

§ 71.11 INOPERATIVE VEHICLES ON PRIVATE PROPERTY.

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 public view, on any property zoned for residential or commercial or agricultural purposes, any motor vehicle, trailer or semitrailer, as such are defined in VA Code § 46.2-100, as amended, which is inoperative. As used in this section, an INOPERATIVE MOTOR VEHICLE shall mean any motor vehicle, trailer or semitrailer, which is not in operating condition; or which for a period of 90 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 motor vehicle, trailer or semitrailer; and for which there is no valid license plate and inspection sticker. However, the provisions of this section shall not apply to a licensed business which on September 1, 2021 is regularly engaged in business as an automobile dealer, salvage dealer or scrap processor.

(B) The owners of property zoned for residential or commercial or agricultural purposes shall remove there from any inoperative motor vehicles, trailers or semitrailers that are not kept within a fully enclosed building or structure. Whenever the owner of the premises, after reasonable notice, has failed to so remove the inoperative motor vehicle or trailer or semitrailer, the town through its own agents or employees may remove the inoperative motor vehicles, trailers or semitrailers and after further reasonable additional notice to the owner of the vehicle may dispose of the motor vehicle, trailer or semitrailer. The cost of any removal and disposal shall be chargeable to the owner of the vehicle or premises and may be collected by the town as taxes and levies are collected and every cost authorized by this section with which the owner of the premises shall have been assessed shall constitute a lien against the property from which the vehicle was removed and the lien shall continue until actual payment of the costs shall have been made to the town.

(C) The owner of an Inoperative Motor Vehicle that is otherwise in violation of Section A of this ordinance may apply to the Town Clerk for a permit excepting an Inoperative Motor Vehicle from this ordinance. The application shall include the sworn statement of the owner of the Inoperative Motor Vehicle that it is currently being repaired or restored, the property address where the vehicle is being repaired or restored, and any supporting evidence showing intent and/or progress toward repair or restoration of the vehicle. Upon payment of a \$25.00 permit fee and the submission of a fully completed application, and, if sufficient evidence showing intent and/or progress toward repair, in the discretion of the Town Manager, is provided, the permit shall be issued the Town Manager. In the event of the denial of a permit by the Town Manager, the owner may appeal his or her application for permit to Town Council. No more than two (2) such permits shall be issued to any person and no more than two (2) such permits shall be issued to any property or adjoining property under common ownership. Such permit shall be good for one year from date of issuance.

§ 71.99 PENALTY.

(A) For illegal parking in violation for this chapter, where no other specific penalty is provided, the minimum fine shall be \$20, if the fine is paid upon the date of violation or within 24 hours of the violation. In the event parking violating fines are not paid to the town within five days after the assessment of the fine, a warrant shall be issued again the owner of the vehicle in question.

(B) Any violation of § 71.11 shall constitute a civil penalty punishable by a fine of not less than \$25 and not more than \$100. Each day of violate shall constitute a separate offense.

~~(B)~~ (C) Any violation of § 71.12 shall constitute a misdemeanor and shall be punishable by a fine of not less than \$100 nor more than \$500.