

INOPERABLE MOTOR VEHICLES ORDINANCE

Section 1.

Purpose

The Town Council of the Town of Saxis, Virginia is enacted to prevent the accumulation of inoperable motor vehicles or parts thereof, in unapproved and inappropriate locations throughout the incorporated territory of the town, inasmuch as they constitute an unsightly, obnoxious and unsanitary condition within such territory. The presence of such inoperable motor vehicles increases the danger of the spread of certain communicable diseases by providing a breeding place for rats, mice, feral cats, wildlife and other known disease carriers and otherwise condition detrimental to the mental and general wellbeing of the town citizens and is declared a public nuisance.

It is, therefore, determined and council so finds, that it is imperative for the preservation of health, safety, peace and the general public welfare that these provisions concerning inoperable motor vehicles be adopted requiring property owners, tenants, lessees or persons otherwise in control or possession of real estate to remove such inoperable motor vehicles from their premises.

Section 2.

Definitions

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

- a. Inoperable motor vehicle, trailer or semi-trailer – any motor vehicle, trailer or semi-trailer which is not in operational 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, if applicable, or other essential parts required for operation of the vehicle; or if applicable, on which there are displayed neither valid license plates nor a valid inspection sticker.
- b. Motor Vehicle – every vehicle as defined in Code of Virginia Section 46.2-100, which is self-propelled or designed for self-propulsion except as otherwise provided in Code of Virginia, title 46.2. Any structure designed, used or maintained primarily to be loaded on an affixed to a motor vehicle to provide a mobile dwelling, sleeping place, office, or commercial space, shall be considered a part of a motor vehicle. For the purposes of this article, any advice defined under Code of Virginia Section 46.2-100, as a bicycle or moped shall be deemed not to be a motor vehicle.

- c. Person – Any person, firm, partnership, association, corporation, company or entity of any kind, and being the owner, tenant, lessee or otherwise in possession or control of any private or public real property.
- d. Private real property – Any property not under the direct control of the vehicle’s owner or the property that the vehicle is located on.
- e. Semi-trailer – Every vehicle of the trailer type so designed and used in conjunction with a motor vehicle that some parts of its own weight and that of its own load rests on or is carried by another vehicle.
- f. Shielded or screened – Completely precluding visibility from property of another, of the subject motor vehicle, trailer, or semi-trailer, from view by a solid, rigid, opaque fence or by a landscaped arrangement of no deciduous planting, sufficient in height, spacing, density and circumference. All fencing shall comply with current town zoning.
- g. Trailer – Every vehicle without motor power designed for carrying property or passengers only on its structure and for being drawn by a motor vehicle. The term “trailer” does not include any mobile home.

Section 3.

Restrictions; exemptions; removal and cost

- a. It shall be unlawful for any person, except as expressly provided in this section, to keep on any real property within the town zoned for residential, commercial or agricultural purposes, any inoperable motor vehicle. A person may keep any number of inoperable motor vehicles within a fully enclosed building or structure or may keep up to a maximum of two motor vehicles outside a fully enclosed building or structure but must be shielded or screened from view.
- b. The keeping and/or use of inoperable trailers or semi-trailers shall be regulated by applicable provisions of the town zoning provisions and inoperable trailers and semi-trailers are not regulated hereunder.
- c. Any such person shall have ten days to remove any such inoperable motor vehicle after it becomes inoperable.
- d. This article shall not apply to those lawfully licenses and zoned business which are regularly engaged in business as an automotive dealer, salvage dealer, scrap processor, seafood business, restaurant or commercial garage.
- e. This ordinance does not apply to waterman’s machinery, equipment, operable vehicles displaying a waterman’s plate, and implements that are in working order.
- f. The owner of any such real property on which any such inoperable motor vehicle is located contrary to the provisions in this article shall be notified of such violation by registered mail, return receipt requested, mailed to the last known address of such owner as on the current real estate tax books of the town. If after 20 days from post marked date, the owner of such real property has failed to remove said inoperable motor vehicle, the town will begin the process of issuing fines and penalties.

g. As permitted by Virginia Code Section 15.2-904:

1. The Town of Saxis, Virginia through its own agents or employees may remove any such inoperable motor vehicles, trailers or semitrailers, whenever the owner of the premises, after reasonable notice, has failed to do so;

2. In the event such locality, through its own agents or employees, removes any such motor vehicles, trailers or semitrailers, after having given such reasonable notice, such locality may dispose of such motor vehicles, trailers or semitrailers after giving additional notice to the owner of the vehicle;

3. 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 locality as taxes are collected; and

4. Every cost authorized by Section 15.2-904 with which the owner of the premises has been assessed shall constitute a lien against the property from which the vehicle was removed, the lien to continue until actual payment of such costs has been made to The Town of Saxis, Virginia.

Section 4.

Violations

a. **First Violation**

- a. The Town shall send written notice by certified mail.
- b. The owner has thirty (30) calendar days from the post marked date to remove the subject matter.
- c. If matter is not removed in thirty (30) calendar days a civil fine will be imposed of no less that \$250.00.

b. **Second Violation**

- a. The Town shall send written notice by certified mail.
- b. The owner has fifteen (15) days from the post marked date to remove the subject matter.
- c. If after fifteen (15) days the matter is not removed from the property an additional civil fine of \$500.00 will be imposed.
- d. If the subject matter is not removed after the second notice's fifteen (15) day period an additional fine of \$15.00 per day will be imposed, in addition to the first and second violation fines.

c. **Third Violation**

- a. The Town of Saxis, Virginia will take necessary action to remove the inoperable vehicles and assess all fines, costs, penalties, interests, and reasonable attorney's fees as a lien against the property.

Section 5.

Severability

If any provision of this Ordinance is declared invalid or unconstitutional, the remaining provisions shall remain in full force and effect.

Section 6.

Effective Date

This ordinance shall take effect immediately upon adoption by the Town Council of Saxis, Virginia.

Adopted this 4 day of May, 2026.

Town Council of Saxis, Virginia

By: Mayor Denise Drewer Denise Drewer, Mayor

ATTEST: Mariann Miller Mariann Miller, Town Clerk

All Votes Follow:

Wayne McAllen
Danell Marshall
Beverly L. Hard
Denise Chance
Byronne Spears
