

## REPAIR OF VEHICLES ORDINANCE

WHEREAS, the governing authorities of any municipality are authorized to make regulations and ordinances to secure the general health of the municipality, and to prevent, remove and abate nuisances; and

WHEREAS, the Mayor and Board of Aldermen of the City of Aberdeen find that:

(a) The repair of vehicles in residential zoned areas may create an unsightly condition and may create a hazard to the health and safety of the general public, and may also cause excessive, unnecessary or offensive noise detrimental to the public health, safety, welfare and the peace and quiet of the residential inhabitants of the City.

(b) Automotive fluids such as engine oil, transmission fluid, radiator coolant, battery acids, and brake fluid are poisonous to plants, trees, insects, and animals, and should be reduced as much as possible.

(c) Every person in the City is entitled to live in an environment free from unsightly condition, from hazards to health and safety, and from excessive, unnecessary or offensive noise levels.

(d) The regulation of repair of vehicles in residential zoned areas will further the public health, safety, welfare and peace and quiet of City inhabitants; and

WHEREAS, the Mayor and Board of Aldermen of the City of Aberdeen have found it to be in the best interest of, and necessary for the public health and safety and general welfare of said City, that a Repair of Vehicles Ordinance be adopted as set forth below;

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF ABERDEEN, MONROE COUNTY, MISSISSIPPI, AS FOLLOWS, TO-WIT:

### Section 1: Repair of Vehicles.

Minor repairs such as changing oil or the replacement of air filters, spark plugs, brakes, tires, shocks, etc. are permitted in residential zoned areas. Minor repairs of any vehicle performed other than within a fully enclosed building shall not exceed a forty-eight (48) hour period of time.

Major repairs such as, but not limited to, replacing or overhauling of engine, transmission, or auto bodywork or other repairs that exceed a forty-eight (48) period is only permitted if such work is performed within a fully enclosed building.

Minor or major repairs as stated are only permitted on vehicles registered to the property owner or tenant of the said property on which the repairs are conducted. Vehicle repair shops are prohibited within residential zoned areas.

### Section 2: Discharge and Disposal Regulations.

Automotive fluids such as engine oil, transmission fluid, radiator coolant, battery acids, and brake fluid, shall not be discharged into a stream or storm drain, or indirectly upon the ground so that the automotive fluids could wash away as storm water runoff.

Oily waste and oily rags, when not in actual use, shall be kept in waste cans. Metal drip pans shall be placed under all oil barrels and drums to catch the drippings. The contents of such waste cans or drip pans shall be properly disposed of at least daily.

Section 3: Penalty.

It shall be unlawful to violate any provision of this Ordinance, and any person failing to comply with the provisions of this Ordinance shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not more than one hundred dollars (\$100.00), together with the costs of prosecution, and imprisonment in the county jail of not more than one (1) day, or either, for each offense. Each day any section of this Ordinance is violated shall constitute a separate occurrence.

Section 4: If any section or part of a section of said Ordinance is held to be unconstitutional or unenforceable for any reason, the same shall not affect the validity or enforceability of the remainder of said Ordinance which shall remain and be in full force and effect.

Section 5: All ordinances and resolutions, or parts of ordinances and resolutions, in conflict with this Ordinance are hereby repealed.

Section 6: This Ordinance shall be published and take effect as provided by the laws and statutes of the State of Mississippi in such cases made and provided.

The above and foregoing Ordinance having first been reduced to writing was read and considered section by section, and said Ordinance was put to a vote upon its final passage as a whole, and the same was passed as read, with the following vote, to-wit:

Aldermen voting "YEA": Alderman Alonzo Sykes  
Alderman Cloyd Garth  
Alderman Willie Cook  
Alderman Brunson Odom  
Alderman Jim Buffington

Aldermen voting "NAY":

Aldermen absent or not voting: not voting

THEREUPON, the Mayor declared said Ordinance approved, passed, and adopted this 20th day of February, 2007.

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Cecil S. Belle, Mayor

ATTEST:

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Jackie Benson, City Clerk

