

ADOPTED

NOV 12 2019

Board of Supervisors
James City County, VA

ORDINANCE NO. 56A-24

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 15, OFFENSES-MISCELLANEOUS, OF THE CODE OF THE COUNTY OF JAMES CITY, VIRGINIA, BY AMENDING SECTION 15-5, AUTOMOBILE GRAVEYARDS REGULATED, AND MADE SUBJECT TO LICENSE TAX.

BE IT ORDAINED by the Board of Supervisors of the County of James City, Virginia, that Chapter 15, Offenses-Miscellaneous, is hereby amended and reordained by amending Section 15-5, Automobile graveyards regulated, and made subject to license tax.

Chapter 15. Offenses-Miscellaneous

Sec. 15-5. Automobile graveyards, and junkyards regulated, and made subject to license tax.

An automobile graveyard is, as defined in *Code of Va. § 33.2-804* ~~Section 33.1-348 of the Code of Virginia~~, any lot or place which is exposed to the weather and upon which more than five motor vehicles of any kind *that are*, incapable of being operated, and which it would not be economically practical to make operative, are placed, located or found.

A junkyard is, as defined in Code of Va. § 33.2-804, an establishment or place of business that is maintained, operated, or used for storing, keeping, buying, or selling junk or for the maintenance or operation of an automobile graveyard. "Junkyard" includes garbage dumps and sanitary landfills.

Junk, as defined in Code of Va. § 33.2-804, means old or scrap copper, brass, rope, rags, batteries, paper, trash, rubber, debris, or waste; junked, dismantled, or wrecked automobiles or parts thereof; and old or scrap iron, steel, or other ferrous or nonferrous material.

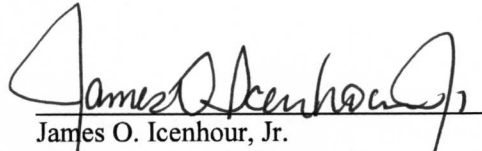
The location of any automobile graveyard within this county shall require a special use permit issued by the board of supervisors and shall be subject to a quarterly license tax in the amount of \$50.00. No automobile graveyard shall commence or continue to operate without payment of such quarterly license tax.

Any person who maintains a site, lot or place as an automobile graveyard *or as a junkyard*, any part of which is within 1,000 feet of any highway comprising a part of the state highway system, shall erect and maintain a fence or hedge around such automobile graveyard *or junkyard*.

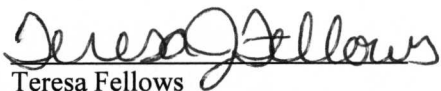
Any person violating the provisions of this section shall be guilty of a Class 1 misdemeanor.

(1-31-64; Ord. No. 56A-4, 12-2-85)

State law reference - Authority of county to enact this section, Code of Va., § 15.2-903; for state law applicable to automobile graveyards and junkyards, Code of Va., § 33.2-804 ~~33.1-348~~.


James O. Icenhour, Jr.
Chairman, Board of Supervisors

ATTEST:


Teresa Fellows
Deputy Clerk to the Board

VOTES	<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>
HIPPLE	✓	—	—
LARSON	✓	—	—
SADLER	✓	—	—
MCGLENNON	✓	—	—
ICENHOUR	✓	—	—

Adopted by the Board of Supervisors of James City County, Virginia, this 12th day of November, 2019.

OA-S15-5JnkydFnce-ord