

ORDINANCE NO. _____

**AN ORDINANCE TO AMEND AND RE-ENACT SECTIONS
20-30 AND 20-31 OF THE THIBODAUX CITY CODE OF
ORDINANCES – ABANDONED VEHICLES AND PARKING
AND STORAGE OF CERTAIN VEHICLES**

BE IT ORDAINED by the City Council of the City of Thibodaux in regular session assembled that:

WHEREAS, Sections 20-30 and 20-31 are hereby amended and re-enacted so as to read as follows:

Sec. 20-30. - Abandoned vehicles.

The prolonged presence of abandoned, inoperative, dismantled or wrecked vehicles on public and/or private property and found to present a significant and immediate threat to public health and safety as well as to the environment, necessitating their expedient removal from public and private property. These threats include posing a safety hazard to children who might use the abandoned, inoperative, dismantled or wrecked vehicles as playgrounds, rusting automobiles representing a health hazard to those who may come in contact with them, and the damage that such vehicles and debris are sure to cause to the underlying property through the leakage of hazardous fluids into the surrounding ground or water. The environmental and health hazards of these vehicles have been noted by the Louisiana Department of Environmental Quality (DEQ). The hazards from automobiles include “gasoline and diesel fuel, refrigerants, lubricating oils, mercury, ABS switches, mercury convenience switches, lead acid batteries, break and transmission fluid, antifreeze and tires.

The accumulation of abandoned, inoperative, dismantled or wrecked vehicles on public and/or private property are also found to create a condition tending to reduce the value of property, to promote blight and deterioration, to invite plundering, to create fire hazards, to constitute and attractive nuisance creating hazard to the health and safety of minors, to create a harboring for rodents and insects, and to be injurious to the health and safety and general welfare.

Further, an abandoned, inoperative, dismantled or wrecked vehicle on public property, particularly on the street, shoulder, sidewalk, neutral ground or right of way constitutes a traffic hazard and imminent threat to public safety.

(a) Abandoned vehicle on City of Thibodaux property defined. Any vehicle which is left unattended or unclaimed on any city street or any city property in the same location or place for more than twenty-four (24) hours shall be considered an abandoned vehicle.

(b) Abandoned vehicle on private property defined. Any vehicle which is left unattended in the same location on private property for more than fourteen (14) days shall be considered an abandoned vehicle.

(c) Impounding. Any vehicle abandoned in violation of this section shall be impounded by any police or peace officer and shall be detained at the expense and cost of operator or owner until it shall be released by the city. The city shall not order or allow release prior to the full satisfaction of all penalties and charges assessed on account of the offense, except upon the execution of an appearance bond in the maximum amount of such penalties and charges with good and solvent surety approved by the city court. The owner of the impounded vehicle shall be entitled to regain possession thereof upon payment of such costs as are actually incurred and the costs so fixed shall cover all charges for removing the vehicle to the place of holding and all other charges incurred during the period of holding. All such charges shall be a legal privilege against the vehicle.

(e) Motor Vehicle. Means any vehicle which is intended to be self-propelled to travel along the ground, including, but not limited to automobiles, buses, motorbikes, motorcycles, motor scooters, trucks, tractors, go-carts, golf carts, and motorhomes. The term “motor vehicles” shall not include vehicles moved by human power or used exclusively upon stationary rails or tracks. For the purpose of nuisance abatement, a towable trailer shall be considered a motor vehicle in spite of the fact that it does not have a motor. Towable trailers are intended to include any trailer built or constructed for use of public highways and roads, excluding mobile homes intended for commercial or residential use.

Sec. 20-31. - Parking and storage of certain vehicles.

Motor vehicles or towable trailers of any kind or type without current license plates and motor vehicle inspection tags shall not be parked or stored on any residentially zoned property other than in completely enclosed buildings, obscured fencing or garage. Once a sticker is placed on said vehicle(s), photographs shall be taken and the owner shall be notified of the violation.

The above ordinance having been submitted to a vote, the vote thereon was as follows:

YEAS:

NAYS:

ABSTAINED:

ABSENT:

And the above ordinance was declared adopted this _____ day of _____ 2020.

Jennifer Morvant, Council Adm.

Mike Naquin, President