

ORDINANCE #46 JUNK AND ABANDONED VEHICLES

SECTION 46.1: Scope

No person within the Village of Beech Bottom shall possess any of the following items:

- 1.) Abandoned household appliance
- 2.) Abandoned motor vehicle
- 3.) Inoperative household appliance
- 4.) Junked motor vehicle

SECTION 46.2: Definition

- 1.) Person – a natural person, corporation, firm, partnership, association, or society and the plural as well as the singular.
- 2.) Abandoned household appliance – any refrigerator, freezer, range, stove, automatic dishwasher, clothes washer, clothes dryer, trash compactor, television set, radio, air conditioning unit, commode, bed springs, mattress or other furniture, fixtures, or appliances to which no person claims ownership and which is not in an enclosed building.
- 3.) Inoperative household appliance - any refrigerator, freezer, range, stove, automatic dishwasher, clothes washer, clothes dryer, trash compactor, television set, radio, air conditioning unit, commode, bed springs, mattress or other furniture, fixtures, or appliances which by reason of mechanical or physical defects can no longer be used for its intended purpose and is not in an enclosed building.
- 4.) Motor Vehicle – a vehicle, which is or was self-propelled, including, but not limited to, automobiles, trucks, busses, ATVs, motorcycles, or tri-cycles.
- 5.) Abandoned motor vehicle – any motor vehicle, or major part thereof, which is inoperative and which has been abandoned on public or private property other than in an enclosed building for any period of time over thirty (30) days, and does not have a current and valid registration and valid inspection – should state of registration so require by code_ OR any motor vehicle, or major part thereof, which has remained on private property without consent of the owner or person in control of the property for any period of time over thirty (30) days OR any motor vehicle in operational condition, without a valid registration, and without a valid inspection – should state of registration so require by code_ that is on Village Streets alleys, or public or private property, and is not in an enclosed building.
- 6.) Junked motor vehicle – a motor vehicle, or any part thereof which is not in an enclosed building AND meets any of the following criteria:
 - a. Is discarded, wrecked, ruined, scrapped, or dismantled
 - b. Cannot pass the state inspection required by article sixteen, chapter seventeen –c of the West Virginia State Code
 - c. Does not have a current and valid registration or Motor Vehicle Inspection – should the state of registration require one displayed on said vehicle.
- 7.) Enclosed building – a structure surrounded by walls or one continuous wall have having a roof enclosing the entire structure.

SECTION 46.3: Violation

Any person in violation of Section 1 of this ordinance shall have such vehicle(s) and/or appliance(s) posted by the Beech Bottom Police Department or enforcement representative of the village as directed by the Mayor_ as “Abandoned Junk Motor Vehicle” or “Abandoned Junk Appliance” and will be given five (5) calendar days to comply with this ordinance.

SECTION 46.4: Penalties

Failure to comply within the stated period of time in this ordinance will result in the vehicle being towed or appliance being discarded at the expense of the owner, the levying of fines according to the following schedule:

1st offense: _____ Not less than seventy five dollars (\$75.00) nor more than one hundred dollars (\$100.00)

2nd offense: _____ Not less than one hundred dollars (\$100.00) nor more than one hundred fifty dollars (\$150.00)

3rd and subsequent offense: Not less than one hundred fifty dollars (\$150.00) nor more than three hundred dollars (\$300.00) and all court costs associated with bringing the matter before Beech Bottom Municipal Court.

1st Reading ~~May 19th, 2015~~ June 1, 2021

2nd Reading ~~June 2, 2015~~

3rd Reading ~~Waived~~

~~Passed June 2, 2015~~