



Josh Thayer  
Mayor

## City of Valley Mills

City Hall

101 W Avenue E, Valley Mills Tx 76689

Phone (254) 932-6500 \* Fax (254) 932-5608

Celia Rodgers  
City Secretary

### Public Service Announcement on City-Wide Clean-up

Date: May 26<sup>th</sup>, 2021

We have had numerous complaints of properties in the City Limits not being in compliance with city ordinances. I am asking our citizens to take care of your yards and properties and to please make sure they are not in violation of current city ordinances. If you are unsure about our city ordinances please call city hall or myself and ask and we will provide the information to you.

Property owners of properties that are overgrown, are covered in trash, or have any other safety or sanitary issues will start to receive 10 day notices via certified mail. After 10 days if discrepancies are not corrected, citations can be issued.

It is also a violation of city ordinances to have multiple abandoned inoperable vehicles in your yards. If your property is in violation of any of these ordinances, please make arrangements to get the situation rectified.

The city has many options to help with the removal of trash and brush. Bulk trash pickup is the second Saturday of every month. The city opens up the city dump on the third Saturday of every month for tree limbs and brush to be disposed of.

I am asking my fellow citizens to take some pride in our town and help keep it the beautiful place that we all love to live in. At the very least we need to clean up any safety or sanitary issues.

Thanks,

Josh Thayer

Mayor, City of Valley Mills, TX

Phone: 254-978-2344

Email: [mayor@vmtx.us](mailto:mayor@vmtx.us)

## Chapter 9

### GARBAGE, TRASH AND WEEDS

#### **Sec. 9-1. Definitions**

The definitions contained in Tex. Health and Safety Code Section 343.002 shall apply to this Chapter unless a term is otherwise defined herein; the following terms shall have the meaning ascribed to them below: . . ."

*Approved enclosure.* A structure or enclosure with at least three sides which is intended, and used, to store trash containers so that the same are kept in place and protected from wind and, to the extent possible, from access by animals; such enclosures may be used only if approved by the Building Inspector, or designate, with regard to construction and location.

*Garbage.* All animal and vegetable matter, waste material, refuse and other deleterious substances.

*Single family dwelling.* A building or any part thereof used exclusively as living quarters for any number of individuals living together as a single housekeeping unit.

*Trash.* Rubbish, and other discarded materials such as metal, paper, plastic or glass containers; rags; wrappings; waste; yard cleanings, grass clippings; bush trimmings and tree trimmings. Also any item that is broken, worn out or no longer serviceable, including, but not limited to, appliances, furnishings, scrap building materials and apparel.

#### **Sec. 9-2. Depositing garbage, trash, etc., on streets, vacant lots, etc.**

It shall be unlawful for any person to sweep, throw or deposit any garbage, trash, dirt, stagnant water or dead animal into, upon or along any drain, gutter, alley, sidewalk, street, or vacant lot or upon any public or private premises within the city.

#### **Sec. 9-3. Containers-Required.**

Every owner, occupant, tenant or lessee using or occupying any building, house or structure within the city for residences, churches, schools, colleges, lodges, commercial, business and other purposes shall provide and maintain garbage and trash containers of sufficient number and size, as hereinafter specified, to hold the garbage and trash that will normally accumulate on the premises.

#### **Sec. 9-4. Same-Specifications of garbage containers**

Unless a container is provided by the collector, each of such owners, occupants, tenants or lessees shall provide at least one (1) container for garbage of not less than ten (10) nor more than thirty (30) gallons capacity, constructed of galvanized iron, tin or other suitable metal or substantial plastic, with a tight fitting lid or cover and with handles sufficiently strong for collectors to empty conveniently; plastic bags may be used provided adequate steps are taken to protect them from access by animals.

#### **Sec. 9-5. Same-Specifications of trash containers.**

Unless a container is provided by the collector, every owner, occupant, tenant or lessee shall, in addition to providing the garbage container or containers provided in the previous section, provide at least one (1) container for trash of not less than ten (10) nor more than thirty (30) gallons capacity, constructed of galvanized iron, tin or other suitable metal or substantial plastic, with a tight fitting lid or cover and with handles sufficiently strong for collectors to empty

conveniently; plastic bags may be used provided adequate steps are taken to protect them from access by animals.

**Sec. 9-6. Same-Lids to be on and fastened.**

The lids or covers of all garbage and trash containers shall at all times be kept secure and fastened so that flies and other insects may not have access to the contents thereof. Such lids or covers shall only be removed while the containers are being filled or emptied as the case may be.

**Sec. 9-7. Same-Placing trash and garbage for collection; hours containers may be made available for collection; penalty.**

- (1) Trash and garbage containers shall be made available for collection by placing same:
  - (a) at such point as the collector may conveniently access and empty such container or containers; or,
  - (b) in an approved enclosure.
- (2) Trash and garbage containers not in an approved enclosure may not be located forward of the established building line on any property except between the hours of 5:00 PM on the day before a scheduled collection and 8:00 AM the day after the collection.
- (3) Except for trash or garbage containers in an approved enclosure, no owner, occupant, tenant or lessee shall permit any trash or garbage container to be located forward of the building line on any property at any time other than during the hours specified in this Section; failure to comply with the requirements of this provision shall be punishable by a fine as provided herein for each day of violation.

**Sec. 9-8. Same-Placing trash for collection, bundling, length of tree limbs.**

The container for trash shall be placed at the point found and designated by the proper agent of the city as the most accessible for collecting and removing. In the event trash is of such a nature that it cannot be put in the container, it shall be carefully placed in bundles or other suitable container under forty (40) pounds so it can be removed conveniently, and tree limbs, trunk and hedge cuttings shall not exceed four (4) feet in length.

**Sec. 9-9. Weekly removals from residences.**

The collection and removal of garbage and trash from houses, buildings and premises used for residential purposes shall be made in accordance with a schedule approved by City Council.

**Sec. 9-10. Removal charges.**

The fair and reasonable rate for each single family residence, business and commercial establishment shall be in accordance with a schedule of charges approved by City Council.

**Sec. 9-11 Weeds, brush and vegetation**

(a) It shall be unlawful for any person or entity owning or having supervision or control of any lot, tract, parcel of land or portion thereof, (hereinafter "Person in Control"), occupied or unoccupied, improved or unimproved, within the corporate limits of the city to permit grass, weeds, brush or other objectionable or unsightly vegetation to grow to a height greater than twelve inches (12") on such lot, tract or parcel of land within the corporate limits of the city, or in the area extending from the person's property line to the curb line adjacent to it, if there is a curb line, and if not, then within ten feet (10') outside of the property line.

(b) It shall be unlawful for any Person in Control of any lot, tract, parcel of land or portion thereof, occupied or unoccupied, improved or unimproved, within the corporate limits of the city to permit grass, weeds or any plant or vegetation to grow in, upon or across the sidewalk or street adjacent to the lot or property. Cultivated vegetation may be adjacent to the sidewalk when not in violation of other city ordinances. Special concern must be afforded corner lots to prevent violation of other city ordinances regarding view obstruction.

(c) The fact that a person is a present occupant of the premises shall be prima facie evidence that the person has supervision and control of the property. If the premises are unoccupied, the fact that a person is listed by the current tax roll as the owner shall be prima facie evidence that the person is the owner and has supervision and control of the lot.

(d) All vegetation not regularly cultivated and which exceeds twelve inches (12") in height shall be presumed to be objectionable and unsightly and is hereby declared a nuisance. Regularly cultivated crops shall not be allowed to grow within the right-of-way of any public street, alley or easement.

**Sec. 9-12 Accumulation of Objectionable, Unsightly, Unsanitary or Unwholesome Matter on Property.**

It shall be unlawful for any Person in Control (including a building contractor) of any lot, tract, parcel of land or portion thereof, whether occupied or unoccupied, improved or unimproved, within the corporate limits of the city, to maintain such premises in a manner that creates an unsanitary condition likely to attract or harbor mosquitoes, rodents, vermin, or other disease-carrying pests, or to permit the accumulation of the following to occur, exist on, or emanate from, any such lot, tract or parcel of land within one hundred fifty feet (150') of any property line, or in the area extending from the person's property line to the curb line adjacent to it, if there be a curb line, and if not, then within ten feet (10') outside of the property line, and such conditions are hereby declared to be a nuisance:

(a) Stagnant water or any collection or accumulation of water that may allow the breeding of insects, any open drain, sewer, or cesspool, or any exposed animal carcass, carrion, filth or other impure or unwholesome matter;

(b) Any waste products, offal, polluting material, spent chemicals, liquors, brines, garbage, rubbish, refuse, sewage, used tires, or other waste of any kind that is stored, deposited or disposed of in a manner that may cause the pollution of the surrounding land, the contamination of groundwater or surface water or the breeding of insects or rodents; or

(c) Any waste products, offal, polluting material, spent chemicals, liquors, brines, garbage, rubbish, refuse, sewage, used tires, or other waste of any kind that is accumulating in, being discharged into or flowing into or on any gutter, street, sidewalk, parkway, driveway, curb, alley or any other public property of the city, or in or on any lot, vacant or occupied, driveway or other private property in the city.

**Sec. 9-13 Inspection of premises**

The Chief of Police of the city or his designee may inspect or cause to be inspected any property that is or may be in an unsanitary condition. If the Person in Control of the property does not allow such inspection, an administrative search warrant may be sought from a court of competent jurisdiction.

**Sec. 9-14 Remediation required**

It shall be the duty of any Person in Control of any real property, as provided above, to cut and remove all such weeds, brush, and other objectionable or unsightly matter listed in Sections 9-11 and 9-12, and to take any other action necessary to comply with this Chapter as often as may be necessary to comply with this Chapter.

**Sec. 9-15 Failure to comply; notice; future violations**

(a) Notice required. In the event that the Person in Control of any lot, tract, parcel of land or portion thereof shall fail to comply with the requirements of Sections 9-11 or 9-12 of this Chapter notice of such violation shall be given to the Owner of the Property as recorded in the Appraisal District Records ("Owner") prior to exercising the authority granted in Section 9-16.

(b) Service of notice. Such notice shall be given:

(1) Personally to the Owner in writing or by personal contact utilizing body camera or other electronic recording media sufficient to be submitted as evidence in court. If such equipment is not available when a notice is provided, the sworn affidavit of the person giving such notice of a violation shall be deemed sufficient evidence of the giving of such notice; or

(2) (A) By letter addressed to the Owner at the Owner's address as recorded in the appraisal district records; and

(B) Posting the notice on or near the front door of each building on the property to which the violation relates, or posting the notice on a placard attached to a stake driven into the ground on the property to which the violation relates,

(c) Contents of notice. The notice of violation shall at a minimum contain the following:

(1) The name of the owner, if known, of the premises proposed to be entered upon by the city;

(2) The address or legal description of the premises proposed to be entered upon by the city;

(3) The offending conditions existing on the lot, tract or parcel of land;

(4) A statement that the recipient has ten (10) days from the date of notice to correct the violation, that if he/she fails to do so, the city will enter upon the premises and remedy the same, and that the city is entitled to attach a lien to the property to secure payment for the services rendered; and

(5) A statement that the recipient is entitled to an administrative review in accordance with Section 9-17.

(d) Annual notice. In a Notice of Violation under this section, the City shall also notify the Owner of the property that if the Owner commits another violation of the same kind or nature that poses a danger to the public health and safety on or before the first anniversary of the date of the notice, the City without further notice may correct the violation at the owner's expense and assess the expense against the property in accordance with this Chapter.

If the city receives notice of a change of ownership of the property during the one (1) year period, notice of a violation must be sent to such new Owner in compliance with subsection (b)(2) of this section. If the City does not receive notice of a change in ownership, the City may abate any nuisance of the same kind and nature that poses a danger to the public health and safety that occurs on the property covered by the annual notice, without further notice, and thereafter, assess expenses to the owner in accordance with this Chapter.

(e) Additional Authority for Abatement of Dangerous Weeds. Notwithstanding the foregoing provisions, the City may abate, without prior notice, any weeds that have grown to a height of 48 inches and are an immediate danger to the health, life or safety of any person. In the event that the city abates weeds pursuant to this subsection, the notice following such abatement and hearing requirements set forth in Chapter 342 of the Texas Health and Safety Code for such abatement shall govern.

(f) Owner-requested work. In the event the owner of any such property requests that the city do such work as is necessary in order to abate or prevent a violation of this chapter, then such request will negate the requirement for notification of violation by the city, and the city will have the same remedies as hereinafter set forth.

(g) City May Perform Work. If the Owner of the property does not take action that brings the

property into compliance with this Chapter within ten (10) days after receipt of the notice described above, the city may go onto the property and do the work or make the improvements necessary to correct the violation.

#### **Sec. 9-16 Expenses charged to owner**

The expenses incurred by the city in correcting the condition of such property, including the cost of providing notice, shall be paid by the city and charged to the Owner of the property. In the event the Owner fails or refuses to pay such expenses within thirty (30) days after the first day of the month following the month in which the work was done, the Mayor or his designee shall file a statement of expenses with the county clerk of the county in which the property is located. The statement of expenses shall include the name of the owner, if known, and the legal description of the property. Upon the filing of such statement, the city shall have a privileged lien against the property to secure payment of such expense, second only to tax liens and liens for street improvements. Such amount shall accrue interest at the rate of ten percent (10%) per annum from the date of payment by the city until paid by the owner. The city may bring a suit for foreclosure of the lien to recover the expenditures and interest due. The statement of expenses or certified copy of the statement is prima facie proof of the expenses incurred by the city in doing the work or making the improvements.

#### **Sec. 9-17 Administrative Review.**

- (1) Any person or entity receiving an abatement notice under this Chapter shall have the right to request and administrative review of the abatement by filing a written request for review with the Mayor.
- (2) Such request for review shall be submitted to the Chief of Police within seven (7) days of receipt of the notice of violation.
- (3) The written request for review shall assert any legal defense as to why the city should not proceed with abatement and attachment of lien to the property as provided in this division.
- (4) Upon receipt of a request for review by the Mayor he shall delay the abatement until after the hearing. All files related to the property shall be provided to the Mayor for the Administrative Review.
- (5) Within 5 business days of receipt of the request for review, the Mayor shall review all information related to the condition of the property and issue a decision on whether the abatement is proper under this Chapter. The decision shall be in writing and provided to the person or entity requesting the review as well as the director of neighborhood services.
- (6) If the abatement decision is upheld, the conditions on the property must be abated by the Owner within 3 calendar days of the notice of determination, or the city may proceed with the abatement of the property pursuant to this Chapter.

#### **Sec. 9-18 Cumulative Remedies**

The remedies contained in the Chapter are cumulative of and in addition to each other. The selection of one remedy does not preclude the utilization of another remedy including criminal charges.

#### **Sec. 9-19 Penalty.**

Notwithstanding any other remedy set forth in this Chapter, any person or entity who violates any of the provisions of this Chapter shall be guilty of a misdemeanor and upon conviction thereof, shall be fined an amount not to exceed \$2,000 per violation. Each date that a violation continues shall constitute a separate offense."

## Chapter 10

### HEALTH AND SANITATION

#### **Sec. 10-1. Adoption of laws, regulations.**

Minimum health and sanitation standards, as provided in Ch. 341 of Title 5, Subtitle A, of the Texas Health and Safety Code, "Minimum Standards of Sanitation and Health Protection Measures," as the same may from time-to-time be modified or amended, are hereby adopted and shall be enforced in the City of Valley Mills; should any health or sanitation standards or regulations be adopted or enforced by any governmental agency within Bosque County, Texas, including any State health authority, that exceed or extend the standards hereby adopted, then such stricter or broader standards or regulations shall be enforced in the City of Valley Mills.

#### **Sec. 10-2. Enforcement.**

The Mayor or any member of City Council, acting individually; any board or commission by majority vote; the Building Inspector; or any other City official, board or person authorized to do so by the City Council, may notify the Chief of Police of any alleged violation of this Chapter. Upon receipt of any such notice of alleged violation, the Chief of Police shall cause such matter to be investigated and, if probable cause to believe a violation of this section has occurred or exists, may file a criminal complaint with the Judge of the Municipal Court based upon such alleged violation of City Ordinances.

Chapter 11

**JUNK**

Art. I. In General,  
Art. II. Motor vehicle

§§ 11-1-11-9  
§§ 11-20-11-37

**ARTICLE I. IN GENERAL**

**(RESERVED)**

**Secs. 11-1-11-19. Reserved.**

**ARTICLE II. MOTOR VEHICLES**

**Sec. 11-20. Definition.**

As used in this article, the following definition shall apply:

*Junk motor vehicle:* Any motor vehicle, as such is defined by State Law, which is inoperative and which does not have lawfully affixed thereto both an unexpired license plate or plates and a valid motor vehicle safety inspection sticker, and which is wrecked, dismantled, partially dismantled, or discarded; except that the provisions hereof shall not apply to:

- (1) Any motor vehicle in operable condition specifically adapted or constructed for racing or operation on privately owned drag strips or raceways.
- (2) Any motor vehicle retained by the owner for antique collection purposes rather than for salvage or for transportation.
- (3) Any motor vehicle stored as the property of a member of the armed forces of the United States who is on active duty assignment.

**Sec. 11-21. Declared public nuisance, scope.**

The presence of any junked motor vehicle on any public property or private lot, tract, or parcel of land, or portion thereof, occupied or unoccupied, improved or unimproved, within the city, shall be deemed a public nuisance; and it shall be unlawful for any person to cause or maintain such a public nuisance by wrecking, dismantling, partially dismantling, or discarding any motor vehicle on the real property of another or to suffer, permit, or allow any junked motor vehicle to be parked, left, or maintained on his own real property; provided that this section shall not apply with regard to:

- (1) Any junked motor vehicle, or a part thereof, which is parked or stored within an enclosed building in a lawful manner where it is not visible from the street or any other public or private property.
- (2) Any junked motor vehicle, or part thereof, stored or parked in a lawful manner on private property in connection with the business of a licensed vehicle dealer or a junkyard.
- (3) Any junked motor vehicle, or part thereof, parked in an appropriate storage place or depository maintained at a location officially designated and in a manner approved by the city.

**Sec. 11-22. Notice to owner or occupant to abate nuisance on occupied premises-Form.**

Whenever any such public nuisance exists on occupied premises within the city in violation of section 11-21, the City Secretary shall order the owner of the premises, if in possession thereof, or the occupant of the premises whereon such public nuisance exists, to abate or remove the same. Such order shall:



- (1) Be in writing.
- (2) Specify the public nuisance and its location.
- (3) Specify the corrective measures required.
- (4) Provide for compliance within 10 days from service thereof.

**Sec. 11-23. Same-Service; removal of vehicle by police; request for trial.**

Such orders shall be served upon the owner or occupant of the premises whereupon such public nuisance exists by personal service or by certified or registered mail with a five (5) day return receipt requested. If the notice is returned undelivered by the United States post office, official action to abate said nuisance shall be continued to a date not less than ten (10) days from the return of such notice. If the owner or occupant of the premises fails or refuses to comply with the order of the City Administrator, within the ten (10) day period after notice thereof, as provided herein, the chief of police, shall take possession of such junked motor vehicle and remove it from the premises. However, if the owner or occupant of such premises so desires, he may, within such ten (10) day period after service of notice to abate the nuisance, request the clerk of the municipal court of the city, either in person or in writing, and without the requirements of bond, that a date and a time be set when he may appear before judge of the municipal court for a hearing to determine whether or not he is in violation of this article; and such hearing be set as provided in section 11-26.

**Sec. 11-24. Notice to owner to abate nuisance on unoccupied premises-Form.**

Whenever any such public nuisance exists on unoccupied premises within the city in violation of section 11-21 and the owner thereof can be found, the City Secretary, shall order the owner of the premises whereon such public nuisance exists, to abate or remove the same. Such order shall:

- (1) Be in writing.
- (5) Specify the public nuisance and its location.
- (6) Specify the corrective measures required.
- (7) Provide for compliance within ten days from service thereof.

**Sec. 11-25. Same-Service, removal of vehicle by police, request for trial.**

The order shall be served upon the owner of the premises by serving him in the same manner as set out in section 11-23 to his address as shown by the current tax rolls of the city. If the owner of the premises fails or refuses to comply with the order of the City Administrator, within the ten (10) day period after service thereof as provided herein, the chief of police, shall take possession of such junked motor vehicle and remove it from the premises. However, if the owner of the premises so desires, he may within such ten (10) day period after service of notice to abate the nuisance, request of the clerk of the municipal court of the city, either in person or in writing and without the requirement of bond, that a date and a time be set when he may appear before the judge of the municipal court for a hearing to determine whether or not he is in violation of this article and such hearing shall be set as provided in section 11-26.

**Sec. 11-26. Trial-Setting; filing complaint.**

Upon receiving a request for trial, made pursuant to section 11-24, the clerk of the municipal court shall set a date and a time for such trial on the court docket. The clerk of the municipal court shall notify the city attorney of the date and time of such hearing. The city attorney shall cause to be prepared, filed and served on the defendant, a written complaint charging that the owner or occupant of the premises, as the case may be, has violated this article. After service, such complaint shall be on file with the clerk of the municipal court not less than ten (10) days prior to the date of trial.

**Sec. 11-27. Same-Conducting; punishment; abatement of nuisance.**

The judge of the municipal court shall hear any case brought before said court, as set out herein, and shall determine whether the defendant is, in fact, in violation of this article. Upon a finding that the defendant is in violation of this article, said defendant shall be deemed guilty of a misdemeanor and subject to a fine in accordance with the penalty provision of this Code. The judge of said court shall further order such defendant to remove and abate said nuisance within the (10) days, the same being a reasonable time. If the defendant shall fail or refuse within said ten (10) days to abate or remove said nuisance, the judge of the municipal court shall issue an order directing the chief of police to have the same removed, and the chief of police shall take possession of the junked motor vehicle and remove it from the premises. Such order shall include a description of the vehicle and the correct identification number and license number if available at the site.

**Sec. 11-28. Removal with permission of owner or occupant.**

If, within ten (10) days after receipt of notice from the City Secretary, to abate the nuisance, as herein provided, the owner or occupant of the premises shall give his written permission to the City Secretary, for removal of the junked motor vehicle from the premises, the giving of such permission shall be considered compliance with the provisions of this article.

**Sec. 11-29. Removal from unoccupied premises by order of municipal court.**

If there is a junked motor vehicle, as herein defined, on premises that are unoccupied, and neither the owner of the premises nor the owner of such vehicle can be found and notified to remove the same, then, upon a showing of such facts to the judge of the municipal court, the court may issue an order directing the City Administrator to have the same removed, and the chief of police or his duly authorized agent shall take possession of such junked motor vehicle and remove it from the premises.

**Sec. 11-30. Evidence of abandonment.**

If a junked motor vehicle, as defined in this article, has been situated on the private property of another, without such person's permission, for a period of sixty (60) days or longer, this fact shall be prima facie evidence that the owner of such vehicle has abandoned the same.

**Sec. 11-31. Disposal of junked motor vehicle; administration.**

- (1) Junked motor vehicles shall be removed by the chief of police, or his duly authorized agent. A junked motor vehicle which has been removed under this article shall not be reconstructed or made operable. Within five (5) days after the date of removal, notice shall be given to the Texas Highway Department identifying the vehicle or part thereof so the department may cancel the certificate of title to the vehicle. Motor vehicles removed under this article shall be disposed of in accordance with State Law.
- (2) The administration of this article shall be executed by regularly salaried, full time employees of the city except that the removal of vehicles, or parts thereof, from property may be by any other duly authorized person.

**Sec. 11-32. Presumption of abandonment.**

Motor vehicles which shall remain unclaimed with the police department for sixty (60) days shall be conclusively presumed to be abandoned.

**Sec. 11-33. Sale-Authorized.**

All abandoned, stolen or recovered motor vehicles which shall remain with the police department for a period of sixty (60) days without being claimed or reclaimed by the owner whether known or unknown, may be sold or disposed of by the city at public auction.

**Sec. 11-34. Same-Notice.**

- (1) Thirty (30) days notice of the time and place of sale and a description list of the motor vehicles to be offered for sale, shall be posted at the county courthouse door and at any regular entrance to the city hall. The police department shall notify within ten (10) days after taking an abandoned motor vehicle into custody, the owner and all lien holders of record by registered or certified mail, return receipt requested. The notice shall describe the year, make, model and serial number of the abandoned motor vehicle; set forth the location of the facility where the motor vehicle is being held, inform the owner and any lien holders of their right to reclaim the motor vehicle within twenty (20) days after the date of the notice upon payment of all towing, preservation and storage charges, resulting from placing the vehicle in custody and state of failure of the owner or lien holders to exercise their right to reclaim the vehicle within the time provided shall be deemed a waiver by the owner and all lien holders of all right, title and interest in the vehicle and their consent to the sale of the abandoned motor vehicle at a public auction.
- (2) If the identity of the last registered owner cannot be determined, or if the registration contains no address for the owner, or if it is impossible with reasonable certainty to find the identity and address of all lien holders, notice by one publication in one newspaper of general circulation in the city shall be sufficient to meet all the requirements of notice. Such notice by publication can contain multiple listings of abandoned vehicles. Any such notice shall be within the time requirements prescribed for notice by registered or certified mail and shall have the same contents required for a notice by registered or certified mail.

**Sec. 11-35. Same-Cash, to highest bidder.**

All sales made pursuant to the provisions of this article shall be made for cash at a public auction to the highest bidder for each piece of property.

**Sec. 11-36. Same-Conducted by City Administrator or his authorized representative.**

The sale of motor vehicles made pursuant to this article shall be conducted by the City Administrator or his authorized representative.

**Sec. 11-37. Same-Proceeds from the sale.**

From the proceeds of the sale of an abandoned motor vehicle, the City Administrator shall reimburse the city through the general fund for the expenses of the auction, the costs of towing, preserving and storing the motor vehicle and all notice and publications costs. Any remainder from the proceeds of the sale of a motor vehicle shall be held for the owner of the vehicle or entitled lien holder for ninety (90) days and then shall be deposited in a special fund which shall remain available for the payment of auction, towing, preserving, storage and all notice and publication costs which result from placing other abandoned vehicles in custody, whenever the proceeds from a sale of such other abandoned motor vehicle is insufficient to meet these expenses and costs.