

Zoning Ordinances

Sec. 24-11. Principal uses permitted

(i) **Parking of any truck or commercial vehicle exceeding an empty weight of 5,000 pounds is permitted only while loading or unloading. "Empty weight" shall be that used for vehicle registration purposes by the state division of motor vehicles. Parking of any commercial enclosed or flat bed trailer or of any wrecker, regardless of its empty weight, is permitted only while loading or unloading.**

Sec. 24-13. Accessory uses permitted.

(a) **Private parking area, garages and stables as an accessory to a dwelling. Open or enclosed space for parking one commercial vehicle, not exceeding an empty weight of 5,000 pounds, and temporary parking of one unoccupied manufactured home in an enclosed garage shall be permitted as accessory when used by the occupant of the dwelling. Stables shall be permitted provided they comply with the distance requirements of section 24-10. "Empty weight" shall be that weight used for vehicle registration purposes by the state division of motor vehicles. Parking of any commercial, enclosed or flatbed trailer or of any wrecker, regardless of its empty weight, is permitted only while loading or unloading.**

(d) **Customary incidental home occupations, such as handicraft, dressmaking, millinery, laundering, preserving or home cooking, including occasional personal service of beauty culture offered in a limited way by appointment and not to the general public, and the home office of a member of a recognized or licensed profession, such as attorney-at-law, physician, dentist, musician or artist; provided that such occupations shall be conducted solely by resident occupants in their place of abode and provided that not more than the equivalent area of one quarter of one floor shall be used for such purpose; provided further, that such occupation shall not require external or internal alterations, or the use of machinery or equipment not customary for purely domestic household purposes and provided no stock-in-trade shall be kept or product sold, except such as are made on the premises; provided further, that there shall be no group instruction, assembly or activity or no display that will indicate from the exterior that the building is being utilized in part for any purpose other than that of a dwelling. Nothing herein contained shall be construed to prohibit the installation and use of two hair drying units. However, a home occupation shall not be interpreted to include beauty parlors, barber shops, convalescent or nursing homes, tourist homes or massage or similar establishments offering services to the general public.**

(e) **The keeping of not more than two roomers or boarders in an otherwise private dwelling.**

(j) **Television and radio antennas and support structures, satellite dishes and amateur radio broadcasting and receiving antennas and support structures including guy anchors when used, subject to the requirements of section 24-95(i) for accessory buildings and uses, except that the height of any radio, television or amateur radio support structures and antennas**

shall not exceed 50 feet unless a greater height is authorized as a special exception by the board of zoning appeals.

Sec. 24-95. Additional requirements, exceptions and modifications.

(i) ***Buildings and projections in yards.*** The following buildings, parts of buildings and uses may occupy or project into required minimum yards as indicated:

(1) ***Into any yard.*** Cornices, eaves, sills, leaders, belt courses and similar ornamental features, three feet; uncovered stairs or fire escapes, four feet six inches; terraces, steps and landings not higher than the entrance floor of the building, ten feet; bay windows and balconies occupying not more than one-third of the wall length, three feet; outside storm enclosures not more than six feet in width, four feet; provided, that no such projection shall extend to within less than five feet of any interior side lot line nor within less than ten feet of any street side lot line.

(2) ***In a rear yard of a one-family or semidetached dwelling.*** Any accessory use or detached accessory building or structure is permitted subject to the following:

a. In an R district, the buildings or structures in the aggregate may not occupy more than 30 percent of the required minimum rear yard for the district. Unless otherwise provided by this chapter, accessory buildings located on any other lot or parcel may occupy in the aggregate not more than 30 percent of the actual rear yard area. In calculating the rear yard coverage, structures at or below grade and aboveground swimming pools four feet or less in depth and 24 feet or less in diameter shall not be included in the 30 percent coverage permitted in both of the above situations.

b. The buildings or structures shall not exceed 15 feet in height.

f. Any accessory swimming pools, open and unenclosed, may occupy a required rear yard, provided they are located not less than ten feet from the nearest point of the principal building, not less than ten feet from any street or alley, not less than six feet from the rear lot line or less than ten feet from a side lot line measured from an interior pool wall (see also subsection (k) of this section), and may not be located within any county easement

g. Accessory uses other than buildings or structures may occupy all or part of a rear yard or side yard.

(l) ***Fences, walls or hedges:***

(7) ***All other zoning districts.*** A fence, wall or hedge may not exceed a height of three feet, six inches in a front yard or seven feet in a side or rear yard

(m) *Outside storage in R and A districts.* In all R or A districts, household appliances or furniture manufactured and sold for indoor use may not be placed in yards. In addition, building materials may not be stored outside a fully enclosed building unless such materials are being used on the lot for agricultural operations or substantial and continuing construction activities.

Sec. 24-96. Off-street parking requirements.

(e) No area in any R district, except on a farm, shall be used for parking of any truck or commercial vehicle exceeding an empty weight of 5,000 pounds, except while loading or unloading. "Empty weight" shall be that weight used for vehicle registration purposes by the state division of motor vehicles. Parking of any commercial enclosed or flatbed trailer or of any wrecker, regardless of its empty weight, is permitted only while loading or unloading.

Sec. 24-102. Trailers and trailer parks.

No trailer of any kind shall be parked or stored in any district except as follows:

(1) In an R district, one manufactured home may be parked or stored in an enclosed garage on the same lot with the principal use, provided it shall not be occupied for living or business purposes. The wheels or other transporting devices shall not be removed, except for repairs, nor shall the manufactured home be connected to any utility service or to the ground or another structure in any manner that would prevent its ready removal.

(2) In any district used for residential purposes, one travel, utility and/or boat trailer, as an accessory use, may be parked or stored in the rear, side yard or in a carport or garage on the same lot with the principal use, provided it shall not be occupied for living or business purposes. The wheels or other transporting devices shall not be removed, except for repairs, nor shall the trailer be connected to any utility service or to the ground or other structure in any manner that would prevent its ready removal.

(Code 1980, § 22-102)

Non-Zoning Ordinances

Sec. 18-3. Obstruction of roads, ditches or drains; gated subdivisions.

It shall be a class 1 misdemeanor to erect, construct, place or maintain any bumps, fences, gates, chains, bars, pipes, wood or metal horses, or any other type obstruction, in a road, a ditch made to drain the road, or an off drain from ditches except in gated subdivisions permitted in chapter 24.

(Code 1980, § 18-1; Ord. No. 1064, § 1, 3-9-04)

Cross references: Water and sewer, ch. 23.

State law references: Cutting trees, obstructing roads, etc., Code of Virginia, § 33.1-345.

Sec. 13-39. Trespass after having been forbidden to do so; penalties.

(a) **If any person without authority of law goes upon or remains upon the lands, buildings or premises of another, or any portion or area thereof, after having been forbidden to do so, either orally or in writing, by the owner, lessee, custodian, or other person lawfully in charge thereof, or after having been forbidden to do so by a sign or signs posted by such persons or by the holder of any easement or other right-of-way authorized by the instrument creating such interest to post such signs on such lands, structures, premises or portion or area thereof at a place or places where it or they may be reasonably seen... he shall be guilty of a class 1 misdemeanor.**

Sec. 13-61. Discharging airguns.

(a) **For purposes of this section, the term "airgun" means any gun, rifle or pistol, by whatever name known, which is designed to expel a projectile by the action of compressed air or gas or by the action of a spring or elastic.**

(b) **It shall be unlawful for any person to discharge any airgun from or across any street, sidewalk, alley or public land or public place in the county or upon any land located within the boundaries of any residential, commercial or industrial district as so classified and defined by chapter 24.**

(c) **Nothing in this section is designed to prevent organized groups from erecting, maintaining and using properly constructed rifle or pistol ranges which meet the requirements of chapter 24 and are approved by the chief of police as to safety.**

(d) **It shall be unlawful and constitute a class 4 misdemeanor for any person to violate any of the provisions of this section.**

(Code 1980, § 15-13)

State law references: Authority to regulate discharge of airguns, Code of Virginia, § 15.1-518; discharging airguns across street or road, Code of Virginia, § 18.2-286.

Sec. 5-34. Unlawful acts generally; animals running at large.

The following shall be deemed unlawful acts and constitute a class 4 misdemeanor:

(6) ***Dogs running at large generally.* It is prohibited for any dog to run at large within the county at any time during any month of the year. For the purposes of this subsection, a dog shall be deemed to run at large while roaming, running or self-hunting off the property of its owner or custodian and not under its owner's or**

custodian's immediate control. Any owner who permits his dog to run at large in the county shall be deemed to have violated the provisions of this subsection.

(Code 1980, § 4-21; Ord. No. 1039, § 2, 10-22-02)

State law references: Unlawful acts, penalties, Code of Virginia, § 3.1-796.128; authority of county to prohibit dogs from running at large, Code of Virginia, § 3.1-796.93.

Sec. 5-36. Control of dangerous or vicious dogs.

(a) If an animal protection officer receives a complaint or has reason to believe that a canine or canine crossbreed is a dangerous dog, he shall undertake an investigation to determine whether the dog is dangerous. The animal protection officer shall confine the animal until a determination is made and any appeals have been exhausted.

Sec. 5-51. Required; tax year; amount of tax; exemptions from tax.

(a) It shall be unlawful for any person residing in the county to own a dog four months of age or older unless such dog is licensed as required by this division. Dog licenses shall be for the calendar year, from January 1 to December 31. The license tax shall be payable to the office of the director of finance or at such substation as shall be designated by the director of finance, and shall be in the following amounts:

(1) For each dog, \$10.00.

Sec. 5-60. Dogs not wearing tag presumed unlicensed.

Any dog not wearing a collar bearing a license tag of the proper calendar year shall, prima facie, be deemed to be unlicensed. In any proceedings under the provisions of this chapter, the burden of proof of the fact that such dog has been licensed or is otherwise not required to bear a tag at the time shall be on the owner of the dog.

(Code 1980, § 4-16)

State law references: Effect of dog not wearing collar as evidence, Code of Virginia, § 3.1-796.89.

Sec. 5-102. Sterilization required.

(a) *Duty of new owner.* Every new owner of a dog or cat adopted from a releasing agency shall cause such dog or cat to be sterilized pursuant to the agreement required by subsection (b)(2) of this section.

Sec. 22-342. Certificate of registration required; display of registration number.

It shall be unlawful for any person to operate or use a **bicycle** propelled wholly or in part by muscular power upon any of the streets, roads or public highways of the county without first obtaining a certificate of registration from the chief of police and attaching to such bicycle a metallic registration number.

(Code 1980, § 14-73)

State law references: Authority, Code of Virginia, § 15.1-133.

Sec. 10-1. Repair or removal of defacement of buildings, walls, fences and other structures.

The building official is hereby authorized to repair or remove defacement of:

- (1) Any public building, wall, fence or other structure; or
- (2) **Any private building, wall, fence or other structure if the defacement is visible from a public right-of-way**

Sec. 10-3. Inoperable motor vehicles.

(a) *Restrictions on inoperable motor vehicles.* It shall be unlawful to keep more than one inoperable motor vehicle outside a fully enclosed building or structure on property zoned or used for residential purposes, or any property zoned for commercial or agricultural purposes. For purposes of this section, "inoperable motor vehicle" means any motor vehicle, trailer or semitrailer, as defined in Code of Virginia, § 46.1-100 which:

- (1) Is not in operating condition; or
- (2) Does not display valid license plates; or
- (3) Does not display an inspection decal that is valid; or
- (4) Displays an inspection decal that has been expired for more than 60 days.

(b) *Enclosure or screening required.* **One inoperable motor vehicle may be kept outside a fully enclosed building or structure if it is shielded or screened from view by one of these methods:**

- (1) An opaque masonry wall at least six feet high; or
- (2) A hedge or dense evergreen landscape planting at least six feet high and ten feet wide; or
- (3) An opaque, treated wood fence of a stockade, board and batten, panel or similar type design at least six feet high; or

- (4) An opaque, defect-free cover specially designed and manufactured to completely shield the motor vehicle from view.

Walls, fences, or landscape plantings must meet the requirements of the zoning ordinance applicable to the property.

Sec. 10-72. Prohibited noise generally.

It shall be **unlawful for any person to create any unreasonably loud, disturbing and unnecessary noise in the county. Noise of such character, intensity and duration as to be detrimental to the life or health of any person or to unreasonably disturb or annoy the quiet, comfort or repose of any person is hereby prohibited.**

(Code 1980, § 15-8)

Sec. 10-73. Prohibited noises enumerated.

The following acts are declared to be loud, disturbing and unnecessary noises in violation of section 10-72, but such enumeration shall not be deemed to be exclusive:

- (1) *Horns and signaling devices on vehicles.* The sounding of any horn or signal device on any automobile, motorcycle, bus or other vehicle while not in motion, except as a danger signal if any other vehicle is approaching apparently out of control, or if in motion only as a danger signal after or as brakes are being applied and deceleration of the vehicle is intended; the creation by means of any such signal device of any unreasonably loud or harsh sound; and the sounding of such device for any unnecessary and unreasonable period of time.
- (2) *Radios, phonographs and musical instruments.* **The playing of any radio, phonograph or musical instrument in such a manner or with such volume, particularly during the hours between 12:00 midnight and 7:00 a.m., as to annoy or disturb the quiet, comfort or repose of persons in any dwelling, hotel or other type of residence.**
- (3) *Noisy animals.* **The keeping of any animal or bird which by causing frequent or long continued noise shall disturb the quiet, comfort or repose of any person in the vicinity to such an extent as shall constitute a nuisance.**
- (4) *Defect in vehicle or load.* The use of any automobile, motorcycle or vehicle so out of repair, so loaded or operated in such manner as to create loud and unnecessary grating, grinding, rattling or other noises.
- (5) *Steam whistles.* The blowing of any steam whistle attached to any stationary boiler except to give notice of the time to begin or stop work or as a warning of danger or other emergency.
- (6) *Noisy exhausts.* **The discharge of the exhaust of any steam engine, stationary internal combustion engine, motor vehicle or motorboat engine into the open air except through a muffler or other device which will effectively prevent loud and explosive noises therefrom.**

(11) Amplified sound from vehicles. The playing or operation, or permitting the playing, use or operation, of any radio, tape player, compact disc player, loud speaker or other electronic device used for the amplification of sound, which is located within a motor vehicle being operated on a public street or alley, and which is audible from outside the motor vehicle at a distance of 50 feet or more. The provisions of this subsection shall not apply to motor vehicle alarms or other security devices, nor to the emission of sound for the purpose of alerting persons to the existence of an emergency, or the emission of sound in the performance of emergency work.

(Code 1980, § 15-9; Ord. No. 908, 10-11-95)

Sec. 10-104. Unlawful storage or accumulation of refuse.

(a) *Prohibited storage or accumulation.* It shall be unlawful for any owner of property to allow the storage or accumulation of trash, garbage, refuse, litter and other substances which might endanger the health or safety of other residents of the county.

(b) *Use of containers required.* All garbage, trash, refuse and litter shall be placed in watertight containers and be kept covered until transported to the county landfill or until taken from the premises by trash or garbage collectors or otherwise disposed of as permitted by law.

(c) *Penalty.* Violation of this section shall be a class 4 misdemeanor.

(Code 1980, §§ 11-8, 12.1-5)

State law references: Authority to remove trash, weeds, etc., Code of Virginia, § 15.1-11.

Sec. 10-153. Cutting of weeds and grass required.

(a) It shall be unlawful for any owner of any vacant developed or undeveloped property, including such property upon which buildings or other improvements are located, within the boundaries of platted subdivisions or any other areas zoned for residential, business, commercial or industrial use, to permit weeds of more than 12 inches in height within 250 feet of property developed for residential use.

(b) The owner of occupied residential real property shall cut the grass or lawn area of less than one-half acre on such property when growth of such grass or lawn area exceeds 12 inches in height.

(Code 1980, § 11-16)

State law references: Authority to prohibit, Code of Virginia, §§ 15.1-11, 15.1-11.01.