

ABANDONED VEHICLES (G-4-1994)

Because of the danger to health, safety, and the general welfare of the citizens of Swayzee, Grant County, Indiana; "ABANDONED VEHICLES" are prohibited on public or private property within the town limits of the Town of Swayzee.

Vehicles found in violation of this ordinance shall be removed by a licensed towing service and stored or disposed of at owner's expense.

The enforcement authority for this ordinance shall be the town marshal of the Town of Swayzee or a duly appointed representative of said town.

SECTION 1:

(A) DEFINITIONS: The following definitions shall apply to the interpretation and enforcement of this ordinance.

(1) "VEHICLE" Means a machine propelled by power other than human power designed to travel along the ground or in the air by use of wheels, treads, runners or similar devices and is designed to transport persons or property. This includes but is not limited to the automobile, truck, motorcycle, tractor, trailer, bus, wagon or recreational vehicle.

(2) "ABANDONED VEHICLE"

(a) A vehicle located on public property illegally or in such a manner as to constitute a hazard or obstruction to public welfare.

(b) A vehicle that is in anyway dismantled or inoperable and left on public property for more than three (3) days.

(c) A vehicle that is in anyway dismantled or inoperable and left on private property, in public view for more than thirty (30) days.

(3) The following vehicles do not fit within the definition of "ABANDONED VEHICLES".

(a) Vehicles located on business or commercial property properly zoned and licensed to do business as sale, repair, maintenance or salvage of said vehicles.

(b) Vehicles on private property that are in a garage or otherwise concealed from public view with the use of a car/vehicle cover (tarps may not be used).

(4) "TOWING SERVICE" Means a business that engages in the business of moving or removal of disabled or abandoned vehicles and the disposition of said vehicles.

(5) "OWNER" Means the last record title holder of a vehicle according to the records of the bureau of motor vehicles.

(6) "PUBLIC PROPERTY" Means a public right-of-way, street, highway, alley, park, or other state, county or municipal property located within the Town of Swayzee.

(7) "PRIVATE PROPERTY" means all other property located within the Town of Swayzee.

SECTION 2:

ABANDONED VEHICLE "CLASS ONE"

Vehicles determined as abandoned by the enforcement authority and meeting requirements of (2)(a) of this ordinance can be removed immediately.

ABANDONED VEHICLE "CLASS TWO"

Vehicles determined as abandoned by the enforcement authority and meeting requirements of (2)(b) will be tagged with a warning and will be removed three (3) days (72 hours) after the warning is issued and placed on the vehicle.

ABANDONED VEHICLE "CLASS THREE"

Vehicles determined as abandoned by the enforcement authority and meeting requirements of (2)(c) will be tagged with a warning and will be removed in ten (10) days after the warning is issued and placed on the vehicle. A reasonable attempt will be made within 24 hours after the warning is issued to notify the owner that the vehicle is going to be towed.

SECTION 3: LIABILITY

The Town of Swayzee and the Swayzee Police Department shall not be liable for the loss or damage to a vehicle or parts occurring during the removal, storage or disposition of a vehicle or parts under this ordinance.

SECTION 4: VIOLATION & PENALTY

A person who violates any provision under this ordinance commits an ordinance violation and upon conviction shall be fined \$50.
