

VIRGINIA ACTS OF ASSEMBLY -- 1995 SESSION

CHAPTER 58

An Act to amend and reenact § 15.1-11.03 of the Code of Virginia, relating to local government authority to restrict keeping of inoperative motor vehicles in certain localities.

[S 728]

Approved March 7, 1995

Be it enacted by the General Assembly of Virginia:

1. That § 15.1-11.03 of the Code of Virginia is amended and reenacted as follows:

§ 15.1-11.03. Authority to restrict keeping of inoperable motor vehicles, etc., on residential or commercial property; removal of such vehicles in certain local jurisdictions.

A. The governing body of any county having adopted the urban county executive form of government; any county contiguous thereto; the county manager form; any town located, wholly or partly, in such counties; any city contiguous to a county having adopted the urban county executive form of government or surrounded by a county contiguous thereto; ~~and~~ any city having a population between 60,000 and 70,000 *and any city having a population between 100,000 and 105,000* may prohibit, by ordinance, any person from keeping, except within a fully enclosed building or structure or otherwise shielded or screened from view, on any property zoned for residential, commercial, or agricultural purposes any motor vehicle, trailer or semitrailer, as such are defined in § 46.2-100, which is inoperable.

The governing body in addition may limit, by ordinance, the number of inoperable motor vehicles which any person may keep outside of a fully enclosed building or structure.

As used in this section, "shielded or screened from view" means hidden from sight by plantings or fences.

As used in this section, an "inoperable motor vehicle" means any motor vehicle, trailer or semitrailer which is not in operating condition; or does not display valid license plates; or does not display an inspection decal that is valid or does display an inspection decal that has been expired for more than sixty days. The provisions of this section shall not apply to a licensed business which is regularly engaged in business as an automobile dealer, salvage dealer or scrap processor.

B. The governing body may, by ordinance, further provide that the owners of property zoned for residential, commercial, or agricultural purposes shall, at such time or times as the governing body may prescribe, remove therefrom any inoperable motor vehicle that is not kept within a fully enclosed building or structure. The governing body may remove the inoperable motor vehicle, whenever the owner of the premises, after reasonable notice, has failed to do so.

In the event the governing body removes the inoperable motor vehicle, after having given such reasonable notice, it may dispose of same after giving additional notice to the owner of the premises. The cost of the removal and disposal may be charged to either the owner of the inoperable vehicle or the owner of the premises and the cost may be collected by the county, city or town as taxes and levies are collected. Every cost authorized by this section with which the owner of the premises has been assessed shall constitute a lien against the property from which the inoperable vehicle was removed, the lien to continue until actual payment of the cost has been made to the county, city or town.