

**ORDINANCE ENACTING  
ARTICLE XI OF CHAPTER 11  
OF THE CODE OF ORDINANCES  
OF  
ROCKINGHAM COUNTY, VIRGINIA**

BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF ROCKINGHAM COUNTY, VIRGINIA:

That Chapter 11, Article XI, “Inoperable Vehicles” be enacted as follows:  
Keeping of inoperable vehicles; removal.

**Section 11-64. Definitions.**

As used in this Article, the following definitions shall apply:

1. To be *covered* means a vehicle that is covered by a form-fitted, defect-free cover specifically designed and manufactured for motor vehicles and which completely shields the body of an inoperable vehicle from view.
2. *Inoperable vehicle* means any motor vehicle, trailer or semitrailer, as those vehicles are defined in Virginia Code § 46.2-100, which has one or more of the following characteristics: (i) it is not in operating condition; (ii) it does not display valid license plates if the vehicle is required by the Code of Virginia to display valid license plates; or (iii) it does not display a valid inspection decal if the vehicle is required by the Code of Virginia to display a valid inspection decal.
3. *Screened from view* means that the inoperable vehicle is not visible by someone standing at ground level from any vantage point outside of the parcel on which the inoperable vehicle is located because of one or more of the following: (i) distance, terrain, or one or more buildings between the inoperable vehicle and the parcel boundary; (ii) evergreen vegetation; (iii) a masonry wall; (iv) a wood fence of stockade, board and batten, panel or similar type design; or (v) any combination of the foregoing.

Inoperable vehicles are subject to the following:

**Section 11-65. Unshielded or unscreened inoperable vehicles prohibited.**

An inoperable vehicle on any parcel shall be kept within a building. The following exceptions apply:

1. On any parcel in the A1 or A2 zoning districts, only one (1) inoperable vehicle per acre, with a maximum of five (5) may be parked or stored outside of a building so long as each vehicle parked or stored outside of a building is covered or screened from view.
2. In all other zoning districts, no more than one (1) inoperable vehicle may be located outside of a building and said vehicle shall be covered or screened from view. Up to two (2) inoperable vehicles, covered or screened from view, may be located outside if the property owner or occupant demonstrates that he is actively restoring or repairing one of the vehicles by using parts from the other vehicle and the repair or restoration will be completed within a consecutive one hundred eighty (180) day period, at which time the vehicle being used for parts will be removed from the property or placed within a building. The one hundred eighty (180) day period may be extended by the County Administrator or designee upon the property owner or occupant demonstrating to the satisfaction of the County Administrator or designee that more than one hundred eighty (180) days is required to actively restore or repair the vehicle.

**Section 11-66. Authorized businesses.**

Section 11-65 shall not apply to any business regularly engaged in business as a motor vehicle sales lot, motor vehicle repair shop, automobile graveyard, or impound lot that is operated in compliance with County Code, including any such business operating as a lawful nonconforming use, provided that no inoperable vehicle may be parked or stored outside of a building except in the location designated for that use on an approved site plan.

**Section 11-67. Removal and disposition of inoperable vehicles.**

Inoperable vehicles may be removed and shall be disposed of as follows:

1. Removal by the landowner. The property owner(s) shall, at such time or times as the County Administrator or designee prescribes, remove any inoperable motor vehicles that are not authorized to be parked or stored outside of building as provided in this Article.
2. Removal and disposal by the County. The County Administrator or designee may file a Motion and Notice of Hearing with the General District Court for the removal of any inoperable motor vehicle whenever the owner of the parcel, after reasonable written notice has been provided, has failed to remove said vehicle as provided in this Article. If the County removes an inoperable motor vehicle, the vehicle may be disposed of after giving additional notice to the owner of the vehicle.

**Section 11-68. Recovery of County costs.**

All costs incurred by the County for removal and disposal of any inoperable motor vehicle shall be charged to the owner of the vehicle, the owner of the premises from

which the vehicle was removed, or both, and may be collected as taxes are collected. Every cost assessed to the premises shall constitute a lien against the tax map parcel from which the vehicle was removed. The lien shall continue until actual payment of the costs, with all penalties and interest accrued has been paid to the County.

**Section 11-69. Enforcement.**

The County Administrator or designee is hereby designated as the official authorized to administer and enforce the provisions of this section.

This ordinance shall be effective from the 11th day of March, 2020.

Adopted the 11th day of March, 2020.

Aye                      Nay                      Abstain                      Absent

Supervisor Trumbo  
District One

Supervisor Wolfe-Garrison  
District Two

Supervisor Chandler  
District Three

Supervisor Kyger  
District Four

Supervisor Breeden  
District Five

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Chairman of the Board of Supervisors

ATTESTE:

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Clerk