

**ORDINANCE NO.: 2012-I
(AMENDS AND REPLACES ORDINANCE 2007-E)**

AN ORDINANCE OF THE CITY OF LIVERPOOL, TEXAS, FOR THE PURPOSE OF REGULATING JUNKED VEHICLES AND DECLARING JUNKED VEHICLES TO BE A NUISANCE; ALSO PROHIBITING JUNKED VEHICLES AND PARTS THEREOF; PROHIBITING THE RECONSTRUCTION OF JUNKED VEHICLES OR MAKING JUNKED VEHICLES OPERABLE AFTER REMOVAL UNDER THIS ORDINANCE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LIVERPOOL, BRAZORIA COUNTY, TEXAS:

SECTION 1: PURPOSE

It is the City of Liverpool's policy and the purpose of this ordinance to safeguard the health, welfare, and physical property of the people. This ordinance is for the purpose of keeping the City of Liverpool clean of public nuisance.

This ordinance is adopted pursuant to the provisions of Section 683.071 through 683.078 of the Texas Transportation Code for the abatement and removal of junked vehicles or parts thereof, as public nuisances, from private property, public property or public rights-of-way.

SECTION 2: DEFINITIONS

"City" herein shall mean the City of Liverpool and its officers, agents, employees and representatives.

"Demolisher" in this ordinance shall mean any person whose business is to convert a motor vehicle into processed or scrap metal, or otherwise to wreck or dismantle a motor vehicle.

"Junked Vehicle" in this ordinance shall mean a vehicle that is self-propelled and inoperable and meets the following:

1. The vehicle meets any of the following:
 - The vehicle does not have lawfully attached to it a valid unexpired license plate;
 - The vehicle does not have lawfully attached to it a valid, unexpired registration sticker; or
 - The vehicle does not have lawfully attached to it a valid, unexpired inspection sticker.
2. The vehicle is wrecked, dismantled, partially dismantled, or discarded; or
3. The vehicle has remained inoperable for more than

- 72 consecutive hours if the vehicle is on public property; or
- 30 consecutive days if the vehicle is on private property.

“Nuisance” in this ordinance shall mean any vehicle that is:

1. Detrimental to the safety and welfare of the public.
2. Tends to reduce the value of private property.
3. Invites vandalism
4. Creates a fire hazard
5. An attractive nuisance creating a hazard to the health and safety of minors.
6. Produces urban delight adverse to the maintenance and continuing development of the city.
7. A public nuisance to be abated and removed as herein provided in this ordinance.

“Antique Vehicles” means a passenger car or truck that is at least twenty-five (25) years old.

“Collector” means the owner of one or more antique or special interest vehicles who collects, purchases, acquires, trades or disposes of special interest or antique vehicles or parts of them for personal use in order to restore, preserve and maintain an antique or special interest vehicle for historic interest.

“Special interest vehicle” means a motor vehicle of any age that has not been altered or modified from original manufactures specifications and because of its historic interest, is being preserved by hobbits.

“Recreational Vehicle” means any vehicle that is used for recreational purposes, such as racing, mudding, showing or any other recreational purpose.

SECTION 3: PROVISION

It shall be unlawful to park, store, leave, accumulate, or permit the parking, or accumulating of any licensed or unlicensed motor vehicle of any kind, or part thereof, which is in a rusted, wrecked, junked, partially dismantled, inoperative, or abandoned condition, whether attended or not, upon any public or private property within the city limits of the City of Liverpool for a period of time in excess of thirty (30) days, unless such vehicle or parts thereof are completely enclosed with a building. With the exceptions set out within this ordinance.

SECTION 4: EXECPTIONS

Any antique, collector, special interest or recreational vehicle that is defined as such in this ordnance, that is being kept or restored.

SECTION 4: ENFORCEMENT

Anyone violating the provisions of this ordinance shall be guilty of a misdemeanor and punishable by fines of not more than two hundred dollars (\$200.00) per day for each day of violation therefore plus the costs of taxes provided by law.

SECTION 5: SEVERABILITY

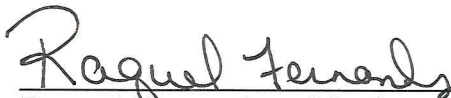
Should any section, provision, or part of this ordinance be declared unconstitutional or void by a court of competent jurisdiction, such decision shall in no way affect the validity of the remaining parts, and for this purpose said parts are severable. The City Council hereby declares that it would be passed those parts of this ordinance which are valid and omitted any parts which may be unconstitutional at the time of the passage of this ordinance.

ORDINANCE NUMER: 2012-I
PASSED AND APPROVED THIS 1st DAY OF April 2013



Bill Strickland, Mayor

ATTEST:



Raquel Fernandez, City Secretary