

***Amendment To Chapter 59, Article V,
Section 59 of Code of Ordinances***

WHEREAS, the Board of Commissioners of the Town of Mount Olive has statutory authority pursuant to the North Carolina General Statutes to adopt and/or amend an ordinance to protect, preserve and promote the health, safety, welfare and comfort of the Town and its citizens; and

WHEREAS, the Board of Commissioners has received numerous complaints regarding the number of wrecked, salvaged and damaged vehicles being stored on the premises of auto repair shops or garages in the town which are not only unsightly, but at times, are parked near the street right-of-way thereby blocking view of oncoming traffic. The board therefore believes it best for the safety of citizens and the motoring public that some restriction be enacted.

NOW THEREFORE, THE BOARD OF COMMISSIONERS OF THE TOWN OF MOUNT OLIVE AMENDS CHAPTER 59, ARTICLE V, SECTION 59 OF THE CODE OF ORDINANCES AS FOLLOWS:

Chapter 59 - Zoning Code.

Article V - Supplementary Regulations.

Section 59-185 - Auto mechanic/repair shops/Towing Service.

1. All storage of vehicles and equipment shall be placed on the lot or premises of the auto repair shop and shall not be on any adjacent street or lot.

2. All painting and/or repair of damaged vehicles and all auto body work shall be done behind closed doors in a properly ventilated indoor area.

3. All outdoor storage of damaged or wrecked vehicles to be repaired shall be in a screened or opaque fenced area with a minimum height of six [6] feet. No storage of salvage vehicles or parts is allowed.

4. Any use which also has an automobile towing and wrecking service as an accessory use to the repair shop must have a screened fenced lot to store all vehicles.

5. The maximum allowed front and side yard parking of vehicles shall be equivalent to four [4] parking spaces per garage bay per side in addition to handicapped parking. For example, two garage bays would be eight [8]

parking spaces on each side. Additional parking spaces must be located in the rear yard only.

6. If the auto repair shop/towing service is located within one hundred [100] feet of a residential zoning district, a Special Use Permit shall be required for all residential zones.

7. No vehicles parked or placed at an auto repair shop shall block or be on any portion of town or state highway right-of-way or obstruct the view of on-coming traffic. All vehicles and parking spaces shall be no less than ten [10] feet from the edge of the road. Vehicles parked or placed in violation of this Ordinance will be towed at the owner's expense without notice.

8. In all residential zoning districts, a maximum of three thousand [3,000] square feet of outdoor storage shall be allowed. Said storage area shall be screened from any public road. Said screening shall be in the form of a fence, wall, berm or natural plantings. The screening shall be installed in accordance with Chapter V, Section 59-181 of this Ordinance.

9. In all residential zoning districts, delivery of parts, automobiles and any other goods in association with said use shall only take place during hours of operation, those being 6:00 AM to 10:00 PM Monday through Saturday.

Penalties and Enforcement.

[1] Civil Penalty. Any violation of the provisions of this Code of Ordinances shall subject the offender to a civil penalty. In the event there is more than one [1] violation within any thirty-day period, then the civil penalty shall be increased for each additional violation over one [1] during such period, as follows. The date of the

first violation shall establish the beginning date for the initial thirty-day period. The next violation within that thirty-day period shall be considered the second violation. Any violations that follow within that thirty day period shall be numbered sequentially. The penalty shall be:

First offense.....	Written warning
Second offense within thirty-day period	\$200.00
Third offense within thirty-day period	\$300.00
Fourth & subsequent offenses within same thirty-day period ..	\$500.00

The City Attorney is authorized to file suit on behalf of the Town to collect any unpaid civil penalties. If litigation is required to recover the civil penalties, the city attorney, in addition to the penalties, may recover reasonable attorney fees and other costs incurred in bringing the action and collecting the judgment.

BE IT FURTHER RESOLVED, that this ordinance shall be in full force and effect thirty [30] days from and after its adoption.

ADOPTED this __ day of _____, 2025.

J. Jerome Newton, Mayor

Attest:

City Clerk

(Ordinance Amending Sec 59, Auto Repair Shop, 11.13.2024)