

*Adapted
Annual Town Meeting
March 25, 2000*

TOWN OF WEST GARDINER ORDINANCES

UNREGISTERED MOTOR VEHICLES

Sec. 3-601 Preamble

The Town of West Gardiner finds that the outside storage of five or more unregistered used motor vehicles on any lot is a public nuisance, except as expressly permitted herein.

Sec. 3-602 Definitions

The definitions under 29-A M.R.S.A. § 101 and § 851, and 30-A M.R.S.A. § 3752 shall apply to undefined terms used in this Article.

Sec. 3-603 PROHIBITION

It shall be unlawful for the owner or occupant of any lot within the Town to permit or cause the storage or placement of five or more unregistered used motor vehicles upon such lot, unless such vehicles are within an enclosed structure, or unless provided otherwise under Section 3-604.

Sec. 3-604 EXEMPTIONS

Section 3-603 shall not apply if:

1. The unregistered used motor vehicles are stored in a licensed junkyard or automobile grave-yard, stored on a lot primarily used as a licensed automobile recycling business, or are stored in a manner that complies with the standards established for automobile recycling business businesses under 30-A M.R.S.A. § 3755-A after approval of the Town Selectmen.
2. The unregistered used motor vehicles, not to exceed five in number, are stored on a lot primarily used as a commercial automobile repair facility, provided such vehicles are not stored more than 30 days.
3. The lot contains one or more dwellings and no more than one unregistered used vehicle is owned by each of three or more occupants of such lot and each of said occupants holds a valid and current State of Maine driver's license.
4. The unregistered used vehicles are stored on a lot upon which a used car dealer has an established place of business within the Town or at any licensed branch or annex thereof, if the dealer and all locations are licensed pursuant to 29 M.R.S.A. § 951

The Town of West Gardiner Code of Ordinances Cont.

Sec. 3-605 ENFORCEMENT: REMEDIES

1. Enforcement. The Town Selectmen shall enforce the provisions of this Article as provided in 30-A M.R.S.A. § 4452.
2. Time Constraint. Violators will have 90 days from the date of notification to come into compliance.
3. Penalties and other remedies. The penalties for violation of the provisions of this Article shall be \$100.00 per day for each day of violation.

Sec. 3-606 Transition Provision

Notwithstanding Sections 3-601 through 3-605 above, the owner of any lot that was not in compliance with Section 3-603 prior to March 25, 2000 shall not be subject to civil penalties or other enforcement action under Section 3-605, provided that no additional unregistered used motor vehicles are placed on the lot, except as expressly permitted, and further provided that:

1. If the number of existing unlawfully stored vehicles on the lot is more than 20, all such vehicles shall be removed prior to April 1, 2001.
2. If the number of existing unlawfully stored vehicles on the lot is more than 20, but less than 40, no less than 20 such vehicles shall be removed prior to April 1, 2001, and all other unlawfully stored vehicles shall be removed prior to April 1, 2002.
3. If the number of existing unlawfully stored vehicles on the lot is more than 40, not less than 20 such vehicles shall be removed to April 1, 2001, not less than an additional 20 such vehicles shall be removed prior to April 1, 2002, and all other unlawfully stored vehicles shall be removed prior to April 1, 2003.

Sec. 3-607 Authority

This Article is enacted pursuant to 30-A M.R.S.A. § 3001, § 3755 and § 4452.