

# Middlesex County Board of Supervisors



At a meeting of the Middlesex County Board of Supervisors held on November 6, 2019 at 7:00 p.m. in the Board Room of the Historic Courthouse, Saluda, Virginia: On a motion duly made by Supervisor Swinehart, and seconded by Supervisor Mansfield, the following Ordinance was adopted by the following vote:

Mark E. "Chip" Holt, III,	Aye
Peter W. Mansfield,	Aye
Wayne H. Jessie, Sr.,	Nay
Kathleen H. Swinehart,	Aye
John B. Koontz, Jr.,	Absent

**AN ORDINANCE ENTITLED INOPERABLE VEHICLES WHICH PROVIDES FOR THE ADMINISTRATION, ENFORCEMENT AND REMOVAL OF INOPERABLE VEHICLES WITHIN MIDDLESEX COUNTY, VIRGINIA.**

**WHEREAS**, the Board of Supervisors for Middlesex County, Virginia, has determined that the existence of inoperable motor vehicles, trailers, and semitrailers on property in Middlesex County constitute a fire hazard and a hindrance in fighting fires, creates unsanitary harborage for rodents and insects, constitutes an attractive nuisance to children, and presents other substantial health and safety hazards to Middlesex County citizens; and

**WHEREAS**, the Board of Supervisors has determined that inoperable motor vehicles, trailers, and semitrailers on property in Middlesex County are detrimental to the welfare of Middlesex County citizens, as the existence of such vehicles reduces property values, dissuades the relocation of families and businesses to the area, and discourages tourism; and

**WHEREAS**, staff has drafted the following new ordinance entitled Inoperable Vehicles; and,

**WHEREAS**, the Board of Supervisors of Middlesex County held a duly advertised public hearing concerning the ordinance on November 6, 2019,

**NOW, THEREFORE, BE IT ORDAINED** by the Middlesex County Board of Supervisors this 6<sup>th</sup> day of November 2019 that an ordinance entitled Inoperable Vehicles is hereby enacted as follows:

The following words, terms and phrases, when used in this ordinance, shall have the meanings ascribed to them in this section, except where context clearly indicates a different meaning:

*Farm use* shall be defined as set forth in § 46.2-698(B) of the Code of Virginia of 1950, as amended.

*Inoperable vehicle* means any vehicle which is not in operating condition or which, for a period of 60 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 displayed neither a valid license plate nor a valid inspection decal.

*Vehicle* means any motor vehicle, trailer and semitrailer as set forth in § 46.2-100 of the Code of Virginia of 1950, as amended.

*Shielded or Screened from view* shall mean not visible by someone standing at ground level from the outside of the property on which the subject vehicle(s) is located using the following methods:

- (1) An opaque masonry wall; or
- (2) A hedge or dense evergreen landscaping planting; or
- (3) An opaque, treated wooded fence of stockade, board and batten, panel or similar type design; or
- (4) An opaque, defect-free car cover specially designed and manufactured to be a car cover.

**State Law reference**— Similar provisions, Code of Virginia, § 15.2-904.

## Section 2 - Keeping of inoperable vehicles prohibited; exceptions.

(a) 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 DRC, C, R, VC, CD, GB, WC, LI, MH, LDR, A, or RH pursuant to Middlesex County Zoning Ordinance, any inoperable vehicles.

(b) It shall be unlawful for any person, firm, or corporation on any property zoned DRC, C, R, VC, CD, GB, WC, LI, MH, LDR, A, or RH, pursuant to Middlesex County Zoning Ordinance, to keep more than ten (10) inoperable vehicles, even if shielded or screened from view by covers, unless they are kept within a fully enclosed building or structure.

(c) The provisions of this section shall not apply to a business licensed by the County and regularly engaged in business as an automobile dealer, automobile repair facility, automobile salvage dealer, salvage dealer, or scrap processor, nor to trailers or semitrailers used for storage and located on property as accessory uses to active agricultural operations.

(d) The County Administrator, or his designee, may remove or cause to be removed any inoperative vehicle stored in violation of this section whenever the owner of the premises and/or owner of the inoperable vehicle, after fifteen (15) business days' written notice, has failed to do so. In the event that the County Administrator, or his designee, has removed or caused such a removal, he may, after giving an additional fifteen (15) business days' written notice to the owner of such vehicle and the owner of the premises, dispose of such a vehicle.

The cost of any such removal and disposal shall be charged to the owner of the premises or to the owner of the vehicle, and the Treasurer of Middlesex County shall collect such charges as taxes and levies are collected.

(e) 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 has been removed, the lien to continue until actual payment of such costs has been made to the County.

(f) A violation of this section shall constitute a misdemeanor, punishable by a fine of not more than two hundred fifty dollars (\$250.00), and each day that any such violation shall continue shall constitute a separate offense.

**State Law reference**— Authority, Code of Virginia, § 15.2-904.

Adopted by the Board of Supervisors of Middlesex County, Virginia, at a meeting on the 6<sup>th</sup> day of November 2019, following a duly advertised public hearing.

THIS ORDINANCE SHALL BE EFFECTIVE UPON ADOPTION.

A Copy Teste:



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Matt Walker  
Clerk