

**ORDINANCE 2025-02-20# REGULATING JUNK AND ABANDONED MOTOR VEHICLES LOCATED IN THE VILLAGE OF LATTY, OHIO - AND DECLARING AN EMERGENCY**

**BE IT ORDERED**, by the Council or the Village of Latty, Paulding County, Ohio

A clean, wholesome, attractive environment is declared to be of importance to the health, safety, and welfare of village citizens and the safeguarding of their material rights against unwarranted invasion. In addition, such an environment is deemed essential to the maintenance and continued development of the economy of the Village.

**JUNK OR ABANDONED VEHICLES**

- 1) Can constitute both a public and private nuisance
- 2) Is a source of potential harm to children and others
- 3) Is replete with broken glass, sharp torn metal edges, gasoline remaining in tanks of a highly explosive and combustible nature, acids in batteries, etc. These are all potential hazards to the safety and health of village residents and visitors.
- 4) Constitutes a blight on the landscape and generally destroys the aesthetic qualities of the Village
- 5) Tends to depreciate not only the property on which it is located, but also the value of other properties in the neighborhood and the Village
- 6) Tends to result in uncontrolled grass and the collection of debris
- 7) Tends to be a breeding ground for insects, rodents and other harmful creatures

**DEFINITIONS**

**1) ABANDONED MOTOR VEHICLE:**

- A) Any motor vehicle which is left on private or public property for more than ninety six (96) hours without the permission of the person having the right to the possession of the property

**2) LICENSED:**

- A) Having a valid/current license plate (with sticker) appropriately attached or affixed to the motor vehicle

**3) JUNK MOTOR VEHICLE:**

- A) A vehicle of any age that is damaged or defective including, any one or combination of any of the following conditions:
  - 1) Flat tires, missing tires, missing wheels or partially disassembled tires and wheels;
  - 2) Missing essential parts of the vehicle's drive train, including, but not limited to engine, transmission, transaxle, drive shaft, differential, or axle;
  - 3) Extensive exterior body damage, missing or disassembled essential body parts, including, but not limited to fenders, doors, engine hood, bumper or bumpers, windshield or windows
  - 4) Missing essential interior parts, including, but not limited to, driver's seat, steering wheel, instrument panel, clutch, brake, gear shift lever;
  - 5) Missing parts essential to the starting or running of the vehicle under it's own power, including, but not limited to, starter, generator, alternator, battery, distributor, gas tank, carburetor, fuel injection system, spark plugs or radiator;
  - 6) Lying on the ground (upside down, on it's side, or at other extreme angle), sitting on blocks or suspended in the air by any other method;
  - 7) General environment in which the vehicle sits, including, but not limited to, vegetation that has grown up around, in, or through the vehicle, the collection of pools of water in the vehicle, and the accumulation of other garbage or debris inside or around the vehicle;

**4) INOPERATIVE MOTOR VEHICLE:**

- A) Any motor vehicle not moved for thirty (30) consecutive days shall be presumed to be inoperative

**5) MOTOR VEHICLE:**

- A) Any vehicle powered by an internal engine or other motor

**6) PUBLIC PROPERTY:**

- A) Any public street, highway, alley, sidewalk, bikeway, property open to the public for vehicular travel or parking, and any other property owned or operated by the Village, or any right-of-way thereof

**7) PERSON:**

- A) Any individual, firm, partnership, company, unincorporated association, or corporation

**STATEMENTS OF ORDINANCE 2025-02-20# REGULATING JUNK AND ABANDONED MOTOR VEHICLES LOCATED IN THE VILLAGE OF LATTY, OHIO**

**1) Storing, parking, or leaving junked or abandoned motor vehicles is prohibited**

- A) No person shall store, park, or have any motor vehicle which is in a junked condition within the Village, upon any public or private property, for a period exceeding thirty (30) days
- B) No person shall store, park, or have any abandoned motor vehicle within the Village, upon any public or private property for a period exceeding ninety six (96) hours
- C) This section shall not apply to any motor vehicle on private property which is stored in conformity with State laws, or if the motor vehicle is a collector's vehicle, as defined in Ohio R.C. 4101.01(F)
- D) No person shall be prevented from storing or keeping, or restricted in the method of storing or keeping any collector's vehicle on private property with the permission of the persons having the right to the possession of the property, except that a person having such permission may be required to conceal, by means of buildings, fences, landscaping, terrain or other suitable obstruction

**2) Right of Entry Inspection**

- A) Any Council Member, Mayor, or Village Representative shall have the right, with twenty four (24) hours notice, to enter any premises on which suspected junk vehicles are openly stored for the purpose of inspecting such vehicles
- B) Once a vehicle has been inspected and determined to be a junk vehicle, in accordance with conditions as listed in definitions, the vehicle shall be deemed a public nuisance

- C) After notification by Village Representatives, if said vehicle has not been removed within fourteen (14) days, unless an extension of time has been granted resulting from an appeal or a stay of execution, further steps will be initiated by the Village

### **3) Disposition of junked vehicle**

- A) No person in charge or control of any private property within the Village, whether as owner, tenant, occupant, lessee or otherwise, shall allow any junked, vehicle (as outlined in No 3 under definitions) to remain on such property longer than fourteen (14) days after notice is served. The fact that such premises are rented or leased by the owner to another party shall not relieve such owner from responsibility.
- B) If no person in charge of any such property can be found, a notice may be published once in a public place in the village, as well as notice being displayed on vehicle. If after fourteen (14) days of display of public notice, the property remains in violation and no Village Representative has been notified by person in control of property, the Village may remove the junked vehicle. All costs and expenses associated with removal shall be certified to the Paulding County Auditor and assessed against the premises upon which the labor was performed and collected as other taxes are collected.

### **4) Impounding of vehicles, redemption**

- A) If a violation of the junk vehicle ordinance has not been remedied within the fourteen (14) day period of compliance after notice of violation has been served upon the owner, tenant or person in control of the property, the vehicle may be impounded.
- B) The impoundment of a vehicle may be effectuated by contacting any commercial towing and storage facility the Village chooses to use. (A commercial towing company, or a Representative of the Village, shall have the right to enter and remove a junk vehicle from any premises within the Village. Neither the Village nor any person acting on behalf of the Village shall be liable to any person for the disposal or destruction of any junk vehicle in violation of the Junk Vehicle Ordinance. The right of entry shall not be limited in any way by the existence or lack of existence of a request, authorization, license or other consent or approval of entry, inspection or removal.)
- C) The movement of any junked vehicle from private property to any public right-of-way, or to another location within the Village shall not remedy a violation of the Junk Vehicle Ordinance.
- D) One or more of the owner, occupant or tenant shall be charged the actual cost of labor, equipment and disposal of the vehicle or vehicles. The cost of labor shall be \$300 for the first hour and \$100 for each hour thereafter. Such charges are due and payable by

the owner, occupant or tenant within thirty (30) days of date of the invoice, after which the Village shall cause such charges, plus any legal fees and penalties, to be placed upon the tax duplicate of the property for collection by the Paulding County Auditor.

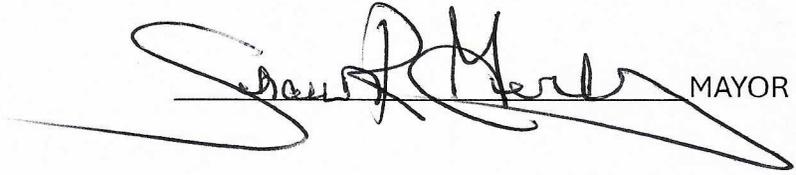
**5) Storage by wreckers, commercial garages, and wrecker-commercial garages**

- A) If operations are permitted by state, county and local laws, including rights under any nonconforming uses, and including any limitations, restrictions or conditions established according to law by the Village, any court of competent jurisdiction and are not in violation of any applicable private restrictive covenant or agreement filed or recorded in the county clerk's office:
- 1) Any licensed commercial wrecker service may store junk vehicles on one (1) site, but not on more than one (1) site, within the Village, provided that no junk vehicle is so stored within the Village for a period of time exceeding fourteen (14) days
  - 2) Any licensed commercial garage may store junk vehicles on any one (1) site, but not on more than one (1) site within the Village, pending and during repair of such vehicles, provided that no junk vehicle is so stored within the Village for more than sixty (60) days, or if a permit for extended storage is issued, for sixty (60) days, plus any extension permitted.
  - 3) Any licensed commercial wrecker service or garage shall be required to conceal any permitted vehicle as described above, by means of a building, fence, landscaping, terrain or other suitable obstruction

**Penalty:**

Any person who violates this Ordinance is guilty of a minor misdemeanor on a first offense; a misdemeanor of the fourth degree on a second offense; and a misdemeanor of the third degree on each subsequent offense. A separate offense shall be deemed committed on each fourteenth (14<sup>th</sup>) day during or on which a violation occurs or continues.

PASSED, APPROVED AND ADOPTED THIS 16<sup>th</sup> DAY OF December, 2025.

 MAYOR

ATTEST:

Gabrielle Hoek

CLERK