

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 15.2-905 of the Code of Virginia, relating to inoperable motor vehicles.*

3 [S 64]

4 Approved

5 **Be it enacted by the General Assembly of Virginia:**6 **1. That § 15.2-905 of the Code of Virginia is amended and reenacted as follows:**7 **§ 15.2-905. Authority to restrict keeping of inoperable motor vehicles, etc., on residential or**
8 **commercial property; removal of such vehicles.**9 A. The governing bodies of the Counties of Albemarle, Arlington, Fairfax, Henrico, Loudoun, *Prince*
10 *George*, and Prince William; any town located, wholly or partly, in such counties; and the Cities of
11 Alexandria, Fairfax, Falls Church, Hampton, *Hopewell*, Lynchburg, Manassas, Manassas Park, Newport
12 News, Petersburg, Portsmouth, Roanoke, and Suffolk may by ordinance prohibit any person from
13 keeping, except within a fully enclosed building or structure or otherwise shielded or screened from
14 view, on any property zoned or used for residential purposes, or on any property zoned for commercial
15 or agricultural purposes, any motor vehicle, trailer or semitrailer, as such are defined in § 46.2-100,
16 which is inoperable.17 The locality in addition may by ordinance limit the number of inoperable motor vehicles that any
18 person may keep outside of a fully enclosed building or structure.19 As used in this section, notwithstanding any other provision of law, general or special, "shielded or
20 screened from view" means not visible by someone standing at ground level from outside of the
21 property on which the subject vehicle is located.22 As used in this section, an "inoperable motor vehicle" means any motor vehicle, trailer or semitrailer
23 which is not in operating condition; or does not display valid license plates; or does not display an
24 inspection decal that is valid or does display an inspection decal that has been expired for more than 60
25 days. The provisions of this section shall not apply to a licensed business that is regularly engaged in
26 business as an automobile dealer, salvage dealer or scrap processor.27 B. The locality may, by ordinance, further provide that the owners of property zoned or used for
28 residential purposes, or zoned for commercial or agricultural purposes, shall, at such time or times as the
29 governing body may prescribe, remove therefrom any inoperable motor vehicle that is not kept within a
30 fully enclosed building or structure. The locality may remove the inoperable motor vehicle, whenever
31 the owner of the premises, after reasonable notice, has failed to do so. Notwithstanding the other
32 provisions of this subsection, if the owner of such vehicle can demonstrate that he is actively restoring
33 or repairing the vehicle, and if it is shielded or screened from view, the vehicle and one additional
34 inoperative motor vehicle that is shielded or screened from view and being used for the restoration or
35 repair may remain on the property.36 In the event the locality removes the inoperable motor vehicle, after having given such reasonable
37 notice, it may dispose of the vehicle after giving additional notice to the owner of the premises. The
38 cost of the removal and disposal may be charged to either the owner of the inoperable vehicle or the
39 owner of the premises and the cost may be collected by the locality as taxes are collected. Every cost
40 authorized by this section with which the owner of the premises has been assessed shall constitute a lien
41 against the property from which the inoperable vehicle was removed, the lien to continue until actual
42 payment of the cost has been made to the locality.

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