

**ORDINANCE NO. 03-2018**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SEAGOVILLE, TEXAS, AMENDING THE CODE OF ORDINANCES BY AMENDING CHAPTER 13, "OFFENSES AND NUISANCES", ARTICLE 13.04, "JUNKED VEHICLES", SECTION 13.04.002, "DEFINITIONS", AND BY AMENDING CHAPTER 21, "BUILDING REGULATIONS", ARTICLE 21.02 "TECHNICAL AND CONSTRUCTION CODES AND STANDARDS", DIVISION 10 "PROPERTY MAINTENANCE CODE", SECTION 21.02.504, "AMENDMENTS," TO AMEND THE DEFINITION OF JUNKED VEHICLE IN ORDER TO BE CONSISTENT WITH STATE LAW; PROVIDING A REPEALING CLAUSE, PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City Council for the City of Seagoville finds that Section 683.071 of the Transportation Code provides a definition for junked vehicle; and

**WHEREAS**, staff has discovered that an element of the state definition of junked vehicles was previously omitted from the City's ordinance; and

**WHEREAS**, the City Council for the City of Seagoville finds it will benefit the citizens of the City of Seagoville to amend the City's Code of Ordinances to maintain consistency with state law, by adopting this provision, as provided for herein.

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

**SECTION 1.** That the Code of Ordinances of the City of Seagoville, Texas is amended by amending Chapter 13, "Offenses and Nuisances", by amending Article 13.04, "Junked Vehicles", Section 13.04.002 "Definitions" by amending the definition of junked vehicle, to read as follows:

**"ARTICLE 13.04 JUNKED VEHICLES**

**Sec. 13.04.002. Definitions.**

In this article:

....

*Junked vehicle.* A vehicle that is self-propelled, does not have lawfully attached to it an unexpired license or does not display a license plate, and is:

- (A) Wrecked, dismantled or partially dismantled, or discarded;

- (B) Substantially disfigured, damaged, or disintegrated;
- (C) Ruined, destroyed or demolished; or
- (D) Inoperable and has remained inoperable for more than:
  - (i) Seventy-two (72) consecutive hours if the vehicle is on public property;
  - (ii) Thirty (30) consecutive days if the vehicle is on private property.”

**SECTION 2.** That the Code of Ordinances of the City of Seagoville, Texas is amended by amending Chapter 21, “Building Regulations”, by amending Article 21.02, “Technical and Construction Codes and Standards”, Division 10, “Property Maintenance Code”, Section 21.02.504 “Amendments” by amending the definition of junked vehicle, to read as follows:

**“ARTICE 21.02 TECHNICAL AND CONSTRUCTION CODES AND STANDARDS**

....

**Division 10. Property Maintenance Code**

....

**Sec. 21.02.504 Amendments**

The property maintenance code adopted in this article shall be subject to the exceptions and amendments to the International Property Maintenance Code, 2012 edition, as follows:

....

Section 202 Definitions, add definition for junked vehicle to read as follows:

Junk vehicle means a vehicle that is self propelled, does not have lawfully attached to it an unexpired license or does not display a license plate, and

- (1) Is wrecked, dismantled or partially dismantled, or discarded; or
- (2) Is inoperable and has remained inoperable for more than 72 hours, if the vehicle is on public property; or 30 consecutive days, if the vehicle is on private property.

....”

**SECTION 3.** That all provisions of the ordinances of the City of Seagoville in conflict with the provisions of this ordinance be, and the same are hereby, repealed, and all other provisions

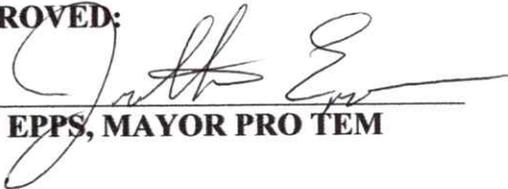
of the ordinances of the City of Seagoville not in conflict with the provisions of this ordinance shall remain in full force and effect.

**SECTION 4.** That should any sentence, paragraph, subdivision, clause, phrase or section of this ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole, or any part or provision thereof other than the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of the Code of Ordinances as a whole.

**SECTION 5.** This Ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law and charter in such cases provide.

**DULY PASSED** by the City Council of the City of Seagoville, Texas, on the 5th day of February, 2018.

**APPROVED:**

  
**JON EPPS, MAYOR PRO TEM**

**ATTEST:**

  
**KANDI JACKSON, CITY SECRETARY**



**APPROVED AS TO FORM:**

  
**ALEXIS G. ALLEN, CITY ATTORNEY**