

# City of La Porte

## Code of Ordinances

### ARTICLE IV. - UNSANITARY, UNSIGHTLY CONDITIONS ON PRIVATE PREMISES

#### Sec. 34-126. - Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Acreage means a tract of land that is in excess of three-quarters of an acre (32,670 sq. ft.) in land area.

Any and all other objectionable, unsightly or insanitary matter of whatever nature means all uncultivated vegetable growth, objects and matters not included within the meaning of the other terms as defined in this section, which are liable to produce or tend to produce an unhealthy, unwholesome or insanitary condition to the premises within the general locality where such conditions are situated, and shall also include any species of ragweed or other vegetable growth which might or may tend to be unhealthy to individuals residing within the general locality of where such conditions are situated.

What is considered a junk or inoperable vehicle?

Chapter 34 of the City's Code of Ordinances defines a junk vehicle as a vehicle without a current inspection sticker or license plate. Wrecked, dismantled or partially dismantled/discarded vehicles are also considered junk vehicles. Inoperable vehicle is also classified as junk vehicle.

Junked vehicle means any motor vehicle as defined in V.T.C.A., Transportation Code § 683.071 that is self-propelled and:

- (1) Displays an expired license plate or invalid motor vehicle inspection certificate or does not display a license plate or motor vehicle inspection certificate; and
- (2) Is wrecked, dismantled or partially dismantled, or discarded; or
- (3) Is inoperable and has remained inoperable for more than:
  - a. Seventy-two consecutive hours, if the vehicle is on public property; or
  - b. Thirty consecutive days, if the vehicle is on private property.

#### Sec. 34-168. - Location or presence within city deemed public nuisance; exceptions.

(a) A junked vehicle, including a part of a junked vehicle, that is located on private or public property, occupied or unoccupied, improved or unimproved, and is visible at any time of the year from a public place, public right-of-way, or private property is detrimental to the safety and welfare of the general public, tends to reduce the value of private property, invites vandalism, creates a fire hazard, is an attractive nuisance creating a hazard to the health and safety of minors, and is detrimental to the economic welfare of the city by producing urban blight which is adverse to the maintenance and continuing development of the city, and such vehicles are therefore declared to be a public nuisance.

(b) A person commits a misdemeanor offense if the person maintains a public nuisance described in subparagraph (a) of this section, by locating a junked vehicle on private or public property, in

circumstances where the junked vehicle is visible at any time of the year from a public place, public right-of-way, or private property or otherwise causes or maintains such public nuisance by wrecking, dismantling, rendering inoperable, abandoning or discarding his vehicle on his property or the property of another. Neither allegation nor evidence of a culpable mental state is required for the proof of an offense defined in this chapter, during the prosecution of such offenses in any criminal proceeding.

**(c)** This section shall not apply to a vehicle or part of a vehicle that is:

**(1)** Completely enclosed within a building in a lawful manner where it is not visible from the street or other public or private property; or

**(2)** Stored or parked in a lawful manner on private property in connection with the business of a licensed vehicle dealer or junkyard, or that is an antique or special interest vehicle stored by a motor vehicle collector on the collector's property, if the vehicle or part and the outdoor storage area, if any, are:

**a.** Maintained in an orderly manner;

**b.** Not a health hazard; and

**c.** Screened from ordinary public view by appropriate means, including a fence, rapidly growing trees or shrubbery.

**Sec. 70-179. - Parking time limit for trailers, semitrailers and other types of trailers.**

It shall be unlawful for any person to leave, stand or park a trailer, boat, or commercial motor vehicle, either attached or unattached to a motor vehicle, in the main traveled portion of roadway, or any portion of a residential street, for any period of time.

**Sec. 70-183. - Removal of vehicles or other property from streets.**

The vehicle is illegally parked so as to block the entrance to any private driveway;

A vehicle upon a street is so disabled that its normal operation is impossible, impractical, or unsafe and/or the person or persons in charge of the vehicle are incapacitated by reason of physical injury or other reason to such an extent as to be unable to provide for its removal or custody, or are not in the immediate vicinity of the disabled vehicle.

The vehicle is standing, parked, or stopped in any portion of a street, and the officer has reason to believe that the vehicle constitutes a hazard or interferes with the normal function of a governmental agency or that the safety of the vehicles is imperiled;

**ARTICLE VIII. - PUBLIC PARKING OF VEHICLES FOR SALE PROHIBITED**

**Sec. 70-300. - Offense.**

A person commits an offense when the person knowingly causes a vehicle for sale to be parked in an unauthorized location or knowingly permits a vehicle for sale to be parked in an unauthorized location within the city, by:

**(1)** Actually parking the vehicle for sale at the unauthorized location, or

(2) Having ownership, care, custody or control of the unauthorized location where the vehicle for sale is parked.

In a prosecution under this section, it is presumed that the registered owner of the vehicle for sale is the person who parked the vehicle for sale at the time and place the offense occurred.

**Sec. 58-2. - Dumping.**

It shall be unlawful for any person to dump, unload, discharge or in any manner place thereon or cause to be placed thereon, any garbage, trash or other waste materials, except as specifically allowed in this chapter, on any lot, tract or parcel of land located within the city limits, except at solid waste landfills which are owned, maintained, operated or contracted by the city, or at such places as are designated for solid waste disposal by the state natural resource conservation commission.

**Sec. 58-3. - Deposit on streets, sidewalks or other public property.**

It shall be unlawful for any person to throw or deposit upon any street, highway, right-of-way, easement or other public property, garbage, trash or any other substance. Additionally, placement for collection of garbage and trash prohibited elsewhere in this chapter, including, but not limited to, commercial trash, shall constitute a violation of this section.