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TOWN COUNCIL CONSENT AGENDA COMMUNICATIONS

AGENDA DATE: February 21, 2024

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

ATTACHMENTS: 1. Ordinance 2024-239

PRESENTED BY: Ryan Oglesby, Interim Chief of Police

AGENDA ITEM DESCRIPTION:

Council approved Ordinance 2024-239 on first reading on February 5, 2024.

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.

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.

The Community that Cares

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.

STRATEGIC PLAN ALIGNMENT:

- Safe & Welcoming community
 - *Provide and maintain public safety services and awareness in our community.*
- Natural & Built Environment
 - *Expect and encourage community centered design.*

LEGAL ADVICE:

The Town Attorney drafted the Ordinance.

FINANCIAL ADVICE:

NA

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

Reviewed and Approved for Presentation,



Town Manager