

ORDINANCE NO. 2005-001

AN ORDINANCE AMENDING ORDINANCE NO. 2000-003 OF THE CITY OF OLD RIVER WINFREE REGULATING THE ABATEMENT OF PUBLIC NUISANCES AND PROVIDING PENALTIES FOR SAID VIOLATIONS BY AMENDING SECTION I OF CHAPTER ONE, SUBCHAPTER A "DEFINITIONS" AND SECTIONS II, (b) (2); PROVIDING A REPEALING CLAUSE; CONTAINING A SAVINGS CLAUSE; AND PROVIDING FOR THE PUBLICATION AND EFFECTIVE DATE THEREOF.

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BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF OLD RIVER-WINFREE, CHAMBERS AND LIBERTY COUNTY, TEXAS:

Section 1: That Section I of Chapter One; Subchapter A of Ordinance 2000-003 of The City of Old River-Winfree, Chambers and Liberty County Texas, is hereby amended to read as follows:

Section I. Definitions  
In this Chapter:

- (11) "Weeds" means all rank and uncultivated vegetable growth or matter that:
  - (A) has grown to more than 24 inches in height,
- (13) "Abandoned Vehicle" means any motor vehicle that:
  - (1) Is inoperable and more than five years old and left unattended on public property for more than 48 hours;
  - (2) Has remained illegally on public property for more than 48 hours;
  - (3) Has remained on private property without the consent of the owner or person in control of the property for more than 48 hours; or
  - (4) Has been left unattended on the right-of-way of a designated state, county or federal highway for more than 48 hours; or
  - (5) Has been left unattended for more than 24 hours on the right-of-way of a turnpike project constructed and maintained by the Texas Turnpike Authority or a controlled access highway.

(14) "Junked Vehicle" means any motor vehicle, as defined in V.T.C.A., transportation Code § 683.071 that is self- propelled and:

(1) Does not have lawfully attached to it:

- a. An unexpired license plate; or
- b. A valid motor vehicle inspection certificate; and

(2) Is:

- a. Wrecked, dismantled or partially dismantled, or discarded; or
- b. Inoperable and has remained inoperable for more than
  - 1. Seventy-two consecutive hours, if the vehicle is on public property ; or
  - 2. Thirty consecutive days. If the vehicle is on private property.

Section 2: That Section II. (B) (2) of Chapter One; Subchapter A of Ordinance No. 2000-003 of The City of Old River-Winfree, Chambers and Liberty County be amended to read as follows:

(2) Keeping, storing or accumulating rubbish, including newspapers, abandoned vehicles, junked vehicles, refrigerators, stoves, furniture, tires, and cans, on premises in a neighborhood for 10 days or more, unless the rubbish or object is completely inclosed in a building or is not visible from a public street.

Section 3: All ordinances or parts of ordinances in consistent with the terms of this ordinance are hereby repealed; provided, however, that such repeal shall be only to the extent of such inconsistency and in all other respects this ordinance shall be cumulative of other ordinances regulating and governing the subject matter covered by this ordinance.

Section 4: If any provisions, section, exemption, subsection, paragraph, sentence, clause or phrase of this ordinance or the application of same to any person or set of circumstances, shall for any reason be held unconstitutional, void or invalid, such individuality shall not affect the validity of the remaining provisions of this ordinance or their application to other persons or sets of circumstances and this end all provisions of this ordinance are declared to be severable.

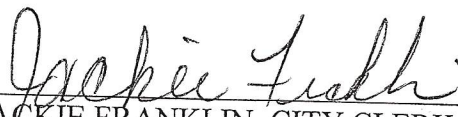
Section 5: This ordinance shall take effect from and after (10) days from it's passage by the city council. The City Clerk is hereby directed to give notice hereof by causing the

caption of this ordinance to be published in the official newspaper of the City of Old River-Winfree at least twice within 10 days after passage of this ordinance.

INTRODUCED, READ and PASSED by the affirmative vote of the City of Old River-Winfree, this the \_\_\_\_ day of December 2005.

  
JOE LANDRY, MAYOR

ATTEST:

  
JACKIE FRANKLIN, CITY CLERK

