

ORDINANCE NO. 1748.

AN ORDINANCE to amend Article IV of Chapter 22 of The Code of the City of Alexandria, Virginia, 1963, as amended, by adding thereto a new Division numbered 4, which Chapter 22 relates to MOTOR VEHICLES AND TRAFFIC, which Article IV relates to STOPPING, STANDING AND PARKING GENERALLY, and which new Division numbered 4 relates to DISPOSITION OF INOPERATIVE AUTOMOBILES, MAKES IT UNLAWFUL TO KEEP SUCH VEHICLES ON CERTAIN PROPERTY AND PROVIDES FOR PENALTIES, REMOVAL, DISPOSAL, COLLECTION OF COSTS AND PLACING OF LIENS.

WHEREAS the City Council believes that the keeping of inoperative automobiles on private property zoned for residential purposes, except within a fully enclosed building or structure is generally detrimental to the environment and the public health, safety and welfare in that, among other things, it increases the danger of fire, encourages the accumulation of trash, attracts rodents and mosquitoes, is an attractive nuisance to children, is a haven for vagrants, is unsightly and depreciates property values, therefore

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That Article IV of Chapter 22 of The Code of the City of Alexandria, Virginia, 1963, as amended, be and the same hereby is amended by adding thereto a new Division numbered 4, to read as follows:

DIVISION 4. DISPOSITION OF INOPERATIVE AUTOMOBILES.

Sec. 22-121.8. Inoperative automobiles - Definition.

For purposes of this division the term "inoperative automobile or automobiles" shall mean any automobile or automobiles whose physical condition is such that it is economically impracticable to make it operative.

Sec. 22-121.9. Same - Keeping of inoperative automobiles on private property--prohibited.

It shall be unlawful for any person to keep, except within a fully enclosed building or structure, on any property zoned for residential purposes, any inoperative automobile or automobiles.

Sec. 22-121.10. Same - Nuisance.

The keeping of any inoperative automobile or automobiles on property zoned for residential purposes, except within a fully enclosed building or structure, is detrimental to the public health, safety and welfare and is hereby declared a public nuisance.

Sec. 22-121.11. Same - Removal and disposal by city; billing and collection of charges; unpaid bill a lien.

Whenever the owner of property zoned for residential purposes fails to remove therefrom, except from within a fully enclosed building or structure, any inoperative automobile or automobiles within fifteen (15) days from the receipt of written notice from the director of traffic

to remove such automobile or automobiles, such removal may be made to the city vehicle impounding yard by the director of traffic or his agent with the assistance of the chief of police. Any inoperative automobile removed by the director of traffic or his agent shall be turned over by him to the chief of police for disposal in accordance with the provisions of Sections 22-117 through 22-121, inclusive, which are hereby made applicable mutatis mutandis.

If the proceeds from any sale of any inoperative automobile or automobiles, conducted pursuant to Sec. 22-121, are insufficient to pay for the costs of towing, storage, investigation, and the sale, the amount of the remainder of such costs not paid for from the proceeds of the sale shall be forthwith computed, charged to the owner or person in control of the premises and a bill for such costs shall be prepared by the department of finance and mailed to such owner or person in control of the premises at his last known post office address within a reasonable time after the removal and disposal; provided that in the event any such inoperative automobile or automobiles had been located on property zoned for residential purposes, except within a fully enclosed building or structure, without the permission of the owner or person in control of the premises, the liability of the owner or person in control of the premises shall be limited to the cost for towing only.

In the event the city does not receive payment of the bill within thirty (30) days after mailing, a duplicate statement of the bill shall be forwarded to the city collector, who shall see that the costs are charged to the owner and collected in the same manner as city taxes. Every such cost shall constitute a lien against the real estate from which such automobile or automobiles were removed, the lien to continue until actual payment of such cost shall have been made to the city.

Sec. 22-121.12. Same - Exception as to antique motor vehicles.

The provisions of this division shall not apply to any antique motor vehicle as defined in § 46.1-1, Code of Virginia (1950), as amended, provided that a bona fide effort is being made to repair or restore such vehicle, and provided further that such vehicle is covered to protect it from the weather and make it unsuitable as a rodent harborage.

Section 2. That this ordinance shall be published in a newspaper of general circulation published in the city not later than five days following its introduction together with a notice containing the time and place for a public hearing. The Clerk of the Council shall note the date of introduction and first reading, the date of publication, the date of the public hearing, and the date of the second reading and final passage in the minutes of the meeting. This ordinance shall become effective the date of its final passage.

Charles E. Beatley, Jr.
Mayor

FINAL PASSAGE: FEBRUARY 22, 1972