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TOWN COUNCIL AGENDA COMMUNICATIONS

AGENDA DATE: February 5, 2024

SUBJECT: Public Hearing – First Reading Ordinance 2024-239 Amending Article IV of Chapter 8 of the Municipal Code Concerning Abandoned and Junked Vehicles

ACTION PROPOSED: Consider Ordinance No. 2024-239

ATTACHMENTS: 1. Ordinance No. 2024-239

PRESENTED BY: Ryan Oglesby, Interim Chief of Police

AGENDA ITEM DESCRIPTION:

Enclosed for review and consideration is Ordinance No. 2024-239 that would amend multiple sections of Article IV of Chapter 8 of the Johnstown Municipal Code. These amendments specifically aim to clarify and codify that absent limited circumstances, inoperable vehicles are not permitted on public or private property and that a vehicle is deemed to be inoperable if it also lacks a license plate with a valid registration sticker lawfully affixed thereto.

Article IV- Abandoned and Junked Vehicles

The title has been changed to Abandoned and Inoperable Vehicles, to fit with the definitions already present within the ordinance.

Section 8-61- Definitions

There has been an addition of “does not have a license plate with a valid registration sticker lawfully affixed thereto.” Under most circumstances, a vehicle can’t be legally operated without a valid license plate, and therefore it is recommended it be added to the definition of inoperable. There have also been efforts to clarify the definition of a vehicle.

Section 8-62 -Inoperable vehicle prohibited, exceptions.

The Community that Cares

It is recommended that provisions be added to address parking of inoperable vehicles on public right-of-way or other public property for a period of more than 48 hours. Efforts have also been made to clarify the language within the ordinance.

Sec. 8-63 Presumption the vehicle is inoperable.

It is recommended that there be an addition that the absence of one or more parts of the vehicle necessary for lawful operation of the vehicle upon the streets and highways be added. Efforts have also been made to clarify and consolidate the language of the ordinance.

Sec. 8-64 Administrative procedure for removal.

It is recommended that this section be removed, as the removal of vehicles is already outlined in the Johnstown Police Department's Policy and Procedure manual.

LEGAL ADVICE:

The Town Attorney drafted the Ordinance.

FINANCIAL ADVICE:

NA

RECOMMENDED ACTION: Approve Ordinance 2024-239 upon first reading.

SUGGESTED MOTIONS:

For Approval: I move to approve Ordinance No. 2024- 239, an ordinance Amending Article IV of Chapter 8 of the Municipal Code Concerning Abandoned and Junked Vehicles upon first reading.

For Denial: I move to deny Ordinance No. 2024-239, an ordinance Amending Article IV of Chapter 8 of the Municipal Code Concerning Abandoned and Junked Vehicles upon first reading.

Reviewed and Approved for Presentation,



Town Manager