



Junked Motor Vehicles-Public Nuisance  
(Residential Properties)

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Department of Neighborhoods IPS  
Division Inspectors address violations  
of the City of Houston Chapter 10  
codes on private property.





# LEGAL AUTHORITIES

City of Houston Municipal Code- Chapter 10, ARTICLE XIII. - ABATEMENT OF JUNKED VEHICLES

Texas Transportation Code -Chapter 683 SUBCHAPTER E. JUNKED VEHICLES: PUBLIC NUISANCE;  
ABATEMENT



# What is a junked vehicle?

- In this subchapter, "junked vehicle" means a vehicle that is self-propelled and:

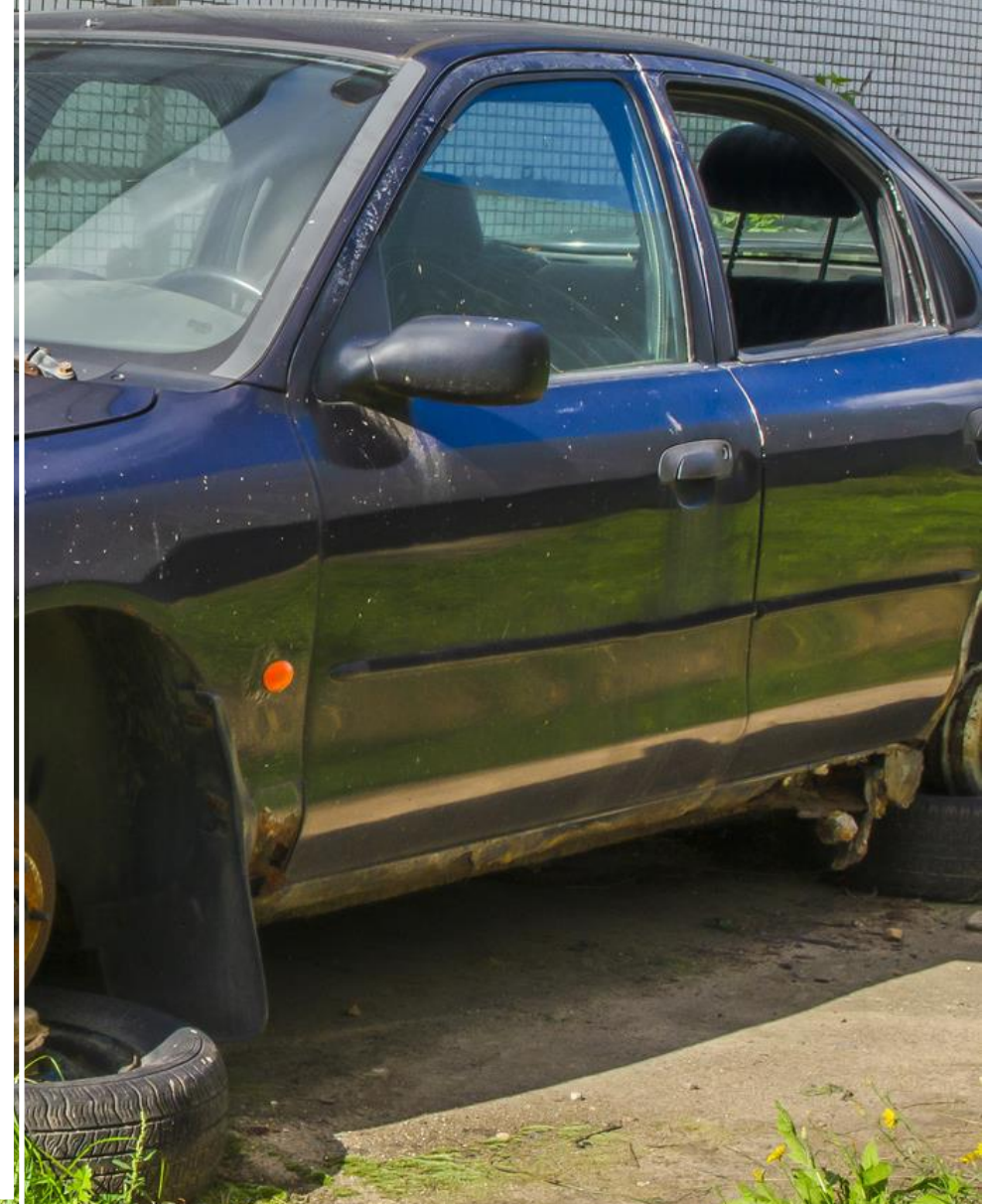
(1) does not have lawfully attached to it:

- (A) an unexpired license plate; or
- (B) a valid motor vehicle inspection certificate; and

(2) is:

- (A) wrecked, dismantled or partially dismantled, or discarded; or
- (B) inoperable and has remained inoperable for more than:
  - (i) 72 consecutive hours, if the vehicle is on public property; or
  - (ii) 30 consecutive days, if the vehicle is on private property.

- *Texas Transportation Code Sec. 683.071.*





# Why are junked vehicles problematic?



- JUNKED VEHICLE DECLARED TO BE PUBLIC NUISANCE. (COH sec. 10-532)
- A junked vehicle, including a part of a junked vehicle, that is visible at any time of the year from a public place or public right-of-way:
  - (1) is detrimental to the safety and welfare of the public;
  - (2) tends to reduce the value of private property;
  - (3) invites vandalism;
  - (4) creates a fire hazard;
  - (5) is an attractive nuisance creating a hazard to the health and safety of minors;
  - (6) produces urban blight adverse to the maintenance and continuing development of municipalities; and
  - (7) is a public nuisance.
- *Texas Transportation Code Sec. 683.072.*

# Penalties

- OFFENSE.
- (a) A person commits an offense if the person maintains a public nuisance described by Section 683.072.
- (b) An offense under this section is a misdemeanor punishable by a fine not to exceed \$200.
- (c) The court shall order abatement and removal of the nuisance on conviction.
- *Texas Transportation Code Sec. 683.073.*
- *COH Sec.10-533 & COH Sec. 10-534*







# EXCEPTIONS

(a) Junked vehicle or vehicle part:

(1) that is completely enclosed in a building in a lawful manner and is not visible from the street or other public or private property; or

(2) that is stored or parked in a lawful manner on private property in connection with the business of a licensed vehicle dealer or junkyard, or that is an antique or special interest vehicle stored by a motor vehicle collector on the collector's property, if the vehicle or part and the outdoor storage area, if any, are:

(A) maintained in an orderly manner;

(B) not a health hazard; and

(C) screened from ordinary public view by appropriate means, including a fence, rapidly growing trees, or shrubbery.

(b) In this section:

(1) "Antique vehicle" means a passenger car or truck that is at least 25 years old.

(2) "Motor vehicle collector" means a person who:

(A) owns one or more antique or special interest vehicles; and

(B) 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.

(3) "Special interest vehicle" means 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.

# Notice of Violation

The notice must be personally delivered, sent by certified mail with a five-day return requested, or delivered by the United States Postal Service with signature confirmation service to:

- the last known registered owner of the nuisance;
  - each lienholder of record of the nuisance; and
  - the owner or occupant of the property on which the nuisance is located; or if the nuisance is located on a public right-of-way, the property adjacent to the right-of-way.
- The notice must state that:
    - the nuisance must be abated and removed not later than the 10th day after the date on which the notice was personally delivered or mailed; and any request for a hearing must be made before that 10-day period expires.
    - If the post office address of the last known registered owner of the nuisance is unknown, notice may be placed on the nuisance or, if the owner is located, personally delivered.
    - If notice is returned undelivered, action to abate the nuisance shall be continued to a date not earlier than the 11th day after the date of the return.
  - The inoperable vehicle(s) will also be posted using the red placard and Notice of violation will also be sent via mail.



CITY OF \_\_\_\_\_  
CODE COMPLIANCE

**NOTICE OF VIOLATION**

To: JOHN Q. PUBLIC

Property Address: 1234 MAIN STREET

Date of Inspection: MAY 15, 2009

Notice of Violation of City Ord. 200 6-07-24, Section 8.1016 "Esthetic Proper Conditions." It shall be unlawful for any person to allow, permit, conduct or maintain real property within the City of \_\_\_\_\_ in violation of this section. You will have ten (10) days from date of this notice to mow any high grass/weeds above 9 inches in height or remove any unsightly matter from this property in violation of the adopted ordinance. Violation could be stated by City contractor and usual assessed by fee toward the property. If you feel this notice is not valid,



# Hearing Process

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- Responsible party request a hearing within 10 days of notice
- Present evidence at the scheduled hearing
- If the vehicle is presumed junk-  
An order will be issued for the removal of the vehicle
- If the vehicle is proven operable,  
the case will be closed/dismissed



# Compliance Achieved

Compliance is achieved when:

- the vehicle is no longer present,
- properly stored in an enclosed area away from public view,
- or the vehicle has been proven operable.





# Let's Review the Process

- Initial inspection
- Placard the vehicle and provide notice (30 days) certified
- Follow up inspection-checkback
- Citation issued for non-compliance/ or extension granted
- Final notice to remove the vehicle (10 days) certified
- Right to a Hearing (if requested)
- Hearing / Orders
- Abatement



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# FY 2022 Results

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- DON IPS Inspectors are proactively addressing violations throughout the communities in collaboration with complaints received from 311. Full/complete inspections are performed when calls come in, resulting in addressing all violations found on location.
- Requests from 311 =1,969
- Total number of JMV violations= 3, 639
- Compliance = 1, 099



A photograph of a red car parked on a green lawn in front of a house. The house has a white door and a window with white shutters. The image is slightly blurred and has a dark overlay on the right side.

**PARKING OF VEHICLES ON RESIDENTIAL PROPERTY**  
**City of Houston Municipal Code Chapter 28 -**  
**MISCELLANEOUS OFFENSES AND PROVISIONS; ARTICLE X.**  
**- PARKING OF VEHICLES ON RESIDENTIAL PROPERTY**

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# Parking of Vehicles on Residential Property 28-301

- This article prohibits the parking of vehicles or equipment in the front or side yard areas of a single-family residential lot.
- This article only applies to those residential areas that apply and are approved for the program by the Planning Dept. and City Council.
- Applications are filed by the president of an active homeowners association or civic club in the residential area described in the application; or a written petition signed by at least 60% of the owners within the area.
- Once approved by the City for the area, violators shall be guilty of a misdemeanor and be punished by a fine not to exceed \$150.00. Each day a violation of this article shall continue shall constitute a separate offense.
- This article may be enforced by any law enforcement officer, the neighborhood protection official or the parking official.







DEPARTMENT OF  
NEIGHBORHOODS

THANK YOU!