

LD1863396

## HOUSE BILL NO. 834

Offered January 25, 1994

A BILL to amend and reenact § 15.1-11.1 of the Code of Virginia, relating to local government authority to restrict keeping of inoperative motor vehicles on certain property.

Patrons—Parrish, Howell, Marshall and O'Brien; Senators: Colgan and Woods

Referred to Committee on Counties, Cities and Towns

**Be it enacted by the General Assembly of Virginia:****1. That § 15.1-11.1 of the Code of Virginia is amended and reenacted as follows:**

§ 15.1-11.1. Authority to restrict keeping of inoperative motor vehicles, etc., on residential or commercial property; removal of such vehicles.

(a) The governing body of any county, city or town may, by ordinance, provide that it shall be unlawful for any person, firm or corporation 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 § 46.2-100, which is inoperative. The governing body of any county, city or town in addition may, by ordinance, limit the number of inoperative motor vehicles which any person, firm or corporation may keep outside of a fully enclosed building or structure, but which are shielded or screened from view by covers. As used in this section, an "inoperative motor vehicle" shall mean any motor vehicle which is not in operating condition; or which for a period of sixty 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 on which there are *not* displayed ~~neither~~ valid license plates ~~nor~~, or a valid inspection decal, or a valid local license decal. However, the provisions of this section shall not apply to a licensed business which on June 26, 1970, is regularly engaged in business as an automobile dealer, salvage dealer or scrap processor.

(b) The governing body of any county, city or town may, by ordinance, further provide that: (1) the owners of property zoned for residential or commercial or agricultural purposes shall, at such time or times as the governing body may prescribe, remove therefrom any such inoperative motor vehicles, trailers or semitrailers that are not kept within a fully enclosed building or structure; (2) the governing body of such county, city or town through its own agents or employees may remove any such inoperative motor vehicles, trailers or semitrailers, whenever the owner of the premises, after reasonable notice, has failed to do so; (3) in the event the governing body of such county, city or town, through its own agents or employees, removes any such motor vehicles, trailers or semitrailers, after having given such reasonable notice, such county, city or town may dispose of such motor vehicles, trailers or semitrailers after giving additional notice to the owner of the vehicle; (4) the cost of any such removal and disposal shall be chargeable to the owner of the vehicle or premises and may be collected by the county, city or town as taxes and levies are collected; and (5) 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 vehicle was removed, the lien to continue until actual payment of such costs has been made to the county, city or town.

INTRODUCED

HB834