

## Chapter 8

### NUISANCES\*

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\* **Cross References:** Nuisance dogs, § 3-2; offenses, Ch. 9; soil erosion and sedimentation control, Ch. 11; solid waste management, Ch. 12; streets and sidewalks, Ch. 13.

**State Law References:** Local health departments, G.S. § 130A-34; authority to prohibit or regulate conditions detrimental to health, safety or welfare of citizens, G.S. § 160A-174(a).

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#### Art. I. In General, §§ 8-1--8-30

#### Art. II. Abandoned, Nuisance and Junked Motor Vehicles, §§ 8-31--8-45

### ARTICLE I.

#### IN GENERAL

#### **Sec. 8-1. Uncontrolled growth of weeds and accumulation of refuse declared public nuisance.**

The existence of any of the following conditions on any vacant lot or other parcel of land within the corporate limits is hereby declared a public nuisance.

- (1) The uncontrolled growth of weeds or grass to a height in excess of twenty-four (24) inches causing or threatening to cause a hazard detrimental to the public health or safety.
- (2) Any accumulation of animal or vegetable matter that is offensive by virtue of odors or vapors or by the inhabitation therein of rats, mice, snakes, or vermin of any kind.
- (3) Any condition detrimental to the public health which violates the rules and regulations of the county health department.

(Code 1982, § 9.11)

**State Law References:** Abatement of noxious weeds, G.S. § 106-421.

#### **Sec. 8-2. Complaint and investigation.**

The town clerk, upon notice from any person of the existence of any of the conditions described in section 8-1, shall cause to be made by the appropriate county health department official, or town official, such investigation as may be necessary to determine whether, in fact such conditions exist as to constitute a public nuisance as declared in section 8-1.

(Code 1982, § 9.12)

#### **Sec. 8-3. Notice to abate nuisance.**

Upon a determination that such conditions constituting a public nuisance exist, the clerk shall notify, in writing, the owner, occupant or person in possession of the premises in question of the conditions constituting

such public nuisance and shall order the prompt abatement thereof within fifteen (15) days from the receipt of such written notice.  
(Code 1982, § 9.13)

**Sec. 8-4. Failure of owner to abate nuisance.**

(a) If any person, having been ordered to abate such a public nuisance, fails, neglects or refuses to abate or remove the condition constituting the nuisance within fifteen (15) days from receipt of said order, the town clerk shall cause the condition to be removed or otherwise remedied by having employees of the town go upon the premises and remove or otherwise abate such nuisance under the supervision of an officer or employee designated by the board.

(b) Any person who has been ordered to abate a public nuisance may within the time allowed by this article request the town in writing to remove such condition, the cost of which shall be paid by the person making such request.  
(Code 1982, § 9.14)

**Sec. 8-5. Cost incurred by owner.**

The actual cost incurred by the town in removing or otherwise remedying a public nuisance shall be charged to the owner of such lot or parcel of land and it shall be the duty of the tax collector to mail a statement of such charges to the owner or other person in possession of such premises with instructions that such charges are due and payable within thirty (30) days from the receipt thereof.  
(Code 1982, § 9.15)

**Sec. 8-6. Charges become a lien.**

If charges for the removal or abatement of a public nuisance are not paid within thirty (30) days after the receipt of a statement of charges as provided for in section 8-5 such charges shall become a lien upon the land or premises where the public nuisance existed and shall be collected as unpaid taxes, as provided in G.S. section 160A-193.  
(Code 1982, § 9.16)

**Sec. 8-7. Procedure is alternative to other authorized procedures.**

The procedure set forth in this article shall be in addition to any other remedies that may now or hereafter exist under law for the abatement of public nuisances, and this article shall not prevent the town from proceeding in a criminal action against any person violating the provisions of this article as provided in G.S. section 14-4.  
(Code 1982, § 9.17)

**Sec. 8-8. Loud, raucous, and disturbing noise prohibited.**

It shall be unlawful for any person or group of persons, regardless of number, to willfully make, continue, or cause to be made or continue any loud, raucous, and disturbing noise, which term shall mean any sound which, because of its volume level, duration, and character annoys, disturbs, injures, or endangers the

comfort, health, peace, or safety of reasonable persons of ordinary sensibilities within the limits of the town. The term loud, raucous, and disturbing noises shall be limited to loud, raucous, and disturbing noises heard upon the public streets, in any public park, in any school or public building, or upon the grounds thereof while in use, in any church or hospital, or upon the grounds thereof while in use, upon any parking lot open to members of the public as invitees or licensees, or in any occupied residential unit which is not the source of the noise or upon the grounds thereof.

(Code 1982, § 11.11; Amend. of 7-26-2006, § 1)

**State Law References:** Authority to regulate noise, G.S. § 160A-184.

### **Sec. 8-9. Noises specified.**

The following acts, among others, are declared to be loud, raucous, and disturbing noises in violation of this section, but such enumeration shall not be deemed to be exclusive, namely:

- (1) The sounding of any horn or signal device on any automobile, motorcycle, bus or other vehicle while not in motion, except as a danger signal if another vehicle is approaching apparently out of control, or if in motion, only as a danger signal after or as brakes are being applied and deceleration of the vehicle is intended; the creation by means of any such signal device of any unreasonably loud or harsh sound; and the sounding of such device for an unnecessary and unreasonable period of time;
- (2) The use of any gong or siren upon any vehicle, other than police, fire or other emergency vehicle;
- (3) The use or operation of any piano, manual or automatic, phonograph, radio, loud speaker, or other instrument, or sound amplifying devices so loudly as to disturb persons in the vicinity thereof, or in such a manner as renders the same a public nuisance; provided, however, that upon application to the mayor, permits may be granted to responsible organizations to produce programs in music, speeches or general entertainment;
- (4) The keeping of any animal or bird which by causing frequent or long continued noise shall disturb the comfort and repose of any person in the vicinity;
- (5) The use of any automobile, motorcycle or other vehicle so out of repair, so loaded or in such manner as to create loud or unnecessary grating, grinding, rattling, or other noise;
- (6) The blowing of any steam whistle attached to any stationary boiler except to give notice of the time to begin or stop work or as a warning of danger;
- (7) The discharge into the open air of the exhaust of any stationary internal combustion engine or motor vehicle except through a muffler or other device which will effectively prevent loud or explosive noises therefrom;
- (8) The use of any mechanical device operated by compressed air unless the noise created thereby is effectively muffled and reduced;
- (9) The erection, including excavating, demolition, alteration or repair of any building, or any road

or utility excavation, other than between the hours of 7:30 a.m. and 6:00 p.m. on weekdays, excluding the holidays of Memorial Day, Fourth of July, Labor Day, Thanksgiving, and Christmas, and except in the case of urgent necessity in the interest of public safety, and then only with a permit from the town clerk, which permit may be renewed for a period of three (3) days or less while the emergency continues.

- (10) The creation of any excessive noise on any street adjacent to any school, institution of learning, or court while the same is in session, or within one hundred fifty (150) feet of any hospital, which unreasonably interferes with the working of such institution, provided conspicuous signs are displayed in such streets indicating that the same is a school, court or hospital street;
- (11) The creation of any excessive noise on Sundays on any street adjacent to any church, provided conspicuous signs are displayed in such streets adjacent to churches indicating that the same is a church street;
- (12) The creation of loud and excessive noise in connection with loading or unloading any vehicle, of the opening and destruction of bales, boxes, crates and containers;
- (13) The sounding of any bell or gong attached to any building or premises which disturbs the quiet or repose of persons in the vicinity thereof;
- (14) The shouting and crying of peddlers, barkers, hawkers and vendors which disturbs the quiet and peace of the neighborhood;
- (15) The use of any drum, loudspeaker or other instrument or device for the purpose of attracting attention by creation of noise to any performance, show or sale or display of merchandise;
- (16) The use of any mechanical loudspeakers or amplifiers on trucks or other moving vehicles for advertising purposes or other purposes except where specific license is received from the board;
- (17) The conducting, operating or maintaining of any garage or filling station in any residential district so as to cause loud or offensive noises to be emitted therefrom between the hours of 11:00 p.m. and 7:00 a.m.; and
- (18) The firing or discharging of squibs, crackers, gunpowder or other combustible substance in the streets or elsewhere for the purpose of making noise or disturbance, except by permit from the board.

(Code 1982, § 11.12; Amend. of 7-26-2006, §§ 2, 3; Amend. of 8-6-2006, § 3)

#### **Sec. 8-10. Dangerous property conditions.**

For the occupant, owner, or tenant in possession of any lot or parcel of ground to permit or have any well, excavation, or embankment remain thereon, without sufficient enclosure or covering to prevent persons or stock from injury thereby, is declared a nuisance, and all persons so offending shall, upon conviction, be fined.

(Code 1982, § 11.27)

**Sec. 8-11. Firearms and pellet guns.**

(a) No person may discharge any firearm, pellet gun, or any other mechanism or device designed or used to project a missile by compressed air or mechanical action at any time or place within the town except when used in the following specific circumstances:

- (1) In defense of person or property;
- (2) To destroy any rabid or marauding animal; or
- (3) Pursuant to the lawful directions of any member of the town police department.

(b) This section shall not be construed to preclude the discharge of firearms, pellet rifles, or other similar devices pursuant to a competition or match conducted by any bona fide civic group, organization, or sponsoring entity provided always, however, that such organization shall first secure from the chief of police permission to conduct such competition or match and shall further assume all liability for all personal injury or property damage or both arising out of such meet.

(c) Any person violating this section shall be guilty of a misdemeanor and shall be subject to the punishment provided by section 1-5.

(Code 1982, § 11.28)

**State Law References:** Authority to regulate discharge of firearms, G.S. § 160A-189; authority to regulate possession and use of pellet guns, G.S. § 160A-190.

**Sec. 8-12. Keeping of animal pens.**

For the owner or user to allow any animal pen, or other stock pen, or closet, to remain filthy or in an unsanitary condition so as to emit stench or offensive odor, or to be detrimental to the citizens within the corporate limits, is declared a nuisance, and any person so offending shall, upon conviction, be fined and shall be punished in accordance with the provisions of section 1-5.

(Code 1982, § 9.6)

**State Law References:** Public health, G.S. § 130A-1 et seq.; abatement of public health nuisances, G.S. § 160A-193.

**Sec. 8-13. Hog pens.**

No person shall be permitted to keep or maintain any hog pen, or keep any hogs, within one hundred fifty (150) feet of any dwelling within the corporate limits.

(Code 1982, § 11.33)

**Secs. 8-14--8-30. Reserved.**

**ARTICLE II.**

**ABANDONED, NUISANCE AND JUNKED MOTOR VEHICLES\***

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\* **Editors Note:** Ord. of June 6, 1990, did not specifically amend the Code; hence, inclusion herein as superseding former Art. II, §§ 8-31--8-41, was at the discretion of the editor. Former Art. II pertained to abandoned vehicles and derived from Code 1982, §§

11.41--11.51.

**State Law References:** Abandoned and derelict vehicles generally, G.S. § 20-137.6 et seq.; authority to remove and dispose of junked or abandoned motor vehicles, G.S. § 160A-303.

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### **Sec. 8-31. Administration.**

The Highlands Police Department and the zoning administrator of the town shall be responsible for the administration and enforcement of this article. The police department shall be responsible for administering the removal and disposition of vehicles determined to be abandoned, as defined by this article, on the public streets and highways within the town, and on property owned by the town. The zoning administrator shall be responsible for administering the removal and disposition of other abandoned, nuisance, or junked motor vehicles, as defined by this article, which are located on private property. The town may, on an annual basis, contract with private tow truck operators or towing businesses to remove, store, and dispose of abandoned, nuisance, and junked motor vehicles in compliance with this article and applicable state laws. Nothing in this article shall be construed to limit the legal authority or powers of officers of the Highlands Police Department and Fire Department in enforcing other laws or in otherwise carrying out their duties.

(Ord. of 6-6-90, § 1)

### **Sec. 8-32. Definitions.**

For the purpose of this article, certain words and terms are defined as herein indicated:

*Abandoned vehicle.* As authorized and defined in G.S.160A-303, an abandoned motor vehicle is one that:

- (1) Is left upon a public street or highway in violation of a law or ordinance prohibiting parking;
- (2) Is left on a public street or highway for longer than seven (7) days;
- (3) Is left on property owned or operated by the town for longer than twenty-four (24) hours; or
- (4) Is left on private property without the consent of the owner, occupants, or lessee thereof for longer than two (2) hours.

*Authorizing official.* The chief of police or the zoning administrator, respectively, designated to authorize the removal of vehicles under the provisions of this article.

*Junked motor vehicle.* As authorized and defined in G.S.160A-303.2, the term junked motor vehicle means a vehicle that does not display a current license plate lawfully upon that vehicle, and that also:

- (1) Is partially dismantled or wrecked;
- (2) Cannot be self-propelled or moved in the manner in which it originally was intended to move; or
- (3) Is more than five (5) years old and appears to be worth less than one hundred dollars (\$100.00).

*Motor vehicle or vehicle.* All machines designed or intended to travel over land by self-propulsion or while attached to any self-propelled vehicle.

*Nuisance vehicle.* A vehicle on public or private property that is determined and declared to be a health or safety hazard, a public nuisance, and unlawful, including a vehicle found to be:

- (1) A breeding ground or harbor for mosquitoes, other insects, rats, or other pests;
- (2) A point of heavy growth of weeds or other noxious vegetation over eight (8) inches in height;
- (3) A point of collection of pools or ponds of water;
- (4) A point of concentration of quantities of gasoline, oil, or other flammable or explosive materials, as evidenced by odor;
- (5) One which has areas of confinement which cannot be operated from the inside, such as trunks, hoods, etc.;
- (6) So situated or located that there is a danger of it falling or turning over;
- (7) One which is a point of collection of garbage, food waste, animal waste, or any other rotten or putrescible matter of any kind;
- (8) One which has sharp parts thereof which are jagged or contain sharp edges of metal or glass; or
- (9) Any other vehicle specifically declared a health and safety hazard and a public nuisance by the board of commissioners.

*Rear yard.* An open space on the same lot with a main building, extending the full width of the lot, and situated between the rear line of the lot and the rear line of the building, projected to the side lines of the lot.

*Town.* The Town of Highlands, North Carolina.  
(Ord. of 6-6-90, § 2)

**Sec. 8-33. Abandoned vehicle unlawful; removal authorized.**

(a) It shall be unlawful for the registered owner or person entitled to possession of a vehicle to cause or allow such vehicle to be abandoned, as defined by this article.

(b) Upon investigation, properly authorizing officials of the town may determine that a vehicle is an abandoned vehicle and order the vehicle removed.

(Ord. of 6-6-90, § 3)

**Sec. 8-34. Nuisance vehicle unlawful; removal authorized.**

(a) It shall be unlawful for the registered owner or person entitled to possession of a motor vehicle,

or for the owner, lessee, or occupant of the real property upon which the vehicle is located, to leave or allow the vehicle to remain on the property after it has been declared a nuisance vehicle.

(b) Upon investigation, the zoning administrator may determine and declare that a vehicle is a health or safety hazard and a nuisance vehicle as defined above, and order the vehicle removed.  
(Ord. of 6-6-90, § 4)

**Sec. 8-35. Junked motor vehicle regulated; removal authorized.**

(a) It shall be unlawful for the registered owner or person entitled to the possession of a junked motor vehicle, or for the owner, lessee, or occupant of the real property upon which a junked motor vehicle is located, to leave or allow the vehicle to remain on the property after the vehicle has been ordered removed.

(b) It shall be unlawful to have more than one (1) junked motor vehicle, as defined herein, on the premises of public or private property. Single, permitted junked motor vehicles must strictly comply with the location and concealment requirements of this section.

(c) It shall be unlawful for the registered owner or person entitled to the possession of a junked motor vehicle, or for the owner lessee, or occupant of the real property upon which a junked motor vehicle is located, to fail to comply with the locational requirements or the concealment requirements of this section.

(d) Subject to the provisions of paragraph (e), upon investigation, the zoning administrator may order the removal of a junked motor vehicle as defined in this chapter after finding in writing that the aesthetic benefits of removing the vehicle outweigh the burdens imposed on the private property owner. Such finding shall be based on a balancing of the monetary loss of the apparent owner against the corresponding gain to the public by promoting or enhancing community, neighborhood, or area appearance. The following, among other relevant factors, may be considered:

- (1) Protection of property values;
- (2) Promotion of tourism and other economic development opportunities;
- (3) Indirect protection of public health and safety;
- (4) Preservation of the character and integrity of the community; and
- (5) Promotion of the comfort, happiness, and emotional stability of area residents.

(e) Permitted concealment or enclosure of junked motor vehicles:

- (1) *One (1) junked motor vehicle.* One (1) junked motor vehicle, in its entirety, can be located in the rear yard, as defined by this article, if the junked motor vehicle is entirely concealed from public view from a public street and from abutting premises by an acceptable covering. The zoning administrator has the authority to determine whether any junked motor vehicle is adequately concealed as required by this provision. The covering must remain in good repair and must not be allowed to deteriorate. The covering or enclosure must be compatible with the objectives

stated in the preamble of this article.

- (2) *More than one (1) junked motor vehicle.* Any other junked motor vehicle must be kept in a garage or building structure that provides a complete enclosure so that the junked motor vehicle cannot be seen from a public street or abutting property. A garage or building structure means either a lawful, nonconforming use, or a garage or building structure erected pursuant to the lawful issuance of a building permit which has been constructed in accordance with all zoning and building code regulations.

(Ord. of 6-6-90, § 5)

### **Sec. 8-36. Removal of abandoned, nuisance, or junked motor vehicles; pre-towing notice requirements.**

(a) Except as set forth in section 8-37 below, an abandoned, nuisance, or junked motor vehicle which is to be removed shall be towed only after notice to the registered owner or person entitled to possession of the vehicle. In the case of a nuisance vehicle or a junked motor vehicle, if the names and mailing addresses of the registered owner or person entitled to the possession of the vehicle, or the owner, lessee, or occupant of the real property upon which the vehicle is located, can be ascertained in the exercise of reasonable diligence, the notice shall be given by first class mail. The person who mails the notice shall retain a written record to show the name and address to which mailed, and the date mailed. If such name and address cannot be ascertained, or if the vehicle to be removed is an abandoned motor vehicle, notice shall be given by affixing on the windshield or some other conspicuous place on the vehicle a notice indicating that the vehicle will be removed by the town on a specified date, no sooner than seven (7) days after the notice is affixed. The notice shall state that the vehicle will be removed by the Town of Highlands on a specific date, no sooner than seven (7) days after the notice is affixed or mailed, unless the vehicle is moved by the owner or legal possessor prior to that time.

(b) With respect to abandoned vehicles on private property, nuisance vehicles, and junked motor vehicles to which notice is required to be given, if the registered owner or person entitled to possession does not remove the vehicle, but chooses to appeal the determination that the vehicle is abandoned, a nuisance vehicle, or--in the case of a junked motor vehicle--that the aesthetic benefits of removing the vehicle outweigh the burdens, such appeal shall be made to the board of commissioners in writing. The appeal shall be heard at the next regularly scheduled meeting of the board of commissioners, and further proceedings to remove the vehicle shall be stayed until the appeal is heard and decided.

(Ord. of 6-6-90, § 6)

### **Sec. 8-37. Exceptions to prior notice requirement.**

The requirement that notice be given prior to the removal of an abandoned, nuisance, or junked motor vehicle may, as determined by the authorizing official, be omitted in those circumstances where there is a special need for prompt action to eliminate traffic obstructions, or to otherwise maintain and protect the public safety and welfare. Such findings shall, in all cases, be entered by the authorizing official in the appropriate daily records. Circumstances justifying the removal of vehicles without prior notice include:

- (1) *Vehicles abandoned on the streets.* For vehicles left on the public streets and highways, the board of commissioners hereby determines that immediate removal of such vehicles may be warranted when they are:

- a. Obstructing traffic;
  - b. Parked in violation of an ordinance prohibiting or restricting parking;
  - c. Parked in a no-stopping or standing zone;
  - d. Parked in a loading zone; or
  - e. Parked in violation of temporary parking restrictions imposed under code sections.
- (2) *Other abandoned or nuisance vehicles.* With respect to abandoned or nuisance vehicles left on city-owned property other than the streets and highways, and on private property, such vehicles may be removed without giving prior notice only in those circumstances where the authorizing official finds a special need for prompt action to protect and maintain the public health, safety, and welfare. By way of illustration and not of limitation, such circumstances include vehicles blocking or obstructing ingress or egress to businesses and residences, vehicles parked in such a location or manner as to pose a traffic hazard, and vehicles causing damage to public or private property.

(Ord. of 6-6-90, § 7)

**Sec. 8-38. Removal of vehicles; post-towing notice requirements.**

(a) Any abandoned, nuisance, or junked motor vehicle which has been ordered removed may, as directed by the town, be removed to a storage garage or area by the tow truck operator or towing business contracting to perform such services for the town. Whenever such a vehicle is removed, the authorizing official shall immediately notify the last known registered owner of the vehicle, such notice to include the following:

- (1) The description of the removed vehicle;
- (2) The location where the vehicle is stored;
- (3) The violation with which the owner is charged, if any;
- (4) The procedure the owner must follow to redeem the vehicle; and
- (5) The procedure the owner must follow to request a probable cause hearing on the removal.

(b) The town shall attempt to give notice to the vehicle owner by telephone; however, whether or not the owner is reached by telephone, written notice, including the information set forth in subsections (a)(1) through (5) above, shall also be mailed to the registered owner's last known address, unless this notice is waived in writing by the vehicle owner or his agent. If the vehicle is registered in North Carolina, notice shall be given within twenty-four (24) hours. If the vehicle is not registered in the state, notice shall be given to the registered owner within seventy-two (72) hours from the removal of the vehicle.

(c) Whenever an abandoned, nuisance, or junked motor vehicle is removed, and such vehicle has no valid registration or registration plates, the authorizing city official shall make reasonable efforts, including

checking the vehicle identification number to determine the last known registered owner of the vehicle and to notify him of the information set forth in subsections (a)(1) through (5) above.  
(Ord. of 6-6-90, § 8)

**Sec. 8-39. Right to probable cause hearing before sale or final disposition of vehicle.**

After the removal of an abandoned, nuisance, or junked motor vehicle, the owner or any other person entitled to possession is entitled to a hearing for the purpose of determining if probable cause existed for removing the vehicle. A request for hearing must be filed in writing with the county magistrate designated by the chief district court judge to receive such hearing requests. The magistrate will set the hearing within seventy-two (72) hours of receipt of the request, and the hearing will be conducted in accordance with the provisions of G.S.219.11, as amended.  
(Ord. of 6-6-90, § 9)

**Sec. 8-40. Redemption of vehicle during proceedings.**

At any stage in the proceedings, including before the probable cause hearing, the owner may obtain possession of the removed vehicle by paying the towing fee, including any storage charges, or by posting a bond for double the amount of such fees and charges to the tow truck operator or towing business having custody of the removed vehicle. Upon regaining possession of a vehicle, the owner or person entitled to the possession of the vehicle shall not allow or engage in further violations of this article.  
(Ord. of 6-6-90, § 10)

**Sec. 8-41. Sale and disposition of unclaimed vehicle.**

Any abandoned, nuisance, or junked motor vehicle which is not claimed by the owner or other party entitled to possession will be disposed of by the tow truck operator or towing business having custody of the vehicle. Disposition of such a vehicle shall be carried out in coordination with the town and in accordance with Article 1 of Chapter 44A of the North Carolina General Statutes.  
(Ord. of 6-6-90, § 11)

**Sec. 8-42. Conditions on removal of vehicles from private property.**

As a general policy, the town will not remove a vehicle from private property if the owner, occupant, or lessee of such property could have the vehicle removed under applicable state law procedures. In no case will a vehicle be removed by the town from private property without a written request of the owner, occupant, or lessee, except in those cases where a vehicle is a nuisance or junked motor vehicle which has been ordered removed by the zoning administrator. The town may require any person requesting the removal of an abandoned, nuisance, or junked motor vehicle from private property to indemnify the town against any loss, expense, or liability incurred because of the removal, storage, or sale thereof.  
(Ord. of 6-6-90, § 12)

**Sec. 8-43. Protection against criminal or civil liability.**

No person shall be held to answer in any civil or criminal action to any owner or other person legally entitled to the possession of an abandoned, nuisance, or junked motor vehicle, for disposing of such vehicle as

provided in this chapter.  
(Ord. of 6-6-90, § 13)

**Sec. 8-44. Exceptions.**

Nothing in this chapter shall apply to any vehicle which:

- (1) Is in a bona fide "automobile graveyard" or "junkyard," as defined in North Carolina G.S.136-143, in accordance with the "Junkyard Control Act," G.S.136-141, et.seq.;
- (2) Is in an enclosed building;
- (3) Is on the premises of a business enterprise being operated in a lawful place and manner if the vehicle is necessary to the operation of the enterprise; or
- (4) Is in an appropriate storage place or depository maintained in a lawful place and manner by the town.

(Ord. of 6-6-90, § 14)

**Sec. 8-45. Unlawful removal of impounded vehicle.**

It shall be unlawful for any person to remove or attempt to remove from any storage facility designated by the town any vehicle which has been impounded pursuant to the provisions of this article, unless and until all towing and impoundment fees which are due, or bond in lieu of such fees, have been paid.

(Ord. of 6-6-90, § 15)