

ORDINANCE #73-2017
(Amendment to Ordinance #73)

AN ORDINANCE OF THE CITY OF LONE OAK, TEXAS AMENDING ORDINANCE #73 BY REVISING THE DEFINITION OF JUNKED VEHICLE TO CONFORM TO A CHANGE IN STATE LAW; PROVIDING A REPEALING CLAUSE, PROVIDING A SAVINGS AND SEVERABILITY CLAUSE AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, City of Lone Oak Ordinance No. 73 regulates junked vehicles and procedures for abatement and removal of such vehicles; and

WHEREAS, the 82nd Texas Legislature passed House Bill 1376 and House Bill 787, effective beginning September 1, 2011, revising the definition of junked vehicle; and

WHEREAS, the City Council finds that it is necessary and in the public interest to amend the definition of junked vehicle in Ordinance #73 to be consistent with state law.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LONE OAK, TEXAS THAT:

Section 1. Sec. 101 Definitions, subsection B. is amended to read as follows:

B. *Junked Vehicle* means

(1) a vehicle that is self-propelled and :

(a) displays:

(i) an expired or invalid license plate or registration insignia; or

(ii) an expired or invalid vehicle inspection certificate; or

(b) does not display:

(i) a current, valid license plate or registration insignia; or

(ii) a current, valid vehicle inspection certificate; and

(c) is:

(i) wrecked, dismantled or partially dismantled, or discarded; or

(ii) inoperable and has remained inoperable for more than:

a. Seventy-two (72) consecutive hours, if the vehicle is on public property; or

b. Thirty (30) consecutive days, if the vehicle is on private property.

- (2) An aircraft that does not have lawfully printed on it an unexpired federal aircraft identification number, registered under Federal Aviation Administration aircraft registration regulations in C.F.R. Part 47.
- (3) A watercraft that does not have lawfully on board an unexpired certificate number and is not a watercraft described by Section 31.055 of the Texas Parks and Wildlife code.”

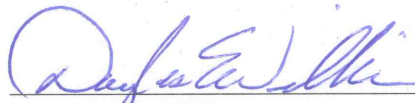
Section 2. All provisions of the Ordinances of the City of Lone Oak in conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict, and all other provisions of the Ordinances of the City of Lone Oak not in conflict with the provisions of this Ordinance shall remain in full force and effect.

Section 3. 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.

Section 4. This Ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law in such cases provide.

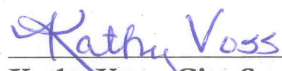
Section 5. Open Meetings. That it is hereby officially found and determined that the meeting at which this Ordinance is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meeting Act, Ch. 551, Loc. Gov't. Code.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Lone Oak, Texas on this 14 day of February, 2017.



Douglas E. Williams, Mayor

ATTEST:



Kathy Voss, City Secretary