



City of Lake Charles

Signature

Ordinance Number: 15417

326 Pujot Street
P.O. Box 1178
Lake Charles, LA
70602-1178

An ordinance amending Chapter 13 of the Code of Ordinances of the City of Lake Charles regarding the abatement and removal of junk and/or inoperable vehicles and parts thereof.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAKE CHARLES, LOUISIANA, in regular session convened, that:

SECTION 1: Chapter 13 of the Code of Ordinances of the City of Lake Charles, Louisiana, is hereby amended and reenacted by adding a new subsection to be numbered 13-15.5, said new subsection to read as follows:

"Sec. 13-15.5. Junk/Inoperable Vehicles.

(1) Purpose.

- (a) To establish procedures for the abatement and removal of junk and/or inoperable vehicles and parts thereof.
- (b) To enhance the aesthetic qualities of the City of Lake Charles.
- (c) To conserve and maintain property values.
- (d) To protect the health of the public.
- (e) To provide for public safety.

(2) Definitions:

(a) "Junk vehicle" means any vehicle meeting the following requirements:

- (1) Five (5) years old or older
- (2) Is extensively damaged; such as, but not limited to, any of the following: broken glass, missing tires or wheels, missing body parts or drive train parts
- (3) Is apparently inoperable

(b) "Inoperable vehicle" means any vehicle substantially meeting the following requirements:

- (1) Is damaged to such an extent as to render it unlawful to operate on any public right of way. This includes but is not limited to broken head or taillights, broken windshields, flat tires, missing steering wheel or seats
- (2) Is in a condition of neglect, such as windows open to the weather, sunken into the ground, covered in mold growths

(c) "Vehicle" shall include, but not be limited to, automobiles, motorcycles, trucks, buses, motorized recreational vehicles, off-road vehicles, four-wheelers, or mobile construction equipment, campers, travel trailers, boat trailers, utility trailers, or similar capable of moving or being moved on the public right of way.

(3). It shall be unlawful for any person or business to allow storage of any junk or inoperable vehicle on any private property in the City of Lake Charles:

(a). Exceptions.

- (1) any vehicle or part thereof which is completely enclosed within a building in a lawful manner or which is otherwise not visible from any street or public property.
- (2) any vehicle or part thereof stored or parked in a lawful manner on private property in connection with the legal business of a licensed dismantler, junk salvage/ wrecker yard or licensed vehicle dealer or repair facility located on property zoned and fenced in accordance with zoning codes.
- (3) a vehicle enclosed under a car cover designed to totally shield the vehicle from view and in good condition. Tarpaulins and general use makeshift covers shall not be allowed.

(4) Notice of violation.

(a) a vehicle violation placard shall be placed on the vehicle in question when such placement can be done in a safe manner. This placard shall denote the location, date, violation details, make, model, color, vehicle ID number if accessible, and any descriptive

information to identify the vehicle. Contact information for the code enforcement officer will also be given.

(b) A vehicle violation letter shall be sent by certified, return receipt mail to the owner on record of the property on which the vehicle is located and to the vehicle owner if known. This letter shall contain all information on the placard, details for correcting the violation and for requesting a hearing on the matter.

(5) Hearing.

(a) The owner(s) involved may request a hearing to contest the placarding of the vehicle within ten (10) days of the mailing of the letter. (b) the hearing shall be held at the earliest time convenient to the owner and the City. Any evidence/testimony shall be presented by both sides at that time. All actions relating to the removal of the vehicle shall be suspended until the conclusion of the hearing.

(6) Abatement or removal.

(a) the owner of the vehicle may correct the violation by removing the vehicle,lawfully storing or covering the vehicle as per Section 4.

(b) if the vehicle is not removed by the given date and no hearing is requested, or the hearing finds in favor of the violation charge, the vehicle may be removed immediately by an approved towing service at the owners expense."

SECTION 2: If any provision or item of this Ordinance and the application thereof is held invalid, such invalidity shall not affect other provisions, items, or applications of this Ordinance which can be given effect without the invalid provisions, items, or applications, and to this end, the provisions of this Ordinance are hereby declared severable.

At a meeting of the City Council on 5/5/2010, this Ordinance was adopted as amended by the following vote:

For: John Ieyoub, Mark Eckard, Dana Carl Jackson, Rodney Geyen, Marshall Simien, Stuart Weatherford and Luvertha August

Passed and Adopted Dana Carl Jackson Date 5-5-10
Dana Carl Jackson, President or Presiding Officer

Attest Lynn F. Thibodeaux Date 5-5-10
Lynn F. Thibodeaux
Clerk of the Council

Approved by Randy Roach Date 5-6-10
Randy Roach, Mayor
City of Lake Charles, Louisiana