

IN THE COUNCIL OF THE TOWN OF ROCKY MOUNT

AN ORDINANCE of the Town of Rocky Mount amending Chapter 62, Article III, of the Code of the Town of Rocky Mount, Virginia (2002), and providing for the amendment and reenactment of Section 62-112 relating to inoperable vehicles.

BE IT ORDAINED by the Council of the Town of Rocky Mount that Section 62-112 of Chapter 62, Article III, of the Code of the Town of Rocky Mount, Virginia (2002), is amended and reenacted to read and provide as follows:

Sec. 62-112. - Open storage of inoperative vehicles.

(a) It shall be unlawful for any person to keep, except within a fully enclosed building or structure or otherwise shielded or screened from view, on any property zoned for residential or commercial or agricultural purposes any motor vehicle, trailer, or semitrailer, as such are defined in Virginia Code § 46.2-100, which is inoperable.

(b) The number of inoperable motor vehicles which any person may keep outside of a fully enclosed building or structure, but which are shielded or screened from view by covers is limited to one.

(c) As used in this section, an "inoperable motor vehicle" means any motor vehicle which is not in operating condition; or any motor vehicle which for a period of 60 days or longer has been partially or totally disassembled by the removal of tires and wheels, the engine, or other essential parts required for operation of the vehicle; or any motor vehicle on which there are displayed neither valid license plates nor a valid inspection decal.

(d) As used in this section, "shielded or screened from view" means not visible by someone standing at ground level from outside of the property on which the subject vehicle is located. The placing, draping, or securing of a tarpaulin or other nonrigid cover over or around an inoperable vehicle shall not be sufficient to comply with the requirements of this section, unless the nonrigid cover is opaque and specifically designed for use as a car cover on the specific model of the vehicle being covered.

(e) An owner of any property zoned for residential or commercial or agricultural purposes upon which any inoperative vehicle is located shall bring such vehicle and property into compliance with the requirements of this section within 30 calendar days after the date of written notice by the town. Upon the failure of the person to remove any inoperable motor vehicle, trailer or semitrailer within the time fixed by such notice, the town, through its agents, employees, or independent contractors may remove such inoperable motor vehicle, trailer or semitrailer. In the event the town removes any inoperable motor vehicle, trailer, or semitrailer, the town may dispose of such motor vehicle, trailer or semitrailer after giving additional notice to the owner of the vehicle. The costs of any such removal and disposal shall be chargeable to the owner of the vehicle or property and, if not otherwise recovered, may be collected by the town as taxes are

collected. Every costs authorized by this section for which the owner has been assessed shall constitute a lien against the property from which the inoperable motor vehicle, trailer, or semitrailer was removed. Such lien shall continue until actual payment of such costs has been made to the town.

(f) In addition to the remedies provided in the above paragraph, any person failing to remove such vehicle from the property within the prescribed time in the written notice or otherwise violating any of the provisions of this section shall be guilty of a class 4 misdemeanor.

(g) The provisions of this section shall not apply to a licensed business which, on June 26, 1970, was regularly engaged in business as an automobile dealer, salvage dealer, or scrap processor.

(h) Notwithstanding the other provisions of this section, if the owner of such vehicle can demonstrate that he is actively restoring or repairing the vehicle and if it is shielded or screened from view, the vehicle and one additional inoperative motor vehicle that is shielded or screened from view and being used for the restoration or repair may remain on the property.

This ordinance shall become effective as of July 1, 2019..

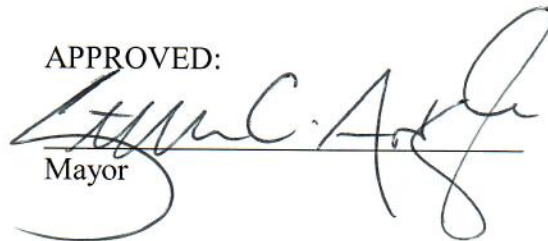
Adopted this 3rd day of June, 2019

Ayes: B. Cundiff, R. Moyer, M. Newbill, J. Snead, B. Stockton, and G. Walker

Nays: None


Present: S. Angle, Mayor

APPROVED:



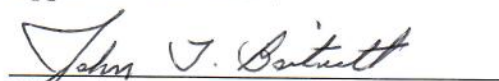
Mayor

ATTEST:



Clerk

Approved as to form:



Town Attorney