

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1989

H

2

HOUSE BILL 824\*  
Second Edition Engrossed 5/11/89

Short Title: Edgecombe/Nash Junked Cars.

(Local)

---

Sponsors: Representatives Fitch; and Cooper.

---

Referred to: Government.

---

March 23, 1989

A BILL TO BE ENTITLED

AN ACT TO ALLOW MUNICIPALITIES IN EDGECOMBE AND NASH  
COUNTIES TO REGULATE THE ABANDONMENT OF JUNKED MOTOR  
VEHICLES AND TO EXPAND THE MEMBERSHIP OF THE NASH COUNTY  
ECONOMIC DEVELOPMENT COMMISSION.

The General Assembly of North Carolina enacts:

Section 1. G.S. 160A-303.2, as rewritten by Chapter 3, Session Laws of  
1989, reads as rewritten:

"§ 160A-303.2. **Regulation of abandonment of junked motor vehicles in  
municipalities in certain counties.**

(a) A municipality in Dare, Alamance, Ashe, Bladen, Brunswick, Burke,  
Cabarrus, Caldwell, Cumberland, Davie, Edgecombe, Gaston, Guilford, Halifax,  
Henderson, Iredell, Jackson, Lincoln, Mecklenburg, Moore, Nash, New Hanover,  
Pender, Rockingham, Rowan, Surry, Wake, Wayne, Stokes, Alleghany, Carteret,  
Columbus or Union Counties may by ordinance regulate, restrain or prohibit the  
abandonment of junked motor vehicles on public grounds and on private property  
within the municipality's ordinance-making jurisdiction upon a finding that such  
regulation, restraint or prohibition is necessary and desirable to promote or enhance  
community, neighborhood or area appearance. The authority granted by this section  
shall be supplemental to any other authority conferred upon municipalities. Nothing in  
this section shall be construed to authorize a municipality to require the removal or  
disposal of a motor vehicle kept or stored at a bona fide 'automobile graveyard' or  
'junkyard' as defined in G.S. 136-143.

1 For purposes of this section, the term 'junked motor vehicle' means a vehicle that  
2 does not display a current license plate and that:

3 (1) Is partially dismantled or wrecked; or

4 (2) Cannot be self-propelled or moved in the manner in which it originally  
5 was intended to move; or

6 (3) Is more than five years old and appears to be worth less than one  
7 hundred dollars (\$100.00).

8 (b) Any ordinance adopted pursuant to this section shall include a prohibition  
9 against removing or disposing of any motor vehicle that is used on a regular basis for  
10 business or personal use."

11 Sec. 2. G.S. 158-8 reads as rewritten:

12 **"§ 158-8. Creation of municipal, county or regional commissions authorized;  
13 composition; joining or withdrawing from regional commissions.**

14 The governing body of any municipality or the board of county commissioners of  
15 any county may by resolution create an economic development commission for said  
16 municipality or county. The governing bodies of any two or more municipalities and/or  
17 counties may by joint resolution, adopted by separate vote of each governing body  
18 concerned, create a regional economic development commission. A municipal or  
19 county economic development commission shall consist of from ~~three to nine members,~~  
20 ten to thirty members, named for terms and compensation (if any) fixed by its respective  
21 governing body. The membership, compensation (if any), and terms of a regional  
22 economic development commission, and the formula for its financial support, shall be  
23 fixed by the joint resolution creating the commission. Additional governmental units  
24 may join a regional commission with the consent of all existing members. Any  
25 governmental unit may withdraw from a regional commission on two years' notice to  
26 the other members. The resolution creating a municipal, county, or regional economic  
27 development commission may be modified, amended, or repealed in the same manner  
28 as it was originally adopted."

29 Sec. 3. Section 2 of this act shall apply to Nash County only.

30 Sec. 4. This act is effective upon ratification.