

CHAPTER 23

JUNK

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Section 23.1 Definitions

As used in this chapter, the following terms shall have the respective meanings ascribed to them:

(a) **Abandoned, stripped, wrecked or junked vehicles**: Any motor vehicle which does not have lawfully affixed thereto both an unexpired licensed plate or plates and a valid motor vehicles safety inspection certificate, and the condition of which is one (1) or more of the following:

- (1) Wrecked
- (2) Dismantled
- (3) Partially dismantled
- (4) Inoperative
- (5) Abandoned
- (6) Discarded.

Exceptions: The provisions hereof shall not apply to any motor vehicle in operable condition specifically adapted or constructed for racing or operation on privately owned drag strips or raceways; any motor vehicle retained by the owner for antique collection purposes rather than for salvage or for transportation; or any motor vehicle stored as the property of a member of the armed forces of the United States who is on active duty assignment.

(b) **Owner**: Any person legally vested with the title and ownership of any immovable property situated within the Village.

(c) **Vehicle**: Any vehicle which was originally operable on two (2) or more wheels and which was originally capable of transporting one (1) or more persons.

Section 23.2 Keeping Prohibited; Declared Nuisance

It is unlawful for any person to keep or deposit, or allow be kept or deposited, abandoned, stripped, wrecked, or junked vehicles on property situated within the Village, and the presence of abandoned, stripped, wrecked or junked vehicles is hereby declared to be a public nuisance.

Section 23.3 Notice to Remove

In order to more effectively carry out the intent of Section 23.2, the clerk shall send to the property owner as determined from the latest assessment rolls, or the occupant of the property, failing to comply with the requirement of this chapter, a written notice requiring the property owner to comply therewith within 15 days of receipt thereof. The notice shall be posted by registered or certified mail, with return receipt requested.

Section 23.4 Judicial Determination

If the owner or occupant of the premises so desires, he may, within the 10 day period after service of notice to abate the nuisance, request of the clerk, either in person or in writing and without the requirement of bond, that a date and time be set when he may appear before the municipal court or a trial to determine whether he is in violation of this chapter and whether or not the location and continued existence of the abandoned, stripped, wrecked, or junked vehicle on his property constitutes a public nuisance.

Section 23.5 Failure to Remove

If there has been no compliance by the property owner or occupant with the requirements of this chapter within 15 days of a judgment of the court determining that he is in violation, the owner or occupant shall be guilty of a misdemeanor and on conviction thereof shall be punished as provided in Section 29.7.

Editorial Note: The authority regulating or prohibiting the storing or abandoning of junk is L.R.S. 33:4876. The nuisance of discarded refrigerators and other closeable containers is considered as an offense in Chapter 24. The basic statute also provides authority for the municipality to require that junk storage areas be enclosed. General authority for municipalities to abate nuisances is L.R.S. 33:401 (8).