

SAMMY & AMY CARR

SOUTHAMPTON COUNTY



26022 Administration Center Drive
P. O. Box 400
Courtland, Virginia 23837

757-653-3015
Fax: 757-653-0227

July 19, 2011

Mr. and Mrs. David S. Carr
36315 One Mile Road
Zuni, VA 23898

Dear Mr. and Mrs. Carr:

I am pleased to acknowledge receipt of your letter dated July 17 requesting time at the next Board of Supervisors meeting to discuss code violations.

The meeting will begin promptly at 6:00 p.m. on Monday, July 25, 2011 in the Board of Supervisors Meeting Room, Southampton County Office Center, 26022 Administration Center Drive, Courtland. This matter will appear as agenda item #5A.

Chairman Jones will call for your comments at the appropriate time.

With kind regards, I remain

Sincerely,

A handwritten signature in black ink, appearing to read "Michael W. Johnson".

Michael W. Johnson
County Administrator

Mr. Micheal Johnson

Southampton County Administrator

Courtland, VA 23847

July 17, 2011

Dear Mr. Johnson:

This letter is a request to address the Supervisors at the scheduled board meeting on July 25,2011. We respectfully ask that we, David S. Carr and Amy D. Carr, be allowed approximately 15 minutes to speak and show a power point presentation in regards to the violation of county codes 10-30 (junk vehicle) and 10-44.5 (trash, garbage, etc.) We eagerly await your response.

Sincerely,



David S. Carr

Amy D. Carr

Sec. 10-28. Indecent exposure.

Every person who intentionally make an obscene display or exposure of his person, or the private parts thereof, in any public place, or in any place where others are present, or procure another to so expose himself shall be punished by confinement for not more than twelve (12) months and a fine of not more than two thousand five hundred dollars (\$2,500.00), either or both.

(Code 1976, § 11-38)

State law reference—Similar provisions, Code of Virginia, § 18.2-387.

Sec. 10-29. Maiming, killing or poisoning animals, fowl, etc.

Except as otherwise provided for by law, if any person maliciously shoots, stabs, wounds or otherwise causes bodily injury to, or administers poison to or exposes poison with the intent that it be taken by any fowl or companion animal, with the intent to main, disfigure, disable or kill the same, or if he does any of the foregoing acts to any animal on his own with intent to defraud any insurer thereof, he shall be punished by confinement in jail for not more than twelve (12) months and a fine of not more than two thousand five hundred dollars (\$2,500.00), either or both.

(Code 1976, § 11-39)

State law references—Damage to realty and personalty thereon, Code of Virginia, § 18.2-137 et seq.; damage to and tampering with property, Code of Virginia, § 18.2-144 et seq.

*** Sec. 10-30. Inoperable motor vehicles restricted.**

It shall be unlawful for any person, firm or corporation to keep, except within a fully enclosed building or structure or otherwise shielded or screened from view, on any property zoned for residential or commercial or agricultural purposes any motor vehicle, trailer, or semi-trailer, as such are defined in Code of Virginia, § 46.2-100, which is inoperative. As used in this section, an "inoperative motor vehicle" shall mean any motor vehicle which is not in operating condition; or which for a period of sixty (60) days or longer has been partially or totally disassembled by the removal of tires and wheels, the engine, or other essential parts required for operation of the vehicle or on which there are displayed neither valid license plates nor a valid inspection decal. However, the provisions of this section shall not apply to a licensed business which on June 26, 1970 is regularly engaged in business as an automobile dealer, salvage dealer, or scrap processor.

- (1) The owners of property zoned for residential or commercial or agricultural purposes shall, at such time or times as the board of supervisors may prescribe, remove therefrom any such inoperative motor vehicles, trailers, or semi-trailers that are not kept within a fully enclosed building or structure.

- (2) The board of supervisors through its agents or employees may remove any such inoperative motor vehicles, trailers or semi-trailers, whenever the owner of the premises, after reasonable notice, has failed to do so.
- (3) In the event that the board of supervisors, through its own agents or employees, removes any such motor vehicles, trailers or semi-trailers, after having given such reasonable notice, the county may dispose of such motor vehicles, trailers, or semi-trailers after giving additional notice to the owner of the vehicle.
- (4) The cost of any such removal and disposal shall be chargeable to the owner of the vehicle or premises and may be collected by the county as taxes and levies are collected.
- (5) Every cost authorized by this section with which the owner of the premises has been assessed shall constitute a lien against the property from which the vehicle was removed, the lien to continue until actual payment of such costs has been made to the county.

(Ord. of 7-24-89, § 11-40)

Cross references—Motor vehicles and traffic, Ch. 9; zoning, Ch. 18.

State law reference—Similar provisions, Code of Virginia, § 15.1-11.1.

Sec. 10-31. Interference with peace and quiet.

(a) It shall be unlawful for any person to make, or to cause or allow to be made, upon property in the county which he owns or leases or over which he has control, whether solely or together with another or others, any unreasonable, unnecessary or excessive sound or noise whether vocally, mechanically, electronically or otherwise, of such a character, volume, duration or frequency as to disturb, injure or endanger the quiet, comfort, repose, health, peace or safety of any other person.

(b) The following acts are specifically declared to be in violation of this section, but such enumeration shall not be deemed to be all inclusive:

- (1) *Radios, phonographs, etc.* Using, operating or permitting to be played, used or operated, any radio receiving set, tape recorder, musical instrument, phonograph or other electronic or other machine or device for the producing or reproducing sound in such a manner or of such volume as to disturb, injure or endanger the quiet, comfort, repose, health, peace or safety of any other person who is not within the confines of the room, vehicle or property in which such machine or device is operated and who is not a willing listener thereto. The operation of any such device in such a manner that the resultant noise or sound is audible at a distance of at least two hundred (200) feet from the building, structure, property or vehicle in which it is located shall be prima facie evidence of a violation of this section.
- (2) *Loudspeakers, amplifiers for advertising.* The using, operating or permitting the playing, using or operation of any radio receiving set, musical instrument, phonograph, loudspeaker, sound amplifier or other electronic or other machine or device for

* **Sec. 10-44.5. Trash, garbage, etc.; removal.**

(a) It shall be unlawful for any owner of any parcel of land in the county, excluding those parcels within the corporate boundaries of incorporated towns, to allow or permit the accumulation or storage of any trash, garbage, refuse, litter or other substances which may endanger the health or safety of other residents of the county.

(b) When any condition exists on any lot or parcel of land in the county in violation of subsection (a) of this section, it shall be the duty of the county administrator or his designee to serve or cause to be served a notice upon the owner and each lienholder, if any, requiring the owner of such lot or parcel to remove therefrom any and all trash, garbage, refuse, litter, or other substance within thirty (30) days after the service of notice upon such owner. If such owner fails to act to remove the non-compliant objects or items within the time specified in such notice, the board of supervisors shall through its agents or employees have such non-compliant objects or items removed from the property, and in that event the costs and expense thereof shall be chargeable to and paid by the owner of such property and may be collected by the county as taxes and levies are collected; and further, that every charge authorized by this section with which the owner and lienholder of such property shall have been assessed and which remains unpaid shall constitute a lien against such property ranking on a parity with liens for unpaid county taxes and enforceable in the same manner as proved in section 15-78 of this Code.

(Ord. of 4-26-93)

State law reference—Similar provisions, Code of Virginia, § 15.1-11.

Sec. 10-45. Vehicles, aircraft, boats, etc.—Breaking, injuring, defacing, etc.

No person shall individually or in association with one (1) or more persons wilfully break, injure, tamper with or remove any part of any vehicle, aircraft, boat or vessel for the purpose of injuring, defacing or destroying such vehicle, aircraft, boat or vessel, or temporarily or permanently preventing its useful operation, or for any purpose against the will or without the consent of the owner of such vehicle, aircraft, boat or vessel, or shall in any other manner wilfully or maliciously interfere with or prevent the running or operation of such vehicle, aircraft, boat or vessel.

(Code 1976, § 11-81)

State law reference—Similar provisions, Code of Virginia, § 18.2-146.

Sec. 10-46. Same—Entering or setting in motion; exceptions.

No person shall, without the consent of the owner or person in charge of a vehicle, aircraft, boat, vessel, locomotive or other rolling stock of a railroad, climb into or upon such vehicle, aircraft, boat, vessel, locomotive or other rolling stock of a railroad, with intent to commit any crime, malicious mischief, or injury thereto, or while a vehicle, aircraft, boat, vessel, locomotive or other rolling stock of a railroad is at rest and unattended, shall attempt to manipulate any of the levers and starting crank or other device, brakes or mechanism thereof or to set into motion such vehicle, aircraft, boat, vessel, locomotive or other rolling stock of a railroad, with the intent to commit any crime, malicious mischief, or injury thereto, except that the foregoing