

TOWN OF ST. JOHN, LAKE COUNTY, INDIANA

ORDINANCE NO. 1148

BEING AN ORDINANCE AMENDING SECTION 13-81 OF THE ST. JOHN TOWN CODE PROVIDING FOR THE EFFICIENT REMOVAL OF JUNK MOTOR VEHICLES IN THE TOWN OF ST. JOHN, LAKE COUNTY, INDIANA.

WHEREAS, the Town of St. John, Lake County, Indiana, by and through its Town Council, did pass Section 13-81 of the St. John Town Code providing for "Illegally parked or abandoned vehicles"; and

WHEREAS, it has come to the attention of the Town Council of the Town of St. John, Lake County, Indiana, upon recommendation of the Town of St. John Police Commission, that the foregoing Town Code Section be more specifically defined and amended to aid and assist in the removal of junk motor vehicles; and

WHEREAS, the Town Council of the Town of St. John, Lake County, Indiana, finds that junk motor vehicles are unsightly, constitute a public nuisance, and are detrimental to the public health, safety, and welfare; and

WHEREAS, it is necessary for the public health, safety, and welfare that junk motor vehicles be removed expeditiously from areas where they may affect the general public.

NOW, THEREFORE, BE IT ORDAINED and established by the Town Council of the Town of St. John, Lake County, Indiana, that Section 13-81 designated "Illegally parked or abandoned vehicles" shall be amended and shall read and state as follows:

Section 13-81a. Definitions.

A "junk motor vehicle" is hereby defined to be any motor vehicle, trailer, boat, recreational vehicle, construction or residential trailer, or any part thereof, which meets any one of the following qualifications.

- 1) Does not display a current valid state license plate;
- 2) Cannot be operated safely for its intended purpose;
- 3) Is qualified for but is not carried on the most recent tax assessment records of the county;
- 4) Does not have equipment upon it which is in good working order and adjustment, as required by the laws of the state;

- 5) As to a part or parts of any motor vehicle only, is not kept inside of a garage or other building.

Section 13-81b. Abatement.

- 1) In the event the Chief of Police or the Building Commissioner determines that a junk motor vehicle constitutes an immediate hazard to public health and safety, the Chief of Police and/or the Building Commissioner may authorize the removal of the junk motor vehicle or vehicles and impound the same without prior notice to the owner.
- 2) In the event a junk motor vehicle is impounded without prior notice to the owner, the Chief of Police and/or the Building Commissioner shall cause a notice of the removal to be served upon an adult person occupying the real estate upon which the junk motor vehicle is located. If no such person shall be found, a notice of the removal shall be affixed to any building on the real estate or upon the real estate itself and a copy of the notice mailed to the person and address shown on the records of the Auditor or Treasurer of Lake County to be the owner of the real estate.

Section 13-81c. Penalty.

Any person who shall violate any of the provisions of this Ordinance or fail to comply therewith, shall for each and every violation or failure of compliance be guilty of the offense and upon conviction thereof shall be fined pursuant to Sec. 1-9 of the Town Code, the same being the General penalty provisions of the same. Each day such violation shall be permitted to exist shall constitute a separate offense, the owner, or the tenant as other than the owner, of any real or building shall knowingly permit another to keep or maintain a junk motor vehicle upon their premises shall be guilty of a separate offense and upon conviction thereof shall be fined as provided herein.

BE IT FURTHER ORDAINED that Section 14-61 through 14-70 of the Town Code regarding Abandoned Vehicles is hereby repealed and shall have no further force and effect.

BE IT FURTHER ORDAINED that nothing herein contained shall prohibit the Town from additionally designating or finding that any such abandoned vehicle is a nuisance pursuant to the provisions of the Town Code in Chapter 14 of the same.

BE IT FURTHER ORDAINED that if any section, clause, provision,

or portion of this ordinance shall be held to be invalid or unconstitutional by any court of competent jurisdiction, such decision shall not affect any other section, clause, provision, or portion of this ordinance.

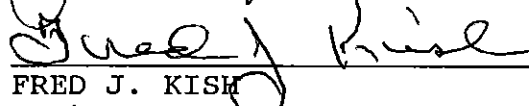
BE IT FURTHER ORDAINED that this ordinance shall take effect and be in full force and effect, from and after its passage by the Town Council of the Town of St. John.

PASSED AND ADOPTED by the Town Council of the Town of St. John, Lake County, Indiana, this 22nd day of November, 1999.

TOWN COUNCIL, TOWN OF ST. JOHN,
LAKE COUNTY, INDIANA



JOHN R. TAYLOR



FRED J. KISH



KATHLEEN J. WILLMAN

ATTEST:



JUDITH L. COMPANIK
Clerk-Treasurer