

ORDINANCE NO. 3212

AN ORDINANCE to amend and reordain Article E, Chapter 8, Title 5 of The Code of the City of Alexandria, Virginia, 1981, as amended; which Title 5 relates to TRANSPORTATION AND ENVIRONMENTAL SERVICES, which Chapter 8 relates to PARKING AND TRAFFIC REGULATIONS, which Article E formerly related to INOPERATIVE AUTOMOBILES and now relates to INOPERATIVE MOTOR VEHICLES.

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That Article E, Chapter 8, Title 5 of The Code of the City of Alexandria, Virginia, 1981, as amended, be and the same hereby is amended and reordained to read as follows:

ARTICLE E

Inoperative Motor Vehicles

Sec. 5-8-61. Definitions.

As used in this article:

(a) **Motor vehicle.** Any motor vehicle, trailer or semi-trailer, as defined in section 46.1-1, Code of Virginia (1950). as amended; and

(b) **Inoperative motor vehicle.** Any motor 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 valid license plates nor a valid inspection decal.

Sec. 5-8-62. Declared nuisance.

The keeping by any person, firm or corporation, except within a fully enclosed building or structure or otherwise shielded or screened from view, of any inoperative motor vehicle on any property zoned for residential or commercial purposes, is detrimental to the public health, safety and welfare and is hereby declared to constitute a public nuisance.

Sec. 5-8-63. Unlawful to keep; exceptions.

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 for residential or commercial purposes any inoperative motor vehicle. However, the provisions of this article shall not apply to a licensed business which is regularly engaged in business as

an automobile dealer, salvage dealer or scrap processor. Nor shall they apply to any antique motor vehicle, as defined in section 46.1-1(15a), Code of Virginia (1950), as amended; provided, that a bona fide effort is being made to repair or restore the vehicle and that it is covered in a manner to protect it from the weather and to make it unsuitable for rodent harborage.

Sec. 5-8-64. Removal by owner; remedies for failure to remove; costs.

The owner of property zoned for residential or commercial purposes shall, within 15 days from the receipt of written notice from the director of transportation and environmental services or his/her designee directing said owner to remove from his/her property all inoperative motor vehicles whose keeping is prohibited by section 5-8-63, comply with such notice. In the event the owner fails or refuses to comply with the notice, the director or his/her designee may remove all such inoperative motor vehicles and, after giving additional notice to the owner of the vehicles, may dispose of the removed vehicles. The cost of any such removal and disposal shall be assessable against the owner of the property or of the vehicle and may be collected as taxes and levies are collected. Every cost authorized by this section with which the owner of the property have been assessed shall constitute a lien against the property from which the vehicle was removed, and such lien shall continue until actual payment of the cost has been made.

Section 2. That the title of and an informal memorandum explaining 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 city clerk shall have the full text of this ordinance printed in sufficient numbers to supply copies to meet requests. The city clerk 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.

JAMES P. MORAN, JR.  
Mayor

Final Passage: May 18, 1987