

# **JUNKED MOTOR VEHICLE F.A.Q. SHEET**

## **What is a Junked Motor Vehicle?**

Division 2, section 13-116 of the City of Ennis Nuisance Ordinance defines a junked motor vehicle as a vehicle that is inoperative; and does not have lawfully affixed to it either an unexpired license plate or a valid motor vehicle safety inspection certificate, that is wrecked, dismantled or partially dismantled, or discarded; or that remains inoperative for a continuous period of more than forty-five (45) days.

## **What's wrong with having a junked motor vehicle on my property in public view?**

A junked motor vehicle is detrimental to the safety and welfare of the public, tends to reduce the value of private property, invites vandalism, is a fire hazard, is an attractive nuisance creating a hazard to the health and safety of minors, produces urban blight adverse to the maintenance and continuing development of municipalities and is also a public nuisance.

## **What is the legal procedure for abating a junked motor vehicle?**

A notice for a junked vehicle or vehicle part is mailed via certified mail with a 5-day return receipt requested to the property owner where the violation exists, any lien holder of record and the last known registered owner of the vehicle. A hearing may be requested before the city commission, provided that it is requested within ten (10) days after service of notice to abate the nuisance. If the property owner, any lien holder of record or the registered owner does not request a hearing then a hearing will be scheduled before the municipal court judge. An additional ten (10) days will be given by the judge before the vehicle is abated by the city enforcement agent. If the city enforcement agent abates a junked motor vehicle or vehicle part, notice shall be given to the state department of highways and transportation not later than the fifth day after the date of the removal identifying the vehicle or vehicle part. The department shall then cancel the certificate or title and the vehicle or vehicle part may be disposed of by removal to a scrap yard, demolisher, or any suitable site operated by the city for processing as scrap or salvage. The city may transfer the vehicle or vehicle part to a disposal site if the disposal is only as scrap or salvage.

## **What enforcement action(s) may occur as a result of noncompliance?**

If the property owner fails to correct the violation, a municipal court citation may be issued for each and every day that the violation exists and/or the vehicle may be abated from the property.

## **How can I correct a junked motor vehicle violation?**

A junked motor vehicle violation may be corrected by one or more of the following ways:

- First, demonstrate to the code enforcement officer that the vehicle is mechanically operative. **If the vehicle is mechanically operative (runs & drives) then the vehicle is not a junked motor vehicle.** If this action is not demonstrated then the vehicle is presumed to be inoperative.
- Repair any wrecked, dismantled or partially dismantled vehicles.
- Affix a valid Texas motor vehicle safety inspection certificate to the vehicle.
- Ensure that unexpired license plates are attached to the vehicle.
- Remove the vehicle(s) or vehicle part from your property.
- Completely enclose the vehicle(s) inside of a building in a lawful manner where it is not visible from the street or other public or private property.
- **NOTE: A tarp or car cover does not correct a junked motor vehicle violation.**

