

## **Chapter 52**

### **AUTOMOBILE GRAVEYARDS AND JUNKYARDS**

**[HISTORY: Adopted by the Town Council of the Town of Grottoes 5-7-1980. Amendments noted where applicable.]**

#### **GENERAL REFERENCES**

Nuisances — See Ch. 117.

#### **§ 52-1. Definitions.**

As used in this chapter, the following terms shall have the meanings indicated:

**AUTOMOBILE GRAVEYARD** — Any lot or place which is exposed to the weather and upon which more than five motor vehicles of any kind, incapable of being operated and which it would not be economically practical to make operative, are placed, located or found.

**JUNKYARD** — Any establishment or place of business which is maintained, operated or used for storing, keeping, buying or selling junk or for the maintenance or operation of an automobile graveyard, and the term shall include garbage and sanitary fills.

**JUNK VEHICLE** — A motor vehicle of any kind which is inoperative and not economically practical to make operative or upon which substantial effort to make the vehicle operative has not commenced within 45 days from the date of which said vehicle became inoperable.

#### **§ 52-2. Prohibited acts.**

It shall be unlawful for any person, firm or corporation to keep, except within a fully enclosed building or structure, on any property within the corporate limits of the Town of Grottoes zoned for residential or commercial or agricultural purposes any motor vehicle, trailer or semitrailer, as such are defined by § 46.2-100 of the Code of Virginia 1950, as amended, whose condition is such that it is economically impractical to make them operative; provided, however, that the provisions of this chapter 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.

#### **§ 52-3. Notice; removal.**

The Town Council of the Town of Grottoes may, by written notice served by the Chief of Police, notify any owner or owners of property zoned for residential or commercial or agricultural or industrial purposes to remove therefrom, at such time or times as the Town Council may prescribe, any such inoperative motor vehicles, trailers or semitrailers that are not kept within a fully enclosed building or structure. The Town Council of the Town

of Grottoes, through its agents and employees, may remove any such inoperative motor vehicles, trailers or semitrailers whenever the owner of the premises, after 15 days' notice, has failed to do so. In the event that the Town of Grottoes, through its agents or employees, removes any such motor vehicles, trailers or semitrailers, after having given such reasonable notice, said Town of Grottoes Town Council may dispose of such motor vehicles, trailers or semitrailers after giving additional notice to the owner of the vehicle. 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 Town of Grottoes as taxes and levies are collected. Every cost authorized by this chapter 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 such costs shall have been made to the Town of Grottoes.

**§ 52-4. Fence required.**

It shall be unlawful for any person to maintain or operate an automobile junkyard or graveyard, as defined by state law, in the Town unless such automobile junkyard or graveyard shall be entirely enclosed by a plank-board fence not less than 10 feet in height, which fence shall be kept painted.

**§ 52-5. Inspection.**

Automobile junkyards and graveyards in the Town shall at all times be open to inspection by a proper officer of the Town.

**§ 52-6. Violations and penalties.**

Violation of any section or sections of this chapter shall be a misdemeanor, punishable as provided in § 1-7, General penalty, of Chapter 1, General Provisions. Each day the violation continues after written notice by Council or its representative shall constitute a separate offense.