

ARTICLE 3 . – ABANDONED AND JUNKED MOTOR VEHICLES

Town of Hot Springs, North Carolina

Sec. .01. – Authority and purpose.

The Board of Aldermen of the Town of Hot Springs hereby finds that the accumulation and presence of abandoned and junked motor vehicles is detrimental to the public health, safety, welfare, and appearance of the town, and may constitute a safety hazard, attract vermin, create fire hazards, and negatively affect property values.

This article is adopted pursuant to the authority granted by N.C. Gen. Stat. § 160D-1207 and related provisions of North Carolina law.

Sec. .02. – Administration and enforcement.

(a) Police only enforcement.

This article shall be administered and enforced exclusively by the Hot Springs Police Department.

(b) The Chief of Police, or his or her designee, is authorized to:

1. Investigate suspected violations of this article;
2. Determine whether a motor vehicle constitutes an abandoned or junked motor vehicle as defined herein;
3. Order the removal of abandoned or junked motor vehicles in accordance with this article and applicable state law; and
4. Coordinate the towing, storage, and disposition of vehicles.

(c) The Town may contract with licensed private towing companies to remove, store, and dispose of vehicles pursuant to this article.

Sec. .03. – Definitions.

For the purposes of this article, the following words and phrases shall have the meanings set forth below:

(a) Abandoned motor vehicle A motor vehicle that:

1. Is left upon a public street or highway in violation of any parking ordinance or state law; or
2. Is left on property owned or operated by the Town for longer than 24 hours; or
3. Is left on any public street or highway for longer than seven (7) days; or
4. Is left on private property without the consent of the owner, occupant, or lessee for longer than two (2) hours; or
5. Is determined by a law enforcement officer to constitute a traffic or safety hazard.

(b) Junked motor vehicle

A motor vehicle that does not display a current registration plate and meets one or more of the following conditions:

1. Is partially dismantled, wrecked, or inoperable;
2. Cannot be self-propelled or moved in the manner for which it was originally designed; or
3. Is apparently abandoned and has no substantial operable value.

(c) Motor vehicle

Any vehicle designed or intended to travel over land by self-propulsion, including trailers and similar conveyances, but excluding electric personal assistive mobility devices as defined by N.C.G.S. § 20-4.01.

Sec. ____.04. – Exemptions.

This article shall not apply to:

1. Motor vehicles located entirely within an enclosed building;
2. Motor vehicles located on the premises of a lawfully operated business, when the vehicle is necessary to the operation of that business;
3. Motor vehicles located at a lawful repair, storage, or towing facility; or
4. Motor vehicles actively being repaired, restored, or maintained, provided they do not pose a safety hazard or nuisance.

Sec. ____.05. – Unlawful acts.(a) It shall be unlawful for the registered owner or person entitled to possession of a motor

vehicle to allow an abandoned or junked motor vehicle to remain on:

- Any public street or highway; or
- Any public property

Sec. ____.06. – Notice of violation; 10-day compliance period.

(a) Written notice required.

Except as provided in subsection (d), no abandoned or junked motor vehicle shall be removed until a written notice has been provided.

(b) The notice shall be:

- Affixed to the vehicle in a conspicuous location or
- Delivered to the property owner or vehicle owner when reasonably practicable.

(c) The notice shall state:

1. That the vehicle has been determined to be abandoned or junked;
2. The nature of the violation;
3. That the vehicle must be removed or brought into compliance within ten (10) days from the date of notice; and
4. That failure to comply may result in towing and additional costs.

(d) Immediate removal without notice.

Prior notice shall not be required when a law enforcement officer determines that immediate removal is necessary to protect public health or safety, including but not limited to:

1. Vehicles obstructing traffic or emergency access;
2. Vehicles posing an immediate safety hazard;
3. Vehicles blocking ingress or egress to residences or businesses.

Sec. ____.07. – Removal and towing.

(a) Upon expiration of the ten-day notice period, or when immediate removal is authorized, the Chief of Police or designee may cause the vehicle to be towed.(b) All towing, storage, liens, and disposition of vehicles shall be conducted in accordance

with Chapter 20, Article 7A, and Chapter 44A of the North Carolina General Statutes.

(c) All costs associated with towing, storage, and disposal shall be the responsibility of the vehicle owner.

Sec. __.08.

– Penalties.

Violation of this article shall constitute a civil offense and may be enforced as provided by the Town Code and applicable North Carolina law. Each day a violation continues after notice shall constitute a separate offense.

Sec. __.10. – Severability.

If any provision of this article is held invalid or unconstitutional, such invalidity shall not affect the other provisions of this article.

Temporary Notice Provision: Notwithstanding the notice requirements set forth in this ordinance, from March 9, 2026 through May 9, 2026, any notice issued regarding abandoned or inoperable vehicles shall provide a thirty (30) day compliance period prior to enforcement action. Beginning May 10, 2026, the standard notice requirement of ten (10) days for compliance shall apply as provided in this ordinance.

Approved by Hot Springs Board of Alderman, March 9, 2026


Abigail Norton, Mayor