

## Chapter 21 – REGULATIONS OF VEHICLES PERMITTED ON PRIVATE PROPERTY

### Sec. 21-1. Authority.

Under authority granted in 24 V.S.A. Chapter 123 and the City Council of the City of Barre hereby ordains the following civil ordinance regulating vehicles permitted on private property.

### Sec. 21-2. Purpose.

The purpose of this ordinance is to protect, preserve and promote the health, safety, and welfare of all citizens of the City of Barre through establishment of enforceable standards for storage of vehicles. The intent of this ordinance is to establish minimum standards for safe and reasonable storage of vehicles on private property.

### Sec. 21-3. Definitions.

For the purposes of this chapter, the following words shall have the meanings indicated:

(a) **Hazard-free condition:** A condition which shall include, but not be limited to, the following:

- (1) Vehicles stored with tires in place, or with adequate blocks under the vehicle frame.
- (2) Vehicles stored without any leaking gas or without any other leaking automotive fluids.
- (3) Vehicles without any exposed sharp metal or glass edges.
- (4) Vehicles not used for storage of waste or refuse as defined elsewhere in the Code of Ordinances of the City of Barre.

(b) **Car Cover:** A cover manufactured for the sole purpose of covering a vehicle.

(c) **Vacant Parcel:** A parcel of land without any buildings on the parcel.

(d) **Vehicle:** A motor vehicle as defined by the Vermont State Motor Vehicle Code, V.S.A. 23.

### Sec. 21-4. Regulations of vehicles permitted on private property.

All motor vehicles, as defined by the Vermont State Motor Vehicle Code, V.S.A. 23, on private property shall be registered and inspectable. A vehicle that is either unregistered or uninspectable, or a vehicle that is both unregistered and uninspectable, may be stored subject to the following conditions:

(a) Motor vehicles of any condition may be stored inside an enclosed building.

(b) One vehicle that is either unregistered or uninspectable, or one vehicle that is both unregistered and uninspectable per property shall be permitted to be stored outside with the following conditions:

- (1) The property is not a vacant parcel.
  - (2) The vehicle is stored in a hazard-free condition.
  - (3) The vehicle is covered with a car cover if the vehicle lacks any exterior body parts.
  - (4) The property owner has granted written permission for the vehicle to be stored on the property.
- (c) One additional vehicle that is either unregistered or uninspectable, or one additional vehicle that is both unregistered and uninspectable per property shall be permitted to be stored temporarily outside with the following conditions:
- (1) The property is not a vacant parcel.
  - (2) The vehicle is stored in a hazard-free condition.
  - (3) The vehicle is covered with a car cover if the vehicle lacks any exterior body parts.
  - (4) The property owner has granted written permission for the vehicle to be stored on the property.
  - (5) The vehicle is stored for not more than three months.
  - (6) A three-month vehicle storage permit is obtained from the City of Barre for the additional vehicle. No more than two three-month vehicle storage permits may be obtained during any twelve (12) month period for any one property.
- (d) Within a junkyard, as defined by the Barre City Zoning Ordinance, motor vehicles are permitted to be stored in accordance with the City of Barre and State of Vermont junkyard regulations and in accordance with any conditions made part of the approval by the City and/or State.
- (e) Unregistered and/or uninspectable vehicles located on the property of a vehicle repair facility, vehicle maintenance facility, auto body shop, auto detail shop, gasoline sales/automotive repair or a vehicle sales/service, as such used are defined by the Barre City Zoning Ordinance, are permitted to be stored for not more than ninety (90) days.
- (f) One vehicle that is either unregistered or uninspectable, or one vehicle that is both unregistered or uninspectable, is permitted to be sold on a vacant parcel when:
- (1) The vehicle is not for sale for more than six months.
  - (2) The property owner has granted written permission for the vehicle to be stored and sold on the vacant parcel.

(3) The vehicle is stored in a hazard-free condition.

(4) No more than two vehicles per year are sold on the vacant lot.

(g) Storage trailers, as defined by the Vermont Motor Vehicle Code, V.S.A. 23, are permitted when they are an accessory use to a commercial business located in the Commercial, Commercial/Industrial zones as delineated by the Barre City Zoning Ordinance.

**Sec. 21-5. Fees.**

The fee for storage permits shall be established by resolution of City Council.

**Sec. 21-6. Penalties.**

A violation of this ordinance shall be a civil matter and subject to penalties in accordance with the provisions of Title 24, V.S.A., Sec. 1974a and 1977.

(a) For the purpose of this ordinance, violators of this ordinance shall be considered the last known owner of vehicle. The property owner shall be considered the violator if the property owner does not grant permission for the enforcement officer to enter onto a property for the sole purpose of inspecting and determining ownership of a possible illegally stored vehicle.

(b) When a vehicle is illegally stored the enforcement officer shall issue a written "Notice of Violation" to any person believed to be in violation of any provision of these regulations and shall provide seven days for removal of the illegally stored vehicle. No fines or penalties shall be levied if the violation is corrected during this seven day period. The written warning may be hand delivered or mailed by US First Class Mail to the last known registered owner of said vehicle or in the case of refusal to allow inspection to the listed owner of the property.

(c) After the expiration of the above seven day notice period to remove an illegally stored vehicle, violation of this ordinance shall be punishable by a fine of \$50.00 per day not to exceed \$250.00, with a waiver fee of \$25.00 per day not to exceed \$125.00. If, after twelve days from the date of the notice of violation, the violation remains, the City of Barre or its designee shall undertake removal of the vehicle with cost of removal and storage to be levied as an additional fine against violator.

(d) When an owner does not grant permission for the enforcement officer to enter onto a property in order to determine vehicle ownership, the enforcement officer shall issue a written "Notice of Violation", as outlined in part 2 of this section, to the owner and shall provide seven days for the owner to grant permission to the enforcement officer to enter onto said property. No fines or penalties shall be levied if permission is granted to enter onto the property during this seven day period.

(e) After the expiration of the above seven day notice period to grant permission to the enforcement officer to enter onto a property in order to determine vehicle ownership, violation of this ordinance shall be punishable by a fine of \$50.00 per day, with a waiver fee of \$25.00 per day, not to expire until the owner grants permission for the enforcement officer to enter onto said property.

**Sec. 21-7. Enforcement.**

The City Manager, Building Inspector, Code Enforcement Officer, or any certified Vermont Law Enforcement officer shall be the designated enforcement officers of this ordinance. They shall issue complaints and may be appearing officers at any hearing.

**Sec. 21-8. Severability.**

If any section of this ordinance is held to be invalid by a court of competent jurisdiction, such finding shall not invalidate any other part of this ordinance.

**Sec. 21-9. Effective Date.**

This ordinance shall become effective twenty (20) days after its adoption by the Barre City Council and publication in the Times Argus. If a petition is filed under 24 V.S.A. 1973, the taking effect of this ordinance shall be governed by that statute. (Ord. No. 2004-2, 11-21-04)