

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1989

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HOUSE BILL 828

Short Title: Wilson Co/Elm City Junked Cars.

(Local)

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Sponsors: Representative Fitch.

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Referred to: Government.

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March 23, 1989

A BILL TO BE ENTITLED

AN ACT TO ALLOW THE TOWN OF ELM CITY AND WILSON COUNTY TO  
REGULATE THE ABANDONMENT OF JUNKED MOTOR VEHICLES.

The General Assembly of North Carolina enacts:

Section 1. G.S. 160A-303.2, as rewritten by Chapter 3, Session Laws of  
1989, reads as rewritten:

"§ 160A-303.2. **Regulation of abandonment of junked motor vehicles in  
municipalities in certain counties.**

(a) A municipality in Dare, Alamance, Ashe, Bladen, Brunswick, Burke,  
Cabarrus, Caldwell, Cumberland, Davie, Gaston, Guilford, Halifax, Henderson, Iredell,  
Jackson, Lincoln, Mecklenburg, Moore, New Hanover, Pender, Rockingham, Rowan,  
Surry, Wake, Wayne, Stokes, Alleghany, Carteret, Columbus or Union Counties, and  
the Town of Elm City may by ordinance regulate, restrain or prohibit the abandonment  
of junked motor vehicles on public grounds and on private property within the  
municipality's ordinance-making jurisdiction upon a finding that such regulation,  
restraint or prohibition is necessary and desirable to promote or enhance community,  
neighborhood or area appearance. The authority granted by this section shall be  
supplemental to any other authority conferred upon municipalities. Nothing in this  
section shall be construed to authorize a municipality to require the removal or disposal  
of a motor vehicle kept or stored at a bona fide 'automobile graveyard' or 'junkyard' as  
defined in G.S. 136-143.

For purposes of this section, the term 'junked motor vehicle' means a vehicle that  
does not display a current license plate and that:

(1) Is partially dismantled or wrecked; or

1           (2)    Cannot be self-propelled or moved in the manner in which it originally  
2                    was intended to move; or

3           (3)    Is more than five years old and appears to be worth less than one  
4                    hundred dollars (\$100.00).

5           (b) Any ordinance adopted pursuant to this section shall include a prohibition  
6 against removing or disposing of any motor vehicle that is used on a regular basis for  
7 business or personal use."

8           Sec. 2. G.S. 153A-132.2 reads as rewritten:

9   "**§ 153A-132.2. Regulation, restraint and prohibition of abandonment of junked**  
10   **motor vehicles.**

11       (a)    Dare, Halifax, Wake, Iredell, Cabarrus, Moore, Alamance, Ashe, Bladen,  
12 Brunswick, Burke, Caldwell, Cumberland, Davie, Gaston, Guilford, Henderson,  
13 Jackson, Lincoln, New Hanover, Pender, Rockingham, Rowan, Surry, Wayne, Wilson,  
14 Stokes, Alleghany, Carteret and Columbus Counties may by ordinance regulate, restrain  
15 or prohibit the abandonment of junked motor vehicles on public grounds and on private  
16 property within the county's ordinance-making jurisdiction upon a finding that such  
17 regulation, restraint or prohibition is necessary and desirable to promote or enhance  
18 community, neighborhood or area appearance. The authority granted by this section  
19 shall be supplemental to any other authority conferred upon counties. Nothing in this  
20 section shall be construed to authorize a county to require the removal or disposal of a  
21 motor vehicle kept or stored at a bona fide 'automobile graveyard' or 'junkyard' as  
22 defined in G.S. 136-143.

23       For purposes of this section, the term 'junked motor vehicle' means a vehicle that  
24 does not display a current license plate and that:

25           (1)    Is partially dismantled or wrecked; or

26           (2)    Cannot be self-propelled or moved in the manner in which it originally  
27                    was intended to move; or

28           (3)    Is more than five years old and appears to be worth less than one  
29                    hundred dollars (\$100.00).

30           (b) Any ordinance adopted pursuant to this section shall include a prohibition  
31 against removing or disposing of any motor vehicle that is used on a regular basis for  
32 business or personal use."

33       Sec. 3. This act is effective upon ratification.