violation under this section shall not constitute compliance with this section.

That this ORDINANCE shall therefore be in full force and take effect upon its passage and the signing by the Mayor, President of Council, and Clerk.

1st Reading: August 25, 2022

Vote: Yeas: 6 Nays: 0

2nd Reading: September 12, 2022

Vote: Yeas: 6 Nays: 0

3rd Reading: 9-26-2022

Vote: Yeas: 6 Nays: 0

PASSED: 9-26-2022

SIGNED: Jill C. McKelvey

Mayor Jill C. McKelvey

ATTEST: Cindee M. Boyd

Cindee M. Boyd
Clerk/Treasurer

APPROVED: 9-26-2022

SIGNED: Jayne Griffith

President Jayne Griffith