

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1989

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HOUSE BILL 780
Committee Substitute Favorable 5/9/89

Short Title: Wilson/Madison Junked Cars.

(Local)

Sponsors:

Referred to:

March 22, 1989

A BILL TO BE ENTITLED

AN ACT TO ALLOW THE CITY OF WILSON, WILSON COUNTY, AND
MADISON 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, Madison, Mecklenburg, Moore, New Hanover, Pender, Rockingham,
Rowan, Surry, Wake, Wayne, Stokes, Alleghany, Carteret, Columbus or Union
Counties, and the City of Wilson 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.

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

3 (1) Is partially dismantled or wrecked; or

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

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

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

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

12 **"§ 153A-132.2. Regulation, restraint and prohibition of abandonment of junked
13 motor vehicles.**

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

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

28 (1) Is partially dismantled or wrecked; or

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

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

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

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