

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1989

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SENATE BILL 641

Short Title: Johnston/Sampson Junked Cars.

(Local)

Sponsors: Senator Daughtry.

Referred to: Local Government & Regional Affairs.

March 27, 1989

A BILL TO BE ENTITLED

1 AN ACT TO ALLOW THE MUNICIPALITIES IN JOHNSTON AND SAMPSON
2 COUNTIES, JOHNSTON COUNTY, AND SAMPSON COUNTY TO
3 REGULATE THE ABANDONMENT OF JUNKED MOTOR VEHICLES.
4

5 The General Assembly of North Carolina enacts:

6 Section 1. G.S. 160A-303.2(a), as amended by Chapter 3 of the 1989 Session
7 Laws, reads as rewritten:

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

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

23 (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(a) reads as rewritten:

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

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

- 23 (1) Is partially dismantled or wrecked; or
24 (2) Cannot be self-propelled or moved in the manner in which it originally
25 was intended to move; or
26 (3) Is more than five years old and appears to be worth less than one
27 hundred dollars (\$100.00)."

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