

STATE OF ALABAMA

COUNTY OF BLOUNT

ORDINANCE NO. HL 93-12

AN ORDINANCE TO PREVENT CERTAIN VEHICLES,
PROPERTY OR OTHER RUBBISH WHICH IS UNSIGHTLY,
FROM BECOMING A PUBLIC NUISANCE,
A SAFETY OR PUBLIC HEALTH HAZARD, OR A FIRE HAZARD, WITHIN
THE TOWN LIMITS OF HIGHLAND LAKE

WHEREAS, the presence of dismantled, junked or abandoned vehicles, or other unsightly discarded items on public or private property constitutes an attractive nuisance for children and endangers their safety; provides harborage for rats and other animals, constituting a menace to public health; creates a fire hazard, causes neighborhoods to become unsightly, resulting in the depreciation of property values; and if on town streets or public highways creates a traffic hazard and endangers the public safety.

NOW THEREFORE BE IT ORDAINED BY THE TOWN OF HIGHLAND LAKE:

SECTION 1:

The following definitions shall apply in the interpretation of this Ordinance:

A) "Person" shall mean any person, firm, partnership or corporation, association, company, or organization of any kind.

B) "Street or highway" shall mean the entire width between the boundary lines of every way publicly maintained when any part thereof is open to the use of the public for purposes of vehicular travel.

C) "Property" shall mean any real property within the Town Limits or police jurisdiction of the Town of Highland Lake which is not a street or highway.

D) "Vehicle" shall mean a machine propelled by power other than human power designed to travel along the ground use of wheels, treads, runners, or slides, and transport persons or property or pull machinery and shall include, without limitation, automobile, truck, trailer, motorcycle, tractor, buggy, and/or wagon.

E) "Junk" shall mean any dismantled vehicle, appliance, or other unsightly, discarded items not located within an enclosed building.

SECTION 2:

No person, firm or corporation shall deposit, store, keep or permit to be deposited, stored, or kept in the open upon public or private property a dismantled, unserviceable, junked or abandoned vehicle, or one legally or physically incapable of being operated, unless a license for said storage has theretofore been obtained from the property authority.

SECTION 3: Abandonment of Vehicles

No person shall abandon any vehicle within the Town Limits or the police jurisdiction of Highland Lake. It shall be presumed that any vehicle which has been left at any place on a street or highway within the town of a period of seventy-two (72) hours consecutively is an abandoned vehicle.

SECTION 4:

No person shall leave any partially dismantled, non-operating, wrecked, or junked vehicle on any street or highway within the town.

SECTION 5:

No person in charge or control of any property within the Town Limits of the Town of Highland Lake, whether as owner, tenant, occupant, lessee or otherwise, shall allow any partially dismantled, non-operating, wrecked, junked, or discarded vehicle to remain on such property longer than seventy-two (72) hours, and no person shall leave any such vehicle on any property within the town for a longer time than seventy-two (72) hours, except that this Ordinance shall not apply with regard to a vehicle in an enclosed building.

SECTION 6:

No person in charge or control of any property within the Town Limits of the Town of Highland Lake whether as owner, tenant, occupant, lessee or otherwise shall allow any junked vehicle parts, disabled appliances, or other unsightly discarded items to remain on such property longer than seventy-two (72) hours, and no person shall leave any such discarded items on any property within the Town Limits for a longer time than seventy-two (72) hours; except that this Ordinance shall not apply with regard to discarded items stored in an enclosed building.

SECTION 7:

The Chief of Police or any member of his department designated by him is hereby authorized to deliver written notice documenting the location of vehicle or junk and time notice is served to said owner. Upon delivery of such notice, owner of vehicle will have seventy-two (72) hours to remove vehicle or junk before the Town of Highland Lake will take action against owner.

SECTION 8:

Any person violating any of the provisions of this Ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in an amount not exceeding Five Hundred and no/100 Dollars (\$500.00). Each day such violation is committed or permitted to continue shall constitute a separate offense and shall not affect the validity of the remaining portions hereof.

SECTION 9:

This Ordinance shall take effect upon its adoption and publication by posting by law.

TOWN OF HIGHLAND LAKE

BY: LE J. Allen
Mayor

ATTEST:

Bernice L. Huis
TOWN CLERK