

2014 Spring Town Meeting

**Chapter 205. VEHICLES, UNREGISTERED (Proposed)**

**GENERAL REFERENCES**

The purpose of this chapter is to regulate and control unregistered and disassembled motor vehicles within the Town of Groton, to protect the views along the Town's publicly traveled ways and to keep the visual impact of such vehicles on the adjacent neighborhoods to a minimum. Any motor vehicle which does not have a displayed, valid license plate will be considered unregistered for purposes of administration and enforcement of this chapter.

**§ 205-2. Definitions.**

As used in this chapter, the following terms shall have the following meanings:

**CONCEALED:** No visible evidence of the vehicle discernible at boundaries of the property.

**MOTOR VEHICLE:** Any motor vehicle as that term is defined in Chapter 90, Section 1 of the General Laws of Massachusetts.

**JUNK VEHICLE:** A motor vehicle which is worn out, cast off or discarded, or which has been collected or stored for salvage or for stripping in order to make use of the parts thereof. Any parts from such a vehicle shall also be considered a "junk vehicle" for purposes of this chapter.

**INOPERABLE VEHICLE:** any Motor Vehicle or Trailer (as defined in said Chapter 90, section 1), that is not capable of being used as such in its existing condition by reason of being damaged, dismantled or failing to contain parts necessary for operation. Any Unregistered Vehicle, as defined herein, shall be considered an Inoperable Vehicle for the purposes of this chapter.

**UNREGISTERED VEHICLE:** any motor vehicle or trailer that is not registered in accordance with Massachusetts General Laws, Chapter 90, Section 2.

**§ 205-3. Conditions of permissible storage.**

**A.** In no event shall an unregistered motor vehicle or parts thereof be permitted to remain on a property for more than 30 days without being concealed.

**B.** The provisions of subsection A shall not apply to motor vehicles designed and used for farming purposes, nor to persons and firms legally operating an automotive or trucking enterprise, nor to persons or firms in lawful exercise of licenses granted under MGL Chapter 140, §§ 58 and 59, as amended.

**C.** Notwithstanding Subsections A and B above, a permit to store or park any unregistered, junk or inoperable vehicles may be granted by the Board of Selectmen or its appointed designee if it finds that such:

- (1) Is in keeping with and complies with the general purpose and intent of this chapter.
- (2) Will not adversely affect the neighborhood in which the vehicle will be located by reason of unsightliness.
- (3) Will not be a nuisance.

Any such permit will contain an expiration date, not to exceed one year. Permits may be renewed upon application made to the Board of Selectmen prior to the expiration date. Applications for permits or renewal of permits shall be in accordance with Chapter 273 of the Code of Groton and the provisions of this Chapter.

#### **§ 205-4. Administration.**

- A. The Board of Selectmen is hereby authorized to adopt and, from time to time as necessary, to amend reasonable rules and regulations for the administration and enforcement of this chapter and to set such (nonrefundable) fees as may be required for the administration thereof, but only after a public hearing.
- B. A copy of this chapter and any rules and regulations pertaining thereto shall be attached to each copy of an application form and made available to all applicants for a permit under the provisions of § 205-3.
- C. The Selectmen shall notify all abutters within 300 feet of the property of a scheduled meeting of the Board of Selectmen to consider the granting of a permit.
- D. The Selectmen may designate an officer or agent of the Town to inspect the property and vehicles in question, and prepare a report describing the condition of the same.
- E. All permit decisions must be in writing, giving the reasons for approval or disapproval.

#### **§ 205-5. Enforcement**

- A. This Bylaw may be enforced by the Police Department, Building Commissioner, or other designee of the Board of Selectmen.
- B. If the enforcing person determines that a violation has occurred, written notice shall be sent to the property owner. Violations shall be subject to the penalties stated in §205-6, starting on the fourteenth day after this notice is sent.

#### **§ 205-6. Violations and penalties.**

Whoever violates any provision of this chapter shall be subject to a penalty as follows:

\$25 per day for each of the first seven days of violation

\$50 per day for each day of violation from the eighth day to the fourteenth day

\$100 per day for each day of violation thereafter.

Each vehicle in violation shall be considered a separate violation.

Noncriminal disposition. As an alternative to criminal prosecution or civil action, the Town may elect to utilize the noncriminal disposition procedure set forth in MGL C. 40, § 21D, which has been adopted by the Town in the Code of the Town of Groton, Chapter 1, § 1-4, Complaints, in which case the Board of Selectmen or authorized agent shall be the enforcing person.