

ORDINANCE NO. 416

ORDINANCE AMENDING ORDINANCE NO. 333
AN ORDINANCE REGULATING THE KEEPING OF
ABANDONED, OBSOLETE OR JUNK VEHICLES:
DECLARING SUCH VEHICLES TO BE A NUISANCE
AND PROVIDING FOR ENFORCEMENT OF AND
SETTING A PENALTY FOR VIOLATION

BE IT ORDAINED by the Mayor and Board of Aldermen of the City of Forest, Mississippi:

SECTION 1. PURPOSE The purpose of this ordinance is to protect the health and welfare of the citizens of the City of Forest, Mississippi, by prevention of the storage of obsolete, abandoned or junk motor vehicles except in places authorized and to declare same to be a nuisance and to provide for the abatement thereof and to provide for the enforcement and penalties for the violation hereof.

SECTION 2. DEFINITION For the purpose of this ordinance, an obsolete, abandoned or junk motor vehicle shall be defined as a motor vehicle or portion thereof not in running or operating condition and / or not licensed for the current year as provided for by law and under any federal or state law, statute or other lawful ordinances.

SECTION 3. NUISANCE It is hereby declared that the keeping of abandoned, obsolete or junk motor vehicles within the corporate limits of the City of Forest is dangerous to the health and welfare of the citizens of the City of Forest and is a nuisance.

SECTION 4. VIOLATION Any property owner or person in possession of real property within the corporate limits of the City of Forest, Mississippi except as provided for in Section 5 of this ordinance, who shall keep or allow the keeping of abandoned, obsolete or junk motor vehicles upon his property or upon property in his possession shall be guilty of a misdemeanor.

SECTION 5. EXCEPTIONS The provisions of this ordinance shall not apply to auto salvage yards or junk yards that are duly licensed by the City of Forest, Mississippi.

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SECTION 6. PRIMA FACIE RESPONSIBILITY If any abandoned, obsolete or junk motor vehicles are kept upon property in violation of this ordinance the owner of said property shall be prima facie responsible for said violation.

SECTION 7. IMPOUNDING If any abandoned, obsolete or junk motor vehicle is kept upon real property in violation of the provisions of this ordinance, the Mayor or Board of Aldermen may order said car towed to places authorized by the Mayor or Board of Aldermen and the cost of said towing may be charged to the owner or operator of said motor vehicle but not to exceed the total of one hundred fifty dollars (\$150.00) and the costs of storage may be charged to the owner or operator of said motor vehicle but not to exceed the charge of fifty dollars (\$50.00) per day and said towing and storage charges are in addition to any fines or penalties which may be fixed as provided for in this ordinance.

SECTION 8. PENALTY Anyone violating any of the provisions of this ordinance shall upon conviction, be fined not to exceed five hundred dollars (\$500.00) or confinement in jail for a term not exceeding 30 days. Each offense or violation of any of the provisions of this ordinance shall be deemed a separate and distinct offense.

SECTION 9. ENFORCEMENT The provisions of this ordinance may be enforced by injunction proceedings in any court of competent jurisdiction or with such other proceedings as may be provided by law or in equity.

SECTION 10. REPEAL This ordinance shall be supplemental to and in addition to any other applicable laws, ordinances, rules or regulations.

SECTION 11. EFFECTIVE This Ordinance shall go into effect immediately upon its passage, the public interest requiring, but this Ordinance shall be published in the Scott County Times, as provided by law.

ORDAINED this the 6th day of July 2004.

/S/ NANCY N. CHAMBERS, MAYOR

ATTEST:

/S/ FAYE JOHNSTON, CITY CLERK