

MAY 12 2009

ORDINANCE NO. 31A-240

BOARD OF SUPERVISORS
JAMES CITY COUNTY
VIRGINIA

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 24, ZONING, OF THE CODE OF THE COUNTY OF JAMES CITY, VIRGINIA, BY AMENDING ARTICLE II, SPECIAL REGULATIONS, DIVISION 2, HIGHWAYS, STREETS, PARKING AND LOADING, SECTION 24-55, GENERAL PROVISIONS.

BE IT ORDAINED by the Board of Supervisors of the County of James City, Virginia, that Chapter 24, Zoning, is hereby amended and reordained by amending Section 24-55, General provisions.

Chapter 24. Zoning

Article II. Special Regulations

Division 2. Highways, Streets, Parking and Loading

Sec. 24-55. General provisions.


(d) Parking of vehicles for sale/rent permitted and prohibited.

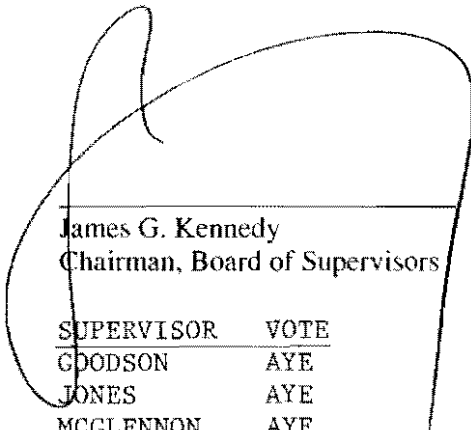
(1) The following provisions shall apply to the parking or placement of automobiles, trucks, trailers, recreational vehicles, motorcycles, boats (a boat displayed for sale with a trailer shall be construed as a single vehicle), tractors, heavy construction equipment or other types of motorized vehicles or equipment with the intent to offer such vehicles or equipment for sale or rent. For the purposes of this section, the presence of signs, lettering, papers, flyers or other visible advertisement or information on or within the vehicle or the use of internet or print media indicating it to be for sale or rent shall be deemed evidence of such intent.

- (2) *The owner or occupant of a parcel on which an occupied residential, commercial or industrial structure is located may park a legally inspected and tagged automobile, light-duty truck, recreational vehicle or trailer, boat or cargo trailer on the property for the purpose of selling or offering the vehicle for rent, provided that:*
- a. *The vehicle is owned by the owner or occupant of the property, or a member of the owner/occupant's immediate family living on the property. For the purposes of this section, the term "immediate family" shall be deemed to include spouse, natural or legally defined offspring or parents or grandparents of the owner or occupant of the premises. The owner must produce proof of ownership in the form of title or current registration if requested by inspection staff.*
 - b. *The vehicle is parked on a cleared area on the property, and shall not be parked on forested or landscaped portions of the property.*
 - c. *Any signs or lettering advertising the vehicle to be for sale or rent shall be attached to or applied to the vehicle and shall not exceed six square feet in area.*
 - d. *Not more than two vehicles shall be parked or displayed for sale or rent at any time and not more than five vehicles may be parked or displayed for sale or rent on any property within the same calendar year.*
 - e. *In the event the commercial or industrial use occupying the property is authorized to include the on-premises parking or storage of heavy construction equipment, large trucks, and similar vehicles/equipment, the above-noted limitation to "light-duty trucks" shall be waived.*
 - f. *Parking of vehicles or equipment for sale or rent on undeveloped or vacant property, or on property on which the principal structure(s) are unoccupied, shall be prohibited.*
- (3) *Violations of the terms of this section shall be enforceable against the owner of the property and/or the owner of the vehicle.*

- (4) *The provisions of this section shall not be deemed to prohibit the sale or rental of vehicles or equipment when conducted from a site which has been authorized, pursuant to the terms of this chapter, for the conduct of vehicle or equipment sales/rental as a principal use of the property.*
- (5) *Violation of any of these terms may result in court action in accordance with section 24-22 in addition to having the vehicle towed from the property at the owner's expense.*
- (6) *The provisions of this section are not intended to prevent temporary parking related to day-to-day use and operation of the vehicle (i.e. shopping, normal road use) and should not be construed as such.*

ATTEST:


Sanford B. Wanner
Clerk to the Board


James G. Kennedy
Chairman, Board of Supervisors

SUPERVISOR	VOTE
GOODSON	AYE
JONES	AYE
MCGLENNON	AYE
ICENHOUR	AYE
KENNEDY	AYE

Adopted by the Board of Supervisors of James City County, Virginia, on this 12th day of May, 2009.