

Sec. 66-59. Stopping and parking generally.

(a) No vehicle shall be backed up to a curb, except during the time actually engaged in loading or unloading merchandise therefrom.

(b) Unless in an emergency, no vehicles shall be parked less than four feet apart nor with the rear wheels further than six inches from the curb, except where parking regulations provide for parking at an angle to the curb and excepting also when there are marked-off parking spaces, in which case the vehicles must be parked within the marked-off spaces.

(c) Vehicles shall not be stopped in such manner as to block or obstruct the orderly and lawful passage of other traffic nor within 15 feet of the end of any obstruction opposite the vehicle. Vehicles stopped two or more abreast, parallel with the curb, shall be deemed to obstruct traffic and in violation thereof.

(Code 1992, § 11-49)

State Law References: Stopping on highways, Code of Virginia, § 46.2-888 et seq.

Sec. 66-60. Standing of vehicle on incline.

Whenever a vehicle is left standing on an incline, it shall be so parked that when the brake is released the curb will act as a check to prevent its movement, except under its own power, or it shall be so arranged as to prevent movement upon release of the brake.

(Code 1992, § 11-50)

Sec. 66-61. Leaving motor vehicle unattended.

No person having control or charge of a motor vehicle shall allow it to stand on any highway unattended without first effectively setting the brakes thereof and stopping its motor and, when standing upon any grade, without turning the front wheels of such vehicle to the curb or side of the street.

(Code 1992, § 11-51)

State Law References: Unattended vehicles, Code of Virginia, § 46.2-1209.

Sec. 66-62. Parking vehicle without state license on street.

It shall be unlawful for any person to park any vehicle having no current state license on any street or highway in the town.

(Code 1992, § 11-52)

Sec. 66-63. Parking in certain locations.

(a) No person shall park a vehicle or permit it to stand, whether attended or unattended:

(1) On a highway in front of a private driveway.

(2) Within 15 feet of a fire hydrant or the entrance to a fire station.

(3) Within 15 feet of the entrance to a plainly designated building housing rescue squad equipment or ambulances.

(4) Within 20 feet from the intersection of curblines or, if none, within 15 feet of the intersection of property lines at any highway intersection.

(5) On a sidewalk.

(6) In front of a public driveway.

(7) Within an intersection.

(8) On a crosswalk.

(9) Within 30 feet upon the approach to any flashing beacon, stop sign or traffic control signal located at the side of a roadway.

(10) Between a safety zone and the adjacent curb or within 30 feet of points on the curb immediately opposite the ends of a safety zone, unless a different length is indicated by official signs or markings.

(11) Within 50 feet of the nearest rail of a railroad grade crossing.

(12) On the side of a street opposite any entrance described in subsections (a)(2) or (3) of this section within 75 feet of the entrance, when properly signposted.

(13) Alongside or opposite any street excavation or obstruction when such parking would obstruct traffic.

(14) On the roadway side of any vehicle parked at the edge or curb of a street.

(15) Upon any bridge or other elevated structure upon a street or highway.

(16) At any place where official signs prohibit parking.

(17) In an alley in such a position as to block the alley or the driveway or entrance to any abutting property.

(b) No person other than a police officer shall:

(1) Move a vehicle into any such prohibited area or away from a curb such distance as is unlawful;

(2) Start or cause to be started the motor of any motor vehicle;

(3) Shift, change or move the levers, brake, starting device, gears or other mechanism of a parked motor vehicle to a position other than that in which it was left by the owner or driver thereof or attempt to do so.

(Code 1992, § 11-53)

State Law References: Parking in certain locations, Code of Virginia, § 46.2-1239.

Sec. 66-64. Washing, polishing or greasing vehicle on street or sidewalk.

No person shall, for compensation, wash, polish or grease a vehicle upon a street or sidewalk nor shall the owner of a vehicle permit it to be washed, polished or greased, for compensation, upon a street or sidewalk.

(Code 1992, § 11-54)

Sec. 66-65. Stopping for advertising purposes prohibited.

The stopping of a vehicle at any time upon any street for the purpose of advertising any article of any kind or displaying thereupon advertisements of any article or advertisement for sale of the vehicle itself is prohibited.

(Code 1992, § 11-55)

Sec. 66-66. Filling of motor vehicle tank with gasoline while motor is running.

No owner or attendant of a filling station or any other person shall fill any motor vehicle with gasoline or other fuel while the motor is running, and all operators of motor vehicles shall stop their motors while tanks are being filled with gasoline.

(Code 1992, § 11-56)

Sec. 66-67. Angle parking.

Notwithstanding any of the sections of this chapter, the town council may, when in its discretion the public interest so requires, provide for angle parking on any street or portion thereof under its jurisdiction; provided, however, that such streets are marked so as to apprise an ordinarily observant person of such regulation.

(Code 1992, § 11-57)

State Law References: Parking at an angle, Code of Virginia, § 46.2-889.

Sec. 66-68. Manner of using loading zones.

Where a loading and unloading zone has been set apart by the town council in accordance with applicable sections of this chapter, the following shall apply with respect to the use of such areas:

(1) No person shall stop, stand or park a vehicle for any purpose or length of time, other than for the expeditious unloading and delivery or pickup and loading of materials, in any place marked as a curb loading zone during hours when the provisions applicable to such zones are in effect. All delivery vehicles, other than regular delivery trucks using such loading zones, shall be identified by the owner's or company's name in letters three inches high on both sides of the vehicle.

(2) The driver of a passenger vehicle may stop temporarily in a space marked as a curb loading zone for the purpose of and while actually engaged in loading or unloading passengers or bundles when such stopping does not interfere with any vehicle used for the transportation of materials which is waiting to enter or is about to enter such loading space.

(Code 1992, § 11-58)

Sec. 66-69. Vehicle parked at building entrance must yield to other vehicle having passengers or cargo to discharge.

The driver of any vehicle standing at the curb in front of the entrance to any building, when not receiving or discharging passengers, freight or merchandise, shall immediately give way to the driver of any vehicle wishing to stop for the purpose of receiving or discharging passengers, freight or merchandise from such building.

(Code 1992, § 11-59)

Sec. 66-70. Manner of using bus stops and taxicab stands.

Where a bus stop or taxicab stand has been set apart by the town council in accordance with the applicable sections of this chapter, no person shall stop, stand or park a vehicle, other than a bus in a bus stop or other than a taxicab in a taxicab stand, when such stop or stand has been officially designated and appropriately signed. However, the driver of a passenger vehicle may temporarily stop therein for the purpose of and while actually engaged in the expeditious loading or unloading of passengers when such stopping does not interfere with any bus or taxicab waiting to enter or about to enter such zone.

(Code 1992, § 11-60)

Sec. 66-71. Removal of vehicles.

(a) Whenever any motor vehicle, trailer, semitrailer or part thereof is:

(1) Left unattended on a public highway or other public property and constitutes a traffic hazard;

(2) Illegally parked;

(3) Left unattended for more than ten days either on public property or on private property without the permission of the property owner, lessee or occupant; or

(4) Immobilized on a public roadway by weather conditions or other emergency situation;

such motor vehicle, trailer or semitrailer or part thereof may be removed for safekeeping by or under the direction of a law-enforcement officer to a storage garage or area, provided that no such vehicle or part thereof shall be so removed from private property without the written request of the owner, lessee or occupant thereof. The person at whose request such motor vehicle, trailer or semitrailer or part thereof is removed from private property shall indemnify the town against any loss or expense incurred by reason of removal, storage or sale thereof.

(b) It shall be presumed that such motor vehicle, trailer, semitrailer, or part thereof, is abandoned if:

(1) It lacks either:

a. A current license plate;

b. A current county, city or town license plate or sticker; or

c. A valid state inspection certificate or sticker.

(2) It has been in a specific location for four days without being moved.

(c) Each removal shall be reported as promptly as possible to the chief of police, and notice thereof shall be given to the owner of the motor vehicle, trailer or semitrailer as promptly as possible.

(d) The owner of such vehicle, trailer, semitrailer or part thereof, before obtaining possession thereof, shall pay to the parties entitled thereto all costs incidental to the removal and storage of such vehicle, trailer, semitrailer, or part thereof, as well as the costs of locating such owner. Should such owner fail or refuse to pay the cost or should the identity or whereabouts of such owner be unknown and unascertainable after a diligent search has been made, and after notice to him at his last known address and to the holder of any lien of record in the office of the state department of motor vehicles against the motor vehicle, trailer or semitrailer or part thereof, the vehicle shall be treated as an abandoned vehicle under the provisions of Code of Virginia, § 46.2-1200 et seq.

(Code 1992, § 11-61)

State Law References: Abandoned vehicles, Code of Virginia, § 46.2-1200 et seq.; removal and disposition of unattended or immobile vehicles, Code of Virginia, § 46.2-1213.

Sec. 66-72. Contracts with private persons for removal and storage of vehicles.

(a) The town shall have the power to enter into contracts with the owners or operators of garages or places for the removal or storage of vehicles referred to in section 66-71. The contracts shall:

(1) Provide for the payment by the town of reasonable charges for the removal and storage of such vehicles;

(2) Require such owners or operators to deliver such vehicles to the owners thereof or their agents upon demand therefor, upon furnishing satisfactory evidence of the identity and ownership or agency, upon payment of such removal and storage charges; and

(3) Provide that the owners or operators of such garages or places of storage will indemnify the owners of such vehicles for injury or damage thereto resulting from the negligent removal or storage thereof.

(b) Such owners or operators shall be required to provide themselves with adequate liability insurance to cover such indemnity.

(Code 1992, § 11-62)

Sec. 66-73. Sale of personal property found in unattended or abandoned vehicles.

Any personal property found in any unattended or abandoned motor vehicle, trailer or semitrailer may be sold incident to the sale of any such vehicle, as authorized in Code of Virginia, § 46.2-1209 et seq.

(Code 1992, § 11-63)

State Law References: Similar provisions, Code of Virginia, § 46.2-1214.

Sec. 66-74. Parking on private property generally.

No person shall stand or park a vehicle on any private lot or lot area without the express or implied consent of the owner thereof. Whenever signs or markings have been erected on any lot or lot area, contiguous or adjacent to a street, thoroughfare or alley, indicating that no vehicles are permitted to stand or park thereon, it shall be unlawful for any person to drive a vehicle across any curb or lot line or over any driveway from a street or alley into such lot or area for the purpose of standing or parking such vehicle or for any person to stop, stand or park any vehicle in such lot or lot area.

(Code 1992, § 11-64)

State Law References: Ticketing, removal or immobilization of trespassing vehicles, Code of Virginia, § 46.2-1231 et seq.; liability of persons furnishing free parking accommodations as to motor vehicles and property left therein, Code of Virginia, § 46.2-1234.

Sec. 66-75. Presumption where vehicle illegally parked.

In any prosecution charging a violation of any parking regulation contained in this article, proof that the vehicle described in the complaint, summons, parking ticket citation or warrant was parked in violation of such regulation, together with proof that the defendant was at the time the registered owner of the vehicle, as required by Code of Virginia, § 46.2-600 et seq., shall

constitute in evidence a prima facie presumption that the registered owner of the vehicle was the person who committed the violation.

(Code 1992, § 11-65)

State Law References: Similar provisions, Code of Virginia, § 46.2-1220.

Sec. 66-76. Report of vehicle parked in violation of article; notice to owner.

(a) Upon ascertaining that a vehicle is parked in violation of this article, it shall be the duty of town police officers, acting in accordance with instructions issued by the mayor, to report:

(1) The place at which the violation occurs.

(2) The state license number of such vehicle.

(3) The time during which such vehicle has been parked in violation of any of the sections of this article.

(4) Any other facts, a knowledge of which is necessary to a thorough understanding of the circumstances attending such violation.

(b) Each police officer filing a report as required in subsection (a) of this section shall attach to the vehicle in question a notice to the owner or operator thereof that such vehicle has been parked in violation of a section of this article and instructing such owner or operator to report at the police headquarters in regard to such violation. If the owner or operator of such vehicle is then and there present in person, such notice may be served on him personally.

(Code 1992, § 11-66)

Sec. 66-77. Inoperable motor vehicles on residential property.

(a) As used in this section, the term "inoperable motor vehicle" means any motor vehicle which is not in operating condition or which, for a period of 60 days or longer, has been partially or totally disassembled by the removal of tires and wheels, the engine, or other essential parts required for operation of the vehicle or on which there are displayed neither valid license plates nor a valid inspection decal.

(b) It shall be unlawful for any person to keep, except within a fully enclosed building or structure or otherwise shielded or screened from view, on any property zoned for residential or commercial or agricultural purposes, any motor vehicle, trailer or semitrailer, as such are defined in Code of Virginia, § 46.2-100, which is inoperable. However, this section shall not apply to a licensed business which on June 26, 1970, is regularly engaged in business as an automobile dealer, salvage dealer or scrap processor.

(c) The owners of property zoned for residential, commercial or agricultural purposes shall, within ten days from the notification of the town to do so, remove therefrom any such inoperable motor vehicles, trailers or semitrailers that are not kept within a fully enclosed building or structure.

(d) The town, through its own agents or employees, may remove any such inoperable motor vehicles, trailers or semitrailers, whenever the owner of the premises, after reasonable notice, has failed to do so.

(e) If the town, through its own agents or employees, removes any such motor vehicles, trailers or semitrailers, after having given such notice, the town may dispose of such motor vehicles, trailers or semitrailers after giving ten days' additional notice to the owner of the vehicle.

(f) The cost of any such removal and disposal shall be chargeable to the owner of the vehicle or premises and may be collected by the town as taxes are collected.

(g) Every cost authorized by this section with which the owner of the premises has been assessed shall constitute a lien against the property from which the vehicle was removed, the lien to continue until actual payment of such costs has been made to the town.

(Code 1992, § 11-67)

State Law References: Authority for above section, Code of Virginia, § 15.2-904; ordinances taxing and regulating automobile graveyards and junkyards, Code of Virginia, § 15.2-903; junkyards, Code of Virginia, § 33.1-348; immobilized and unattended vehicles, Code of Virginia, § 46.2-1209 et seq.; leaving vehicles on private property, removal, Code of Virginia, § 46.2-1215.

Secs. 66-78--66-105. Reserved.

ARTICLE III.

LOCAL VEHICLE LICENSE*

* **Editors Note:** An ordinance of December 12, 2006 amended the Code by repealing former art. III, §§ 66-106--66-118, and adding a new art. III. Former art. III pertained to similar subject matter; and derived from the Code of 1992, §§ 11-86--11-98; and an Ordinance of October 12, 2004.

State Law References: Local vehicle license, Code of Virginia, §§ 15.2-973, 46.2-752 et seq.; registration and licensing of motor vehicles, Code of Virginia, § 46.2-600 et seq.

Sec. 66-106. Fee imposed.

(a) An annual license fee is hereby levied and assessed upon all motor vehicles, trailers and semitrailers described in subsection (b) of this section.

(b) The situs for the imposition of licensing fees under this section shall in all cases be the town in which the motor vehicle, trailer or semitrailer is normally garaged, stored or parked. If it cannot be determined where the personal property is normally garaged, stored or parked, the situs shall be the domicile of its owner. If the owner of the motor vehicle is a full-time student attending an institution of higher education, the situs shall be the domicile of such student, provided the student has presented sufficient evidence that he has paid a personal property tax on the motor vehicle in his domicile.

(Ord. of 12-12-2006)

State Law References: Similar provisions, Code of Virginia, § 46.2-752(A).

Sec. 66-107. Assessment of license fee.

There is hereby assessed to any person owning a motor vehicle normally garaged, stored or parked in the town on January 1 of each year a town motor vehicle license fee.

(Ord. of 12-12-2006)

Sec. 66-108. Amount of fee.

The license fee on each and every motor vehicle, trailer and semitrailer shall be as specified by the town council.

(Ord. of 12-12-2006)

Sec. 66-109. Application of article; exceptions.

(a) The terms "vehicles," "trailers" and "semitrailers," as used in this article, shall be construed to include contract school buses, vehicles for hauling well-drilling machinery, trailers and semitrailers designed for use as living quarters for human beings, taxicabs, hearses, ambulances not owned by charitable organizations, and every other type of automobiles, trailers and trucks except vehicles owned by volunteer fire companies, or publicly owned, and except one- and two-wheel trailers with body length of not more than nine feet and a width not greater than the width of the motor vehicle to which it is attached at any time of operation, to be attached to the owner's own motor vehicle and used only for carrying property belonging to the owner of such trailer, not to exceed 1,000 pounds at any one time.

(b) The vehicles described in Code of Virginia, § 46.2-755 shall also be excepted from this article.

(c) Pursuant to the authority of Code of Virginia, § 46.2-752, as amended, one vehicle decal shall be issued free of charge for one vehicle owned or leased to any active member of the town volunteer fire company or the town volunteer rescue squad, where vehicle is garaged, stored, or parked within the corporation limits of the town. However, a vehicle decal shall not be given to any active member of the town volunteer fire company or the town volunteer rescue squad who has any delinquent town and/or county personal property taxes.

(Ord. of 12-12-2006)

Sec. 66-110. License year; due date of tax.

The license tax year shall commence on January 1 and shall expire on December 31 of each year. The tax imposed under this article shall become assessable on January 1 of each year. The fee shall be payable on or before June 5 of each year.

(Ord. of 12-12-2006)

Sec. 66-111. Persons and vehicles exempted.

Nothing in this article shall be construed to require a license tax of a person or on a vehicle exempted under the provisions of Code of Virginia, § 46.2-662 et seq.

(Ord. of 12-12-2006)

Sec. 66-112. Payment of other taxes required.

No motor vehicle, trailer or semitrailer shall be locally licensed until the applicant has produced satisfactory evidence that all personal property taxes on the motor vehicle, trailer, or semitrailer to be licensed have been paid and satisfactory evidence that any delinquent motor vehicle, trailer, or semitrailer personal property taxes owing have been paid which have been properly assessed or are assessable against the applicant by the town. No motor vehicle license shall be issued unless the tangible personal property taxes properly assessed or assessable by the town on any tangible personal property used or usable as a dwelling titled by the state department of motor vehicles owned by the taxpayer have been paid.

(Ord. of 12-12-2006)

State Law References: Authority for above section, Code of Virginia, § 46.2-752(C).

Sec. 66-113. Record of sales; deposit of sales revenue.

The town treasurer shall keep an account of the license decals and plates sold pursuant to this article and shall deposit the money received from such sales in the general fund of the town.

(Ord. of 12-12-2006)

Sec. 66-114. Payment of personal property taxes and license fee prerequisite.

(a) Upon request of the town treasurer, no motor vehicle shall be licensed by the department of motor vehicles until such applicant for a license has paid all personal property taxes and the license fee assessed hereunder upon the motor vehicle to be licensed and until

the department of motor vehicles has been provided satisfactory evidence by the treasurer of the town that any delinquent motor vehicle, personal property taxes or license fees which have properly assessed or are assessable against the applicant by the town has been paid.

(b) Upon request of the town treasurer, no motor vehicle license shall be issued by the state department of motor vehicles unless the tangible personal property taxes properly assessed or assessable by the town on any tangible personal property used or usable as a dwelling and owned by the taxpayer have been paid.

(c) Upon request of the town treasurer, no motor vehicle license shall be issued by the state department of motor vehicles to an owner of a motor vehicle where a fee is required to be paid pursuant to this article but qualified under the provisions hereof for a waiver of the fee until the applicant for such license or registration from the department of motor vehicles has produced before the town treasurer, or the treasurer's agent, satisfactory evidence that all personal property taxes upon the motor vehicle have been paid and satisfactory evidence of any delinquent personal property taxes due with respect to the vehicle which have been properly assessed or are assessable against the owner have been paid.

(Ord. of 12-12-2006)