

Sponsor: W. Reed
First Reading: 11.10.2021
Second Reading: 12.8.2021

GREENWOOD ORDINANCE NO. D-8-A

AN ORDINANCE AMENDING ORDINANCE D-8 PERTAINING TO THE PROHIBITION OF DISMANTLED OR INOPERABLE MOTOR VEHICLES ON ANY PROPERTY IN THE TOWN OF GREENWOOD, CREATING EXCEPTION THEREFROM, AND PRESCRIBING PENALTIES FOR VIOLATION THEREOF.

WHEREAS, Section 29(a)(2) of the Greenwood Town Charter authorizes the Town to “provide for and preserve the health, peace, safety, cleanliness, ornament, good order and public welfare of the Town and its inhabitants”;

WHEREAS, the maintaining of dismantled or inoperable motor vehicles creates the possibility that such motor vehicles may be used for unlawful purposes and may become a haven for vermin in addition to creating a danger to life and property;

WHEREAS, the Town Council of Greenwood enacted Ordinance D-8 which prohibits the maintaining of dismantled or inoperable motor vehicles on property in the Town of Greenwood;

WHEREAS, in the opinion of the Town Council, it is in the best interest of the public health, safety, and welfare to amend Ordinance D-8.

NOW THEREFORE, be it hereby enacted by the Town Council of the Town of Greenwood, a majority thereof concurring in Council duly met, that Ordinance D-8 “An Ordinance Prohibiting the Maintaining of Dismantled or Inoperable Motor Vehicles on any Property in the Town of Greenwood, Creating Exception Therefrom, and Prescribing Penalties for Violation Thereof” is hereby amended as follows:

1. Section 1(b) of Ordinance D-8 is deleted in its entirety and is amended to read as follows:

“Inoperable Motor Vehicle means any motor vehicle, the condition of which is wrecked, junked, dismantled, partially dismantled, is in such a state of disrepair to be incapable of being operated in the manner for which it was designed, or from which the wheels, engine, transmission, or any substantial part thereof have been removed, or any motor vehicle which has no registration plates or which has expired registration with the Department of Motor Vehicle or the Department of Natural Resources and Environmental Control prohibiting said motor vehicle from being operated on public streets of the Town of Greenwood or public waters of the State of Delaware, as the case may be.”

2. Section 1(c) of Ordinance D-8 is deleted in its entirety and is amended to read as follows:

“Motor Vehicle means any land or sea vehicle which can be used for the transportation of people or materials and which is required to be registered with the Department of Motor Vehicle or the Department of Natural Resources and Environmental Control in order to be operated on a public street or in public waters. Motor vehicles include, but are not limited to, automobiles, trucks, buses, campers, motorcycles, motor scooters, tractors, snow mobiles, dune buggies, wagons, motorhomes, recreational vehicles, boats, trailers, watercraft, and other on-road vehicles.”

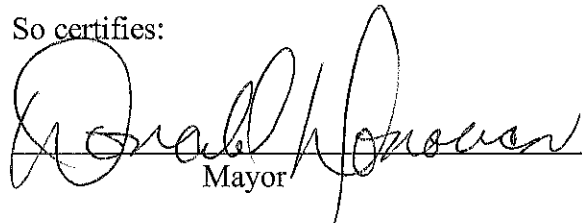
3. Section 2 of Ordinance D-8 is deleted in its entirety and is amended to read as follows:

“It is the purpose of this Ordinance to eliminate the storing, keeping or maintaining of dismantled or inoperable motor vehicles on private property within the corporate limits of the Town of Greenwood; PROVIDED HOWEVER, that provisions of this Ordinance shall not be applicable to the following:

- (a) To any motor vehicle stored within an enclosed building; or
- (b) To any motor vehicle located on the premises of a duly licensed business enterprise such as an auto junk yard, auto repair shop, or auto body shop, which business enterprise is operated in a lawful place and manner.”

This shall certify that this is a true and correct copy of Ordinance D-8-A duly adopted by the Town Council of the Town of Greenwood at a duly-noticed and convened meeting at which a quorum was present on 12-8, 2021.

Attest: 
Council Secretary

So certifies:

Mayor