

## **ORDINANCE NO. O-21-020**

**AN ORDINANCE OF THE CITY OF SHENANDOAH, TEXAS, AMENDING THE CODE OF ORDINANCES, CHAPTER 38-181, TO CHANGE THE DEFINITION OF A JUNKED VEHICLE AND TO REDUCE THE TIME A VEHICLE CAN REMAIN INOPERABLE; PROVIDING SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City of Shenandoah takes great pride in the appearance of the community; and

**WHEREAS**, the repair of motor vehicles for extended periods of time is unsightly and a hazard to the safety of individuals in the City; and

**WHEREAS**, Chapter 38-181 of the Code of Ordinances currently requires a motor vehicle to be inoperable for thirty consecutive days before being defined as a Junked Vehicle; and

**WHEREAS**, the City Council believes that the definition should be changed to a period of 48 consecutive hours; and

**WHEREAS**, the City Council finds that such change would not be detrimental to the public health, safety, or general welfare in the City of Shenandoah, and as well, the owners and occupants thereof.

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SHENANDOAH, TEXAS, THAT:**

Chapter 38-181. Definitions is hereby amended to change subpart (3) of the definition of a Junked vehicle to read as follows:

(3) Is inoperable and has remained inoperable for more than:

- a. Seventy-two consecutive hours, if the vehicle is on public property; or
- b. Seventy-two consecutive hours, if the vehicle is on private property and creates an unsafe condition, such as, but not limited to, being on jacks, no tires on the ground or dismantled.

All provisions of the ordinances of the City of Shenandoah in conflict with the provisions of this Ordinance are hereby repealed, and all other provisions of the Ordinances of the City of Shenandoah, not in conflict with the provisions of this Ordinance, shall remain in full force and effect.

The provisions of this Ordinance shall be cumulative of all other ordinances or parts of ordinances governing or regulating the same subject matter as that covered herein; provided, however, that all prior ordinances or parts of ordinances inconsistent or in conflict with any of the provisions of this Ordinance are hereby expressly repealed to the extent that such inconsistency is apparent.

It is the intention of the City Council that this Ordinance, and every provision thereof, shall be considered severable and the invalidity of any section, clause or provision or part or portion of any section, clause, or provision of this Ordinance shall not affect the validity of any other portion of this Ordinance.

This Ordinance shall become effective immediately upon its passage and publication as required by law.

**PASSED, APPROVED AND ADOPTED** this the 8<sup>th</sup> day of September 2021.

CITY OF SHENANDOAH, TEXAS

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M. RITCHEY WHEELER, Mayor

ATTEST:

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COURTNEY CLARY, City Secretary

APPROVED AS TO FORM:

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WILLIAM C. FEREBEE, City Attorney