

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1989

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SENATE BILL 641
Second Edition Engrossed 5/9/89

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 THE CITY OF LUMBERTON,
2 RANDOLPH, JOHNSTON AND SAMPSON COUNTIES, JOHNSTON COUNTY,
3 AND SAMPSON COUNTY TO REGULATE THE ABANDONMENT OF
4 JUNKED MOTOR VEHICLES.
5

6 The General Assembly of North Carolina enacts:

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

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

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

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

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

9 Sec. 2. G.S. 153A-132.2(a) reads as rewritten:

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

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

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

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