

ORDINANCE NO. 9-9-9.1

AN ORDINANCE OF THE TOWN OF SHARPSVILLE, INDIANA  
CONCERNING ABANDONED & JUNK VEHICLES

WHEREAS, The Board of Trustees of the Town of Sharpsville, Indiana, hereby enacts into Law an Ordinance that finds abandoned and junk vehicles a public nuisance and a safety and health hazard. The purpose of this Ordinance is to guide the police department in the enforcement of the removal of abandoned and junk vehicles.

Sec. 1 Definitions:

"JUNK VEHICLE" means:

Any disassembled, inoperable, unlicensed, wrecked or abandoned motor vehicle, unless the same is stored for use in connection with an automotive sales or repair business or enterprise which operates under a duly licensed and exhibited store license, or a junk yard which is duly operated and licensed under any applicable statutes or ordinances.

"ABANDONED VEHICLE" means:

(1) a vehicle located on public property illegally;

(2) a vehicle left on public property continuously without being moved for three (3) days;

(3) a vehicle located on public property in such a manner as to constitute a hazard or obstruction to the movement of vehicle or pedestrian traffic on a public right-of-way;

(4) a vehicle that has remained on private property without the consent of the owner, or person in control, of the property, for more than forty-eight (48) hours;

(5) a vehicle from which there has been removed the engine, transmission, or differential or that is otherwise partially dismantled or inoperable and left on public property;

(6) a vehicle that has been removed by a towing service or a public agency upon request of an officer enforcing a statute or ordinance other than I.C. 9-9-1.1, if the vehicle once impounded is not claimed or redeemed by the owner within fifteen (15) days of its removal; or

(7) a vehicle that is six or more model years old and mechanically inoperable, and is left on private property continuously in a location visible from public property for more than thirty (30) days.

## SECTION II NOTICE TAGS ON PUBLIC PROPERTY

An officer who finds a vehicle or parts believed to be abandoned or junk shall attach in a prominent place a notice tag containing the following information:

(1) The date, time, officer's name, public agency, and address and telephone number to contact for information.

(2) That the vehicle or parts are considered abandoned or junk.

(3) That the vehicle or parts will be removed after seventy-two (72) hours.

(4) That the owner will be held responsible for all costs incurred in the removal, storage and disposal, and if not paid, the owner's registration privileges will be suspended on that car.

(5) That the owner may avoid costs by removal of the vehicle or parts within seventy-two (72) hours.

## SECTION III NOTICE OF VIOLATION ON PRIVATE PROPERTY

An officer who finds a vehicle or parts believed to be a public nuisance on private property shall send a notice of violation to the owner of the vehicle with the following information:

(1) The date, officer's name, property owner and vehicle owner.

(2) That the vehicle or parts are considered abandoned or junk.

(3) That the vehicle or parts will be removed after thirty (30) days.

(4) That the owner will be held responsible for all costs incurred by the Town of Sharpsville in removing said vehicle or parts, in addition to a fine of One Hundred Dollars (\$100.00) plus court costs for each violation.

(5) That the owner may avoid costs by removal of the vehicle or parts within thirty (30) days.

#### SECTION IV PUBLIC AGENCY DESIGNATION

The Office of Town Marshall is hereby designated as the public agency within the meaning of I.C. 9-9-1.1-2 which has the responsibility for removal, storage and disposal of abandoned vehicles.

#### SECTION V METHOD OF DISPOSAL

Seized abandoned or junk vehicles shall be disposed of as provided in I. C. 9-9-1.1-7.

#### SECTION VI FEES FOR TOWING AND STORAGE

The charges allowed for towing and storage of abandoned or junk vehicles shall be established by the person towing and storing the vehicle.

#### SECTION VII

This ordinance shall be in full force and effect from and after its passage by the Board of Trustees of the Town of Sharpsville, Indiana, and the appropriate publication required by law.

(9-9-1.1-1.)

REMOVAL AND DISPOSAL

SECTION.

9-9-1.1-1. Abandoned Vehicles - Removal - Fees.

9-9-1.1-1. Abandoned Vehicles - Removal - Fees:

(a) This section may be cited as the Town Abandoned Vehicle Ordinance.

(b) Abandoned vehicles or parts shall be removed and disposed of in accordance with the procedures set forth in IC 9-9-1.1-1.

(c) The Police Department is designated as the public agency authorized to enforce this section and remove abandoned vehicles and parts under IC 9-9-1.1-1.

(d) The owner of any abandoned vehicle or parts is liable for all costs incidental to the removal, storage or disposal of the vehicle or parts. A fee of not more than One Hundred Dollars (\$100.00) for the removal and a fee of not more than Fifty Dollars (\$50.00) per day for the storage of abandoned vehicles or parts shall be levied against the owner of any such vehicle or parts.

Statutory history:  
New material;  
Ordinance #147, adopted  
Aug. 30, 1971.

Parallel citation:  
IC 9-9-1.1-1. Removal and  
disposal of Abandoned  
Vehicles by Local  
Governments.