

JUNK CAR ANTI-PROLIFERATION LAW

1. Title:

This Local Law shall be known as the Junk Car Anti-Proliferation Law of the Town of Hunter.

2. Public Policy:

The public policy of the Town Board of the Town of Hunter is to minimize, given certain practical limitations, the visual impact of junk cars. This local law is promulgated for the purpose of reducing the number of junk cars which are located within the view of the public and those who own or occupy lands other than where the junk cars are located.

3. Definitions:

“**Car**” shall mean any automobile, truck, van, motorized camper, tractor, bulldozer or other vehicle, excluding bicycles and hay racks, designed or capable of transporting human beings on any solid surface, on or off a roadway, whether or not such vehicle has any other purpose which is either motorized or designed to be propelled by an motor, engine or electrical current or otherwise self—propelled.

“**Junk Car**” shall mean any car which is unregistered and is also not operative and may be made operative only by the expenditure of a sum of money which would exceed the fair market value of such car after being made operative. “Junk Car” shall specifically exclude any truck bodies without wheels or chases used for storage purposes.

“**Operative**” shall mean that such car is actually capable of self—propelled locomotion and actually functions in reasonable proximity to its design capabilities.

4. Presumptions:

Any car which is designed to be operated on a roadway shall be presumed “operative” if it has passed or is capable of passing a standard New York State Motor Vehicle Inspection.

5. Exceptions:

Any registered automobile dealer, mechanic or garage man who is engaged, in the Town of Hunter as of the effective date of this local law, in the business of purchasing cars for the purpose of removal of parts there from for use in other cars, may continue in such practice.

Any person who possesses or is the owner of any such junk cars, may, notwithstanding this Local Law, place or permit to remain (1) one junk car in any otherwise legally permissible location regardless of its being visible or noticeable from any other location and (2) one or more additional junk cars providing that an additional junk car shall not be reasonably visible or noticeable from any public road or from any portion of real property not owned by such person. A junk car may also be maintained, even if visible from a public road or another person’s property if It is located at least five hundred (500) feet from the boundary lines of all adjacent property owners.

6. Prohibited Activity:

No person or entity shall permits allow, or suffer any junk car to be placed or remain on the real property owned by such person or entity.

7. Fines and penalties:

The owner of any land who commits a violation of the provisions of this Local Law shall be subject to a fine not exceeding \$50.00 for such violation. The fine shall be collectible by and in the name of the Town for each day that a violation shall continue. Each and every junk car which exists in violation of this Local Law shall constitute a separate offense for which a fine may be collected. Consistently with the public policy set forth in paragraph “2” above, the court may suspend any fine levied hereunder under such conditions as the Court, in its discretion, may deem advisable.

8. Effective Date:

This Local Law shall become effective immediately upon it being filed in the Office of the Secretary of State.