

## **ORDINANCE#: 011325**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF EDGEWOOD, TEXAS, AMENDING CHAPTER 16 OF THE CITY OF EDGEWOOD, TEXAS CODE OF ORDINANCES PERTAINING TO REGULATING JUNK VEHICLES AND WRECKED VEHICLES; AMENDING DEFINITIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR A PENALTY AND PROVIDING AN EFFECTIVE DATE.

**WHEREAS**, TEXAS LOCAL GOVERNMENT CODE SEC. 51.012 STATES A MUNICIPALITY MAY ADOPT AN ORDINANCE, ACT, LAW, OR REGULATION, NOT INCONSISTENT WITH STATE LAW, THAT IS NECESSARY FOR THE GOVERNMENT, INTEREST, WELFARE, OR GOOD ORDER OF THE MUNICIPALITY AS A BODY POLITIC.; AND

**WHEREAS**, THE CITY COUNCIL FINDS IT IS NECESSARY FOR THE PROTECTION AND SAFETY OF THE CITIZENS OF EDGEWOOD TO REGULATE JUNK AND WRECKED VEHICLES IN THE CITY OF EDGEWOOD; AND

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

**THAT**, CHAPTER 16 ARTICLE IV SECTION 16-77 SHALL BE AMENDED AS FOLLOWS; AND

**THAT**, THIS ORDINANCE SHALL BECOME EFFECTIVE UPON PASSAGE AND PUBLICATION THEREOF.

*Junked vehicle* means a motor vehicle that:

- (1) Is wrecked, dismantled, or partially dismantled, or discarded; OR
- (2) Is inoperable and has remained inoperable for more than:
  - A. 72 consecutive hours, if the vehicle is on public property;
  - B. 30 consecutive days, if the vehicle is on private property; OR
- (3) Does not have lawfully attached to it:
  - A. An unexpired license plate;
  - B. A valid motor vehicle inspection certificate; OR
  - C. An unexpired TX number.

*Motor vehicle* means:

- (A) any motor driven or propelled vehicle required to be registered under the laws of this state;
- (B) a trailer or semitrailer, other than manufactured housing;
- (C) a travel trailer;

## **ORDINANCE#: 011325**

(D) an off-highway vehicle, as defined by Section 551A TEXAS TRANSPORTATION CODE;

(E) a motorcycle or moped that is not required to be registered under the laws of this state; or

(F) a boat, vessel or personal watercraft, as defined by section 31.003 texas parks and wildlife code

### **Repealing Clause.**

All ordinances, parts of ordinances, or resolutions in conflict herewith are expressly repealed in their entirety. The effective date of the repeal discussed herein shall not occur until the effective date of this Ordinance at which time all conflicting ordinances, parts of ordinances, or resolutions in conflict shall be repealed.


### **Severability Clause.**

Should any section, subsection, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Ordinance shall remain in full force and effect. The City of Edgewood hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase thereof irrespective of the fact that anyone or more sections, subsections, sentences, clauses and phrases be declared unconstitutional or invalid.

**FURTHER, THIS ORDINANCE SHALL BECOME EFFECTIVE UPON PASSAGE AND PUBLICATION.**



Steve Steadham, Mayor  
City of Edgewood

  
Kathleen Jordan, City Secretary