

ORDINANCE ON JUNK AND ABANDONED VEHICLES.

No person within the Village of Beech Bottom shall possess:

- (1) "Abandoned household appliance" means a 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.
- (2) "Abandoned motor vehicle" means any motor vehicle, or major part thereof, which is inoperative and which has been abandoned on public or private property for any period of time over 30 days, and does not have a current and valid West Virginia Registration and valid West Virginia Inspection, other than in an enclosed building, **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 30 days; **or** any motor vehicle, in operational condition, without a valid Registration, and without a Valid West Virginia Inspection that is on Village Streets, alleys, or public or private property, and is not in an enclosed building.
- (3) "Enclosed building" means a structure surrounded by walls or one continuous wall and having a roof enclosing the entire structure.
- (4) "Enforcement agency" means any of the following or any combination of the following:
 - (a) Public law-enforcement officers of the Village of Beech Bottom or of this state, including Deputy Sheriffs or Conservation Officers.
- (5) "Inoperative household appliance" means a 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, fixture or appliance which by reason of mechanical or physical defects can no longer be used for its intended purpose and which is either not serving a functional purpose or use or is not in an enclosed building.
- (6) "Abandoned/Junked motor vehicle" means a motor vehicle, or any part thereof which: (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; and (c) is either not serving a functional purpose (d) does not have a current and valid West Virginia Registration or West Virginia Motor Vehicle Inspection displayed on said vehicle, or is not in an enclosed building
- (7) "Motor vehicle" means a vehicle, which is or was self-propelled, including, but not limited to, automobiles, trucks, buses, ATVs and motorcycles.
- (8) "Person" means a natural person, corporation, firm, partnership, association or society and the plural as well as the singular.

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Any person in violation of the above ordinance shall have such vehicle posted by the Beech Bottom Police Department as "Abandoned/Junk Motor Vehicle " and will be given 5 days to comply with said ordinance. Failure to comply within the stated period of time will result in the vehicle being towed at the expense of the owner, and possible fine and court cost through Beech Bottom Municipal Court.

FIRST READING: 1-16-07

SECOND READING: 2-6-07

THIRD READING: WAVED

ATTEST:

George Lewis, Mayor

Tara L. Sheperd, Recorder