

ORDINANCE 11-15

AN ORDINANCE TO AMEND TITLE 15, CHAPTER 7 OF THE SPRING HILL MUNICIPAL CODE, ADDING SECTION 15-706, REESTABLISHING MOTOR VEHICLE REGULATIONS WITHIN THE CITY LIMITS OF SPRING HILL, TENNESSEE

WHEREAS, the City of Spring Hill must have a means to deal with inoperable, unlicensed, and/or abandoned motor vehicles within the city limits of Spring Hill, Tennessee; and

WHEREAS, the intent is to provide the City the authority to issue official Notice of Violations and Municipal Citations when necessary;

BE IT THEREFORE ORDAINED BY THE BOARD OF MAYOR AND ALDERMEN OF THE CITY OF SPRING HILL, TENNESSEE, that Title Fifteen, Chapter 7 of the Spring Hill Municipal Code is hereby amended to add the new section 15-706, which shall read as follows:

***“15-706. Vehicle regulations within City limits -** Storage of any non-compliant (inoperable, unlicensed, or abandoned) motor vehicle on any real property, alley, street, or highway within the corporate limits of the City of Spring Hill is prohibited pursuant to the following sub sections. A violation of this section will constitute a misdemeanor offense.*

***Section 1:** It shall be unlawful for any owner of a non-compliant vehicle to allow said vehicle to remain on any public alley, street, or highway for a period longer than forty-eight (48) hours.*

***Section 2:** It shall likewise be unlawful for the occupant or owner of any real property to allow a non-compliant vehicle owned or in control of said occupant or real property owner to remain on any adjacent public alley, street, or highway for a period longer than forty-eight (48) hours.*

***Section 3:** It shall be unlawful for any owner of a non-compliant vehicle to allow said vehicle to remain on any real property for a period longer than fourteen (14) days.*

***Section 4:** It shall likewise be unlawful for the occupant or owner of any real property to allow a non-compliant vehicle owned or in control of said occupant or real property owner to remain on any real property for a period longer than fourteen (14) days.*

***Section 5:** Inoperable or unlicensed motor vehicles wholly concealed from public view as in a garage, barn, or other permanent building are excepted from the aforementioned sub sections 1-4.*

Section 6: Definitions

(a) A **non-compliant** motor vehicle is one which is defined by this section as being inoperable, unlicensed, or abandoned.

(b) An **inoperable** motor vehicle is one which cannot be propelled by its own engine or motor or would be hazardous to operate. Prima facie examples of inoperability would include: missing wheels, deflated tires, missing parts required for proper operation ("stripped"), a wrecked vehicle that requires repair to be operated safely, or is burned throughout ("gutted").

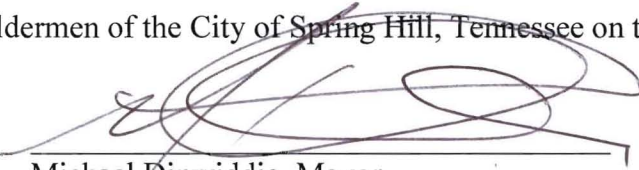
(c) An **unlicensed** motor vehicle is one that does not display a current and valid state registration plate, a valid dealer tag or temporary driving permit in accordance with the provisions of the State of Tennessee requirements for registration of vehicles

(d) An **abandoned** motor vehicle is one in which the vehicle is left on either public or private property with no owner or operator in close proximity to the vehicle and a reasonable search of public records cannot establish ownership of the vehicle.

Section 7: Any violation of section 15-706 is deemed to be a public nuisance and the City or its agents can take reasonable actions to abate the violation with the cost of such actions to revert back to, and upon said property owner, due and payable to the City. "

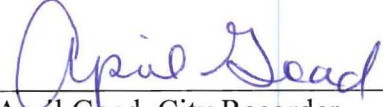
BE IT FURTHER ENACTED, that this amendment shall take effect thirty (30) days after its passage.

Passed and adopted by the Board of Mayor and Aldermen of the City of Spring Hill, Tennessee on the 17th day of October, 2011.

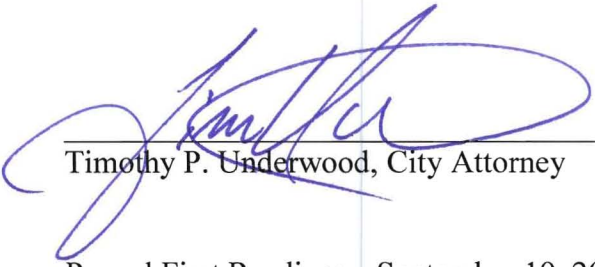


Michael Dinwiddie, Mayor

ATTEST:



April Goad, City Recorder



Timothy P. Underwood, City Attorney

Passed First Reading: September 19, 2011

Passed Second Reading October 17, 2011