

**CODE OF ORDINANCES**  
**City of**  
**JACKSON, MISSISSIPPI**

**Codified through**  
**Ord. No. 2007-4(10), adopted Jan. 1, 2007.**  
**(Supplement No. 19)**

**JUNKED AND ABANDONED VEHICLES\***

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**\*Cross references:** Traffic and vehicles, chapter 118.

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**Sec. 54-46. 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:

*Automobile junkyard* means any establishment or place of business which is maintained, used, or operated for storing, keeping, buying, or selling wrecked, scrapped, ruined, or dismantled motor vehicles or motor vehicle parts.

*Junked vehicle* means any motor vehicle which:

- (1) Is inoperative and which does not have lawfully affixed thereto both an unexpired license plate and a valid motor vehicle safety inspection certificate and which is wrecked, dismantled, partially dismantled, or abandoned; or
- (2) Remains inoperable for a continuous period of more than 120 days.

*Property* means any real property within the city which is not a street or highway.

*Street or highway* means 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.

*Vehicle* means a machine propelled by power other than human power designed to travel along the ground by 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 wagon.

(Ord. No. 1994-25, § 1, 3-22-94)

**Cross references:** Definitions generally, § 1-2.

**Sec. 54-47. Application of article.**

Nothing in this article shall affect ordinances that permit immediate removal of a vehicle left on public property which constitutes an obstruction to traffic.

(Ord. No. 1994-25, § 7, 3-22-94)

Sec. 54-48. **Penalty for violation of article.**

Upon conviction for violation of any provisions of this article relating to the maintaining of a public nuisance, as described in this article or in permitting or allowing such public nuisance to exist, **such violator shall be guilty of a misdemeanor and, upon conviction, shall be fined in an amount not exceeding \$500.00 or be imprisoned in the city jail for a period not exceeding 90 days, or by both. Each day that such violation is committed or permitted to continue shall constitute a separate offense and shall be punishable as such under this article.** (Ord. No. 1994-25, § 8, 3-22-94)

Sec. 54-49. **Location or presence within city deemed public nuisance; exceptions.**

The location or presence of any junked vehicle on any lot, tract, parcel of land or portion thereof, occupied or unoccupied, improved or unimproved, within the city shall be deemed a public nuisance, and it shall be unlawful for any person to cause or maintain such public nuisance by wrecking, dismantling, rendering inoperable, abandoning or discarding his vehicle on the property of another or to suffer, permit or allow the same to be placed, located, maintained or exist upon his own real property; provided, however, that this section shall not apply to:

(1) A vehicle or part thereof which is completely enclosed within a building in a lawful manner where it is not visible from the street or other public or private property;

(2) A vehicle or part thereof which is stored or parked in a lawful manner on private property in connection with the business of a licensed vehicle dealer or automobile junkyard; or

(3) **Unlicensed inoperable vehicles stored on private property; provided, however, that the vehicles and outdoor storage areas are maintained in such a manner that they do not constitute a health hazard and are screened from ordinary public view.**

(Ord. No. 1994-25, § 2, 3-22-94)

Sec. 54-50. **Abatement or removal order; contents; service.**

(a) **Whenever such public nuisance exists in the city in violation of this article, the chief of police, who shall administer this article, his designees, the building official or his designees shall give not less than ten days' notice to the owner of the real property or the occupant, if any, of the premises whereon such public nuisance exists, to abate or remove the same,** stating the nature of the public nuisance on private property and that it must be removed and abated within ten days. A request for a hearing must be made before expiration of the ten-day period by the aggrieved person. Such notice shall be mailed by certified or registered mail with a five-day return receipt requested, to the owner or the occupant of the private premises whereupon such public nuisance exists. If the notice is returned undelivered by the United States Post Office, official action to abate the nuisance shall be continued to a date not less than ten days from the date of such return.

(b) Whenever such public nuisance exists in the city in violation of this article, the chief of police, his designees, the building official or his designees shall give not less than a ten-day notice, stating the nature of the public nuisance on the public property or on a public right-of-way and that it must be removed and

abated within ten days. A request for a hearing must be made before expiration of the ten-day period. Such notice shall be mailed by certified or registered mail with a five-day return receipt requested, to the owner or the occupant of the public premises or to the owner or the occupant of the premises adjacent to the public right-of-way whereupon such public nuisance exists. If the notice is returned undelivered by the United States Post Office, official action to abate the nuisance shall be continued to a date not less than ten days from the date of such return.

(c) A public hearing prior to the removal of the vehicle or part thereof as a public nuisance is to be held before the city council, when such a hearing is requested by the owner or occupant of the public or private premises or by the owner or occupant of the premises adjacent to the public right-of-way on which the vehicle is located, within ten days after service of notice to abate the nuisance. Any resolution or order requiring the removal of a vehicle or part thereof shall include a description of the vehicle, and the correct identification number and license number of the vehicle, if available at the site.

(Ord. No. 1994-25, § 3, 3-22-94)

**Sec. 54-51. Removal with permission of owner or occupant.**

If within ten days after receipt of notice from the chief of police, his designees, the building official or his designees to abate the nuisance, as provided in this section, the owner or occupant of the premises shall give his written permission to the chief of police, his designees, or the building official for removal of the junked motor vehicle from the premises. The giving of such permission shall be considered compliance with the provisions of section 54-50.

(Ord. No. 1994-25, § 4, 3-22-94)

**Sec. 54-52. Disposal of junked vehicles; redemption.**

(a) If such public nuisance is not abated by the owner or occupant after notice is given in accordance with this article, official action shall be taken by the city to abate such nuisance. Junked vehicles or parts thereof shall be impounded until lawfully claimed or disposed of in accordance with MCA 1972, §§ 63-23-1--63-23-11.

(b) Vehicles so impounded shall be held for 90 days and thereafter shall be disposed of with all rights of ownership being forfeited. Anytime prior to the expiration of the 90 days, the record title holder shall be allowed to redeem the vehicle upon the payment of all costs including towing, storage and other such administrative costs as may be determined.

(Ord. No. 1994-25, § 5, 3-22-94)

**Sec. 54-53. Authority to enforce article.**

The chief of police, his designees, the building official or his designees may enter upon private property for the purposes specified in this article to examine vehicles or parts thereof, obtain information as to the identity of vehicles and to remove or cause the removal of a vehicle or parts thereof declared to be a nuisance pursuant to this article. The city council shall have the authority to issue all orders necessary to enforce this article.

(Ord. No. 1994-25, § 6, 3-22-94)

Secs. 54-54--54-85. Reserved.