

ORDINANCE NO. 2016- 7

**AN ORDINANCE SUPERSEDING ORDINANCE NO. 2003-5, AN ORDINANCE REGULATING THE MAINTENANCE AND STORAGE OF DEMOLITION DERBY VEHICLES, AND PROHIBITING INOPERABLE VEHICLES**

WHEREAS, in 2003 the City of Rockport Common Council passed Ordinance No. 2003-5 regulating the maintenance and storage of demolition derby vehicles; and

WHEREAS, a new Ordinance regarding demolition derby vehicles should be passed and Ordinance No. 2003-5 should be superseded and provision also made for inoperable vehicles.

NOW, THEREFORE, BE IT ORDAINED by the Common Council of the City of Rockport, Indiana, as follows:

1. City of Rockport Ordinance No. 2003-5 is hereby rescinded and superseded by this Ordinance.
2. Vehicles specifically adapted or constructed for exclusive operation on publicly or privately owned raceways or parts thereof, including, but not limited to demolition derby vehicles, shall not be kept or stored on private or public property unless:
  - a. Kept or stored inside a closed structure out of public view; or
  - b. Kept or stored inside a carport attached to a house; or
  - c. Kept or stored within the boundaries of a six foot (6') tall or taller privacy fence. Such privacy fence shall completely enclose the area in which the vehicle is kept or stored. The fence shall be constructed and maintained in a manner to hide the vehicles from view from outside the fence, to the extent reasonably possible. The fence shall be of sound construction and solid vertical board or stockade-type construction, and shall be neatly maintained and in good repair. Such a fence shall not be used for advertising signs or other displays that are visible from the main traveled way of a public street.

3. Between the hours of 9:00 p.m. and 9:00 a.m. no repairing, modifying, improving or dismantling, shall be allowed upon any vehicle specifically adapted or constructed for exclusive operation on publicly or privately owned raceways or parts thereof, (including but not limited to demolition derby vehicles), unless within fully enclosed buildings (doors and windows may be open for ventilation purposes), and then only so long as such repairing, modifying, or dismantling does not constitute a nuisance to adjoining property owners or occupants.

4. Demolition derby vehicles that are scheduled to participate in the Spencer County Fair are exempted from paragraph 2 herein for the period of time beginning seven days prior to the start of the Spencer County Fair and ending seven days subsequent to the end of the Spencer County Fair. During such time any demolition derby vehicle that is not located in a fully enclosed building, within a carport that is attached to a house, or within the boundaries of a six foot (6') tall or taller privacy fence (as outlined in paragraph 2 a-c above) shall be fully covered by a suitable tarpaulin after within 3 days after their initial presence on any private property within the City.

5. It is unlawful for any person to park a motor vehicle without current license plates or in an inoperable condition on public or private property unless:

- a. Kept or stored inside a closed structure out of public view; or
- b. Kept or stored inside a carport attached to a house; or
- c. Kept or stored within the boundaries of a six foot (6') tall or taller privacy fence. Such privacy fence shall completely enclose the area in which the vehicle is kept or stored. The fence shall be constructed and maintained in a manner to hide the vehicles from view from outside the fence, to the extent reasonably possible.

6. Upon determining that a violation of this Ordinance has occurred, the City of Rockport shall serve written notice to the owner of the property upon which the violation is occurring. Such notice shall be sent to such owner's last known address, as indicated on the tax property card for such property. Such written notice shall include a copy of this Ordinance.


7. Any person, persons, firm or corporation causing or violating any of the provisions of this Ordinance shall, upon conviction, be guilty of an infraction, and, upon conviction, be fined twenty-five dollars (\$25.00) for a first violation and fifty dollars (\$50.00) for a second violation, (and court costs), such fine to inure to the City of Rockport. A separate offense shall be deemed committed on each day during or on which a violation occurs or continues.


8. The remedies provided for herein shall be cumulative and not exclusive and shall be in addition to any other remedies provided by law.

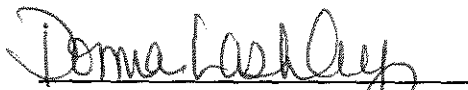
9. This Ordinance shall become effective upon passage by the Common Council of the City of Rockport, attested by the Clerk/Treasurer, and ninety days after publication as required by Indiana Code §5-3-1-2.

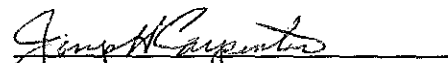
Passed and adopted by the Common Council of the City of Rockport, Indiana on the 11th day of July 2016.

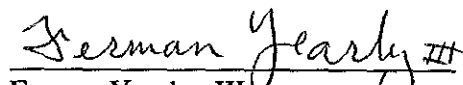
COMMON COUNCIL OF THE  
CITY OF ROCKPORT, INDIANA

  
\_\_\_\_\_  
Connie L. Hargis

  
\_\_\_\_\_  
Roxanna Decker

  
\_\_\_\_\_  
Donna Lashley

  
\_\_\_\_\_  
Joseph Carpenter

  
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Ferman Yearby, III

ATTEST:

Susie Roberts

Susie Roberts,  
Clerk-Treasurer

Presented by me to the Mayor of the City of Rockport, Indiana on the 11<sup>th</sup> day of  
July, 2016 at 6:15 o'clock p.m.

Susie Roberts

Susie Roberts,  
Clerk-Treasurer

Approved and signed by me this 11<sup>th</sup> day of July, 2016 at 6:15 pm  
o'clock p.m.

Gay Ann Harney  
Gay Ann Harney, Mayor  
City of Rockport