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.


1 As used in this article:

2 (a) “Salvage” means old or scrap brass, copper, iron, steel, other ferrous or nonferrous materials, batteries or rubber and any junked, dismantled or wrecked machinery, machines or motor vehicles or any parts of any junked, dismantled or wrecked machinery, machines or motor vehicles.
(b) "Salvage yard" means any place which is maintained, operated or used for the storing, keeping, buying, selling or processing of salvage, or for the operation and maintenance of a motor vehicle graveyard.

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

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

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

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

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

(h) "Occupied private residence" means a private residence which is occupied for at least six months each year.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Homer Thack
Chairman Senate Committee

Ernest Moore
Chairman House Committee

Originated in the Senate.

In effect ninety days from passage.

Darrell E. Maddox
Clerk of the Senate

Donald L. Vorp
Clerk of the House of Delegates

Witt Randolph
President of the Senate

Bob Cade
Speaker House of Delegates

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

Yoston Capron
Governor