JUNK AND UNREGISTERED MOTOR VEHICLE BYLAW

(HISTORY: Adopted May 13, 1991 ATM Article 34; Approved by Attorney General July 17, 1991. Amended May 11, 1992 ATM Article 10 "Section 6"; Approved by Attorney General June 15, 1992. Amended 10/19/2019; approved by the Attorney General 01/17/2020)

Section 1. The open display or open storage of junk shall be prohibited in all sections of the Town, junk being defined as worn-out, castoff, or discarded articles and materials which are ready for destruction or have been stored for salvage or conversion to some other use, excepting only in any solid waste disposal or transfer station facility duly and lawfully authorized and dedicated to the proper disposition of such materials.

Section 2. All privately owned unregistered motor vehicles shall be stored, placed and kept on private property.

Section 3. Unregistered motor vehicles which are unfit for use, permanently disabled or have been dismantled, or are otherwise inoperative, shall not be stored, parked or placed upon any land in the Town unless the same shall be within a building or in an area unexposed to the view of the public and abutters or in an area properly approved for the keeping of same by licensed junk dealers and/ or automobile dealers. Any vehicle qualified to be registered as an Antique Motor Car, as defined in Massachusetts General Laws, Chapter 90, Section 1, shall be exempt from this bylaw.

Section 4. Any landowner or other person or legal entity responsible for the presence of junk as described in Section 1 above or an unregistered motor vehicle as described in Section 3 above shall be subject to the following procedure regarding removal or enclosure of such motor vehicle:

a. Any resident of the Town may file with the Board of Selectmen a written complaint regarding the presence of junk or an unregistered motor vehicle on property located with the Town of Dunstable in violation of this bylaw specifying the location and a brief statement of the circumstances of the alleged violation. If the Board of Selectmen determines that there is reason to believe a violation of this bylaw exists, it shall schedule a hearing before the Board within thirty (30) days of receipt of a written complaint.

b. The Board of Selectmen or its designee shall give written notice of the hearing by regular first class mail to the complainant, the complainee[s], and direct abutters to the locus according to the most recent assessors maps, said notices to be deposited in the mail at least ten (10) days before the date of the hearing.

c. Following the hearing, the Board of Selectmen shall make a final decision on the matter based upon their own findings as well as matters presented at such hearing and may, at their option, require or order any one or more of the following:

(i) that the owner or person responsible be compelled to remove the junk or unregistered motor vehicle from the premises within a stated period;

(ii) that the owner or person responsible place the junk or unregistered motor vehicle within a proper enclosure to remove it from public view;

(iii) that the owner or person responsible be required to comply with this bylaw;

(iv) any further remedy that may be lawful and justified by the circumstances presented at the time of the hearing.

In the event of non-compliance with an order or directive of the Board of Selectmen within five (5) days of receipt of such order by the owner or person responsible, or within any timeframe specified in the order, the Police Department shall be authorized to tow or remove the subject junk or unregistered motor vehicle by whatever means necessary and at the expense of such person.

Section 5. The fine for any violation of the provisions of this bylaw shall be one-hundred ($100) dollars for each such offense. Each day that such violation continues shall constitute a separate offense.

Section 6. All fines imposed are to be collected as provided in the Massachusetts General Laws for disposition of non-criminal complaints or any bylaw of the Town providing for such disposition. The enforcing authority in this regard shall be the Police Department.