

GENERAL ASSEMBLY OF NORTH CAROLINA
1987 SESSION

CHAPTER 755
HOUSE BILL 924

AN ACT AMENDING THE CHARTER OF THE CITY OF DURHAM
CONCERNING THE REMOVAL OF ABANDONED OR JUNKED MOTOR
VEHICLES FROM PRIVATE PROPERTY.

The General Assembly of North Carolina enacts:

Section 1. The Charter of the City of Durham, being Chapter 671, 1975 Session Laws, as amended, is further amended as follows:

- (1) Section 55(2) is rewritten to read:
- "(2) The term 'abandoned motor vehicle' and 'junk or junked motor vehicle' have the same meaning as prescribed in G.S. 160A-303(b)."
- (2) A new subsection of Section 55 is added as follows:
 - "(2a) The provisions of G.S. 160A-303 notwithstanding, the city council may, by ordinance, regulate, restrain or prohibit the keeping on private property of any motor vehicle that does not display a current license plate and that:
 - (1) Is partially dismantled or wrecked; or
 - (2) Cannot be self-propelled or moved in the manner in which it was originally intended to move; or
 - (3) Is more than five years old and appears to be worth less than one hundred dollars (\$100.00).

Such an ordinance may provide for the removal of any such vehicle from private property consistent with G.S. 160A-303 except that the provisions of G.S. 160A-303(c) which require the written request of the owner, lessee, or occupant of the premises shall not apply and such vehicle need not be a junked motor vehicle, as that term is defined in G.S. 160A-303, so long as such vehicle meets the requirements of this subsection (2a). Nothing in this subsection shall be construed to authorize the removal or disposal of a motor vehicle which is kept or stored: (i) at a bona fide 'automobile graveyard' or 'junkyard' as defined in G.S. 136-143, or (ii) at a bona fide automobile repair business for a period of time not to exceed the time specified in any such ordinance, which period of time shall not be less than 15 days."

Sec. 2. This act is effective upon ratification.

In the General Assembly read three times and ratified this the 8th day of August, 1987.