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OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1991

ENROLLED

SENATE BILL NO. 71

(By Senator J. Manchin)

PASSED March 9, 1991

In Effect 90 days from Passage

ENROLLED
Senate Bill No. 71

(BY SENATOR J. MANCHIN)

[Passed March 9, 1991; in effect ninety days from passage.]

AN ACT to amend and reenact section two, article twenty-three, chapter seventeen of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to salvage yards.

Be it enacted by the Legislature of West Virginia:

That section two, article twenty-three, chapter seventeen of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted to read as follows:

ARTICLE 23. SALVAGE YARDS.

§17-23-2. Definitions.

- 1 As used in this article:
- 2 (a) "Salvage" means old or scrap brass, copper, iron,
- 3 steel, other ferrous or nonferrous materials, batteries
- 4 or rubber and any junked, dismantled or wrecked
- 5 machinery, machines or motor vehicles or any parts of
- 6 any junked, dismantled or wrecked machinery,
- 7 machines or motor vehicles.

8 (b) "Salvage yard" means any place which is main-
9 tained, operated or used for the storing, keeping,
10 buying, selling or processing of salvage, or for the
11 operation and maintenance of a motor vehicle
12 graveyard.

13 (c) "Abandoned salvage yard" means any unlicensed
14 salvage yard or any salvage yard that was previously
15 licensed but upon which the license has not been
16 renewed for more than one year.

17 (d) "Fence" means an enclosure, barrier or screen
18 constructed of materials or consisting of plantings,
19 natural objects or other appropriate means approved
20 by the commissioner and located, placed or maintained
21 so as effectively to screen at all times salvage yards
22 and the salvage therein contained from the view of
23 persons passing upon the public roads of this state.

24 (e) "Owner or operator" includes an individual,
25 firm, partnership, association or corporation or the
26 plural thereof.

27 (f) "Commissioner" means the commissioner of the
28 West Virginia department of highways.

29 (g) "Residential community" means an area
30 wherein five or more occupied private residences are
31 located within any one thousand foot radius.

32 (h) "Occupied private residence" means a private
33 residence which is occupied for at least six months
34 each year.

The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Homer Heck
.....
Chairman Senate Committee

Bernst C Moore
.....
Chairman House Committee

Originated in the Senate.

In effect ninety days from passage.

Darrell Edwards
.....
Clerk of the Senate

Donald L Vopp
.....
Clerk of the House of Delegates

Witt Sundt
.....
President of the Senate

Bob Carr
.....
Speaker House of Delegates

The within *is approved* this the *27th*
day of *March*, 1991.

Gaston Caperton
.....
Governor

PRESENTED TO THE

GOVERNOR

Date 3/8/91

Time 3:00 pm