

Article - Transportation

[Previous][Next]

§8-809.

(a) (1) Except as provided in subsection (b) of this section, if a junkyard, automotive dismantler and recycler facility, or scrap metal processing facility that lawfully existed on January 1, 1968, is within 1,000 feet of the nearest edge of the right-of-way of an interstate or primary highway, is visible from the main traveled way of that highway, and is not located in an area described in § 8-807(a)(3) or (4) of this subtitle, the Administration shall screen the junkyard or facility so that it is not visible from the main traveled way of the highway.

(2) A junkyard or facility shall be screened under this section:

(i) If feasible, on the highway right-of-way; or

(ii) Otherwise, on other property acquired for that purpose.

(b) If the Administration determines that the topography of the land or economic factors prevent adequate screening of a junkyard, automotive dismantler and recycler facility, or scrap metal processing facility under this section, the Administration, with the approval of the local government, shall:

(1) Acquire any real property necessary to relocate the junkyard or facility;
and

(2) Pay the costs of relocating, removing, or disposing of the junkyard or facility.

(c) (1) Except as provided in paragraph (2) of this subsection, property may be acquired under Subtitle 3 of this title for any purpose specified in this section.

(2) Property to relocate a junkyard, automotive dismantler and recycler facility, or scrap metal processing facility under subsection (b) of this section may be acquired by condemnation only if the property is located in an area zoned for industrial use or in an unzoned area that is used for an industrial activity.

[Previous][Next]