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**CITY OF PORT LAVACA**

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**MEETING:** SEPTEMBER 22, 2025 **AGENDA ITEM** \_\_\_\_\_

**DATE:** 09.15.2025

**TO:** HONORABLE MAYOR AND CITY COUNCIL

**FROM:** DERRICK SMITH, DEVELOPMENT SERVICES DIRECTOR

**SUBJECT:** RECOMMEND AMENDING CHAPTER 20 – ENVIRONMENTAL AND HEALTH, ARTICLE V. - JUNK VEHICLES, ABANDONED MOTOR VEHICLES, JUNKED BOATS, JUNKED TRAILERS, JUNKED TOWABLE RECREATIONAL VEHICLES, SEC. 20-97. – UNLAWFUL TO MAINTAIN A NUISANCE; EXCEPTIONS..

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Our office has received numerous complaints regarding the accumulation of junk vehicles at automotive repair shops that are in public view. These repair shops are also located on major thoroughfares within city limits. Therefore, this is what people see as they travel through our city. These vehicles tend to sit at these locations for months or even years with no improvements made. It is staff's recommendation that these vehicles need to be repaired or removed from public view.

Therefore, staff's recommends that the attached ammendment to Ch. 20, Article V, Sec. 20-97 be approved.

## CHAPTER 20 – ENVIRONMENTAL AND HEALTH

### ARTICLE V. - JUNK VEHICLES, ABANDONED MOTOR VEHICLES, JUNKED BOATS, JUNKED TRAILERS, JUNKED TOWABLE RECREATIONAL VEHICLES

**Sec. 20-97.** - Unlawful to maintain a nuisance; exceptions.

(a) It shall be unlawful for any person to cause or maintain a public nuisance on the real property of another or to suffer, permit or allow any nuisance to be left or maintained on his own real property; provided that this section shall not apply with regard to:

(1)Any junk in an enclosed building;

(2)Any junk, or a part thereof, parked or stored in a lawful manner on private property in connection with the business of a ~~licensed vehicle dealer or~~ licensed junkyard;

(3)Any junk in an appropriate storage place or depository maintained at a location officially designed and in the manner approved by the city; and

(4)Any accumulation of junk by a duly licensed junk dealer, if maintained in an orderly manner, and does not constitute a health hazard.

(b) Junked vehicles or vehicle parts cannot be stored on non residential property as determined by the city future land use plan, at an automotive repair facility, an automotive body shop, an automotive painting facility, or an automotive wrecking or salvage yard, within the city, except that:

(1)Junked vehicles, including any vehicle parts associated therewith, may be kept inside a completely enclosed building, so long as said vehicles, and vehicle parts, are maintained in an orderly manner, are not a health hazard, are not visible from the street or other public or private property, and complies with the currently adopted International Building Code and International Fire Code;

(2)Junked vehicles or vehicle parts stored outside of an enclosed building shall be kept in an area that is completely surrounded and enclosed by a solid fence or wall, as follows:

a.Such fence or wall must be constructed of a material that prevents the junked vehicles or vehicle parts from being visible from the street or other public or private property;

b.The fence or wall must be a height that prevents the junked vehicles and vehicle parts from being visible from the street or other public or private property, in no event shall the wall or fence be less than six feet tall;

c.All fences or walls shall extend downward to within three inches of the ground and shall be plumb and square at all times;

d.Any gates or openings must be built in accordance with the requirements of this section for a fence or wall. Gates shall be closed and securely locked at all times, except during normal hours.

(3)Automotive repair facilities and automotive body shops may store no more than two junked vehicles outside of a building or fenced-in area so long as each vehicle is owned by a person other than the owner of the automotive repair facility or automotive body shop, each vehicle is being stored for the purpose of repair, and each vehicle has been stored there for 30 days or less. Automotive repair facilities and automotive body shops may temporarily store up to an additional five junked vehicle outside of a fenced-in area during normal business hours. For purposes of this section, normal business hours shall be Monday through Friday, 8:00 a.m. to 5:00 p.m.

(4)Any junked vehicle that is not stored inside a completely enclosed building must be kept neatly parked, maintained in an orderly manner, and cannot be a health hazard.

(Ord. No. G-8-04, § 2, 11-8-2004; Ord. No. G-5-16, § 1, 4-11-2016)