

Sec. 22-3. - Open storage of inoperable vehicles on property zoned for certain purposes.

(a) For the purposes of this section, the following definitions shall apply:

- 1) **Vehicle** means any motor vehicle, trailer or semitrailer, or parts thereof, as such are defined in the Code of Virginia, § 46.2-100.
- 2) **Covered vehicle** means an inoperable vehicle shielded or screened from view by means of a vehicle cover manufactured for the use of covering vehicles, such that the inoperable vehicle is not visible by someone standing at ground level from outside of the property on which the subject vehicle is located; however, tarps or any other unfitted material draped or secured over and around an inoperable vehicle is not sufficient to comply with the shielding requirement to be considered a covered vehicle.
- 3) **Inoperable vehicle** means any one or more of the following: (i) any vehicle which is not in operating condition; (ii) any vehicle 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 (iii) any vehicle on which there are displayed neither valid license plates nor a valid inspection decal.
- 4) **Shielded vehicle** means an inoperable vehicle outside of an enclosed building or structure but otherwise shielded or screened from view without the use of a cover such that the inoperable vehicle is not visible by someone standing at ground level from outside of the property on which the subject vehicle is located.

(b) Except as authorized herein, it shall be unlawful for any person to keep, except within a fully enclosed building or structure, on any property in the county, any inoperable vehicle that is not a shielded vehicle. One covered vehicle is permitted on a property under this section. Upon the request of an owner there may be allowed, by the zoning administrator, for salvage and parts, one additional inoperable vehicle, when the owner of such inoperable vehicles can demonstrate that (i) they are actively restoring or repairing one inoperable vehicle, (ii) the second inoperable vehicle is being used for the restoration or repair, and (iii) both inoperable vehicles are a covered vehicle. Covered vehicles shall only be permitted upon application for and issuance of a permit from the County's zoning department.

(c) When, in the opinion of the zoning administrator, there is a violation of this section on any property, the owner of such property shall remove the inoperable vehicle within 30 days after notice to do so.

(d) In the event the owner of the property fails to remove any such inoperable vehicle, or parts thereof, after having been given the 30-day notice, the county may have such

inoperable vehicle, or parts thereof, removed. After removal, the County may dispose of the inoperable vehicle after giving additional notice to the owner of the vehicle. The costs of any such removal and disposal shall be chargeable to the owner of the vehicle or the property from which the vehicle was removed and may be collected by the county as taxes and levies are collected. All costs assessed against the owner of the property shall constitute a lien against the property from which the vehicle was removed, and the lien shall continue until actual payment of such costs have been made to the county.

(e) Exceptions: The provisions of this section shall not apply to (i) a licensed business which is regularly engaged in business as an automobile dealer, salvage dealer, or scrap processor.

(f) Covered Vehicle Permit. A covered vehicle permit (CVP) shall be required for each covered vehicle on a property. Prior to issuance, or renewal, of a CVP, the applicant shall provide the zoning administrator with information sufficient to demonstrate that the covered vehicle complies with the requirements of this section and the zoning ordinance. CVPs shall be valid for a period of twelve months; however, any CVP issued for an additional covered vehicle in accordance with subsection (b) shall only be renewed upon an applicant demonstrating that the additional covered vehicle is still part of an active restoration or repair. Fees for the issuance of a CVP may be established by ordinance adopted by the Board of Supervisors.

(g) Civil Penalties. Violations of this section shall be subject to a civil penalty, which shall be in accordance with Sec. 36.57 of the zoning ordinance.

(h) Violations of this section shall constitute a Class 3 misdemeanor if three civil penalties have previously been imposed on the same defendant for the same or similar violation, not arising from the same set of operative facts, within a 24-month period. Prosecution of such violations as criminal offenses shall preclude the imposition of civil penalties for the same violation.

(Prior Code, § 12-3; Ord. of 11-10-1981)

State Law reference— Authority for above section, Code of Virginia, § 15.2-904.

Rev. 4/13/23 – per BOS direction further defined covered and shielded vehicle

BOS Adopted: 5/9/23