

ORDINANCE NO. 2016-04

AN ORDINANCE OF THE CITY OF BRIDGEPORT, TEXAS, AMENDING SECTION 8.201 "DEFINITIONS" OF CHAPTER 8, ARTICLE 8.200 "JUNKED VEHICLES" OF THE CODE OF ORDINANCES OF THE CITY OF BRIDGEPORT, TEXAS; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A PENALTY CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, in 2013, the Texas Legislature amended the definition of "junked vehicle" as contained in section 683.071 of the Texas Transportation Code with the passage of House Bill 2305 (2013); and

WHEREAS, House Bill 2305 (2013) provides that the new definition of "junked vehicle" as contained in that bill was not effective until March 1, 2015; and

WHEREAS, the City Council of the City of Bridgeport, Texas deems it necessary to amend Section 8.201 "Definitions" to reflect this change in State law.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BRIDGEPORT, TEXAS:

SECTION 1.

Findings Incorporated

The findings set forth above are incorporated into the body of this Ordinance as if fully set forth herein.

SECTION 2.

That Section 8.201 "Definitions" of Chapter 8, Article 8.200 "Junked Vehicles" of the Code of Ordinances, City of Bridgeport, Texas is hereby amended in its entirety to read as follows:

**"Sec. 8.201. Definitions**

The following definitions shall apply in this article unless otherwise indicated.

*Antique Vehicle.* A passenger car or truck that is at least 25-years old.

*Enforcement Officer.* The regularly salaried, fulltime City employee tasked by the City Administrator with the administration of this article.

Junked Vehicle. A vehicle that:

- (1) Is self-propelled; and
- (2) Is:
  - A. Wrecked, dismantled or partially dismantled, or discarded; or
  - B. Inoperable and has remained inoperable for more than:
    - (i) Seventy-two (72) consecutive hours, if the vehicle is on public property; or
    - (ii) Thirty (30) consecutive days, if the vehicle is on private property.

For purposes of this article, "Junked Vehicle" includes a motor vehicle, aircraft, or watercraft. This article applies only to:

- (1) A motor vehicle that displays an expired license plate or does not display a license plate;
- (2) An aircraft that does not have lawfully printed on the aircraft an unexpired federal aircraft identification number registered under Federal Aviation Administration aircraft registration regulations in 14 C.F.R. Part 47; or
- (3) A watercraft that:
  - a. Does not have lawfully on board an unexpired certificate of number; and
  - b. Is not a watercraft described by Section 31.055 of the Texas Parks and Wildlife Code, as amended.

Motor Vehicle. Any motor vehicle subject to registration pursuant to the Texas Certificate of Title Act.

Motor Vehicle Collector. A person who:

- (1) Owns one or more antique or special interest vehicles; and
- (2) Acquires, collects, or disposes of an antique or special interest vehicle or part of an antique or special interest vehicle for personal use to restore and preserve an antique or special interest vehicle for historic interest.

*Special Interest Vehicle.* A motor vehicle of any age that has not been changed from original manufacturer's specifications and, because of its historic interest, is being preserved by a hobbyist.”

### **SECTION 3.**

This ordinance shall be cumulative of all provisions of ordinances of the City of Bridgeport, Texas, except where the provisions of this ordinance are in direct conflict with the provisions of such ordinances, in which event the conflicting provisions of such ordinances are hereby repealed.

### **SECTION 4.**

It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs and sections of this ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

### **SECTION 5.**

Any person, firm or corporation who violates, disobeys, omits, neglects or refuses to comply with or who resists the enforcement of any of the provisions of this ordinance shall be fined not more than Five Hundred Dollars (\$500.00) for each offense. Each day that a violation is permitted to exist shall constitute a separate offense.

### **SECTION 6.**

All rights and remedies of the City of Bridgeport are expressly saved as to any and all violations of the provisions of the Bridgeport City Code or any other ordinances affecting speed limits which have accrued at the time of the effective date of this ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances, same shall not be affected by this ordinance but may be prosecuted until final disposition by the courts.

### **SECTION 7.**

The City Secretary is hereby directed to publish this ordinance, or its caption and penalty clause, in the official newspaper as required by the Texas Local Government Code.

SECTION 8.

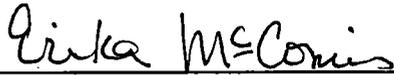
This ordinance shall be in full force and effect from and after its passage and publication as required by law, and it is so ordained.

PASSED AND APPROVED ON THIS <sup>4-0</sup> 2 DAY OF February, 2016.



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Corey Lane, Mayor

ATTEST:



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Erika McComis, City Secretary

