

## **CHAPTER 10**

### **JUNK YARDS AND AUTOMOBILE SALVAGE YARDS**

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#### **10.01 PURPOSE**

(1) Intent of Ordinance. The purpose of this regulation is to further the maintenance of safe and healthful conditions, regarding junk yards and automobile salvage yards. Said junk yards and automobile salvage yards are presently regulated under the Outagamie County Zoning Ordinance as well as regulations under the Department of Natural Resources.

(2) Applicable Regulation. Should the Town, County or State regulations conflict in any manner than the most restrictive of said regulations shall apply.

#### **10.02 DEFINITION**

(1) Automobile Salvage Yard. Automobile salvage yards shall consist of premises used for the storing, dismantling, crushing, shredding or disassembly of used motor vehicles or their parts.

(2) Junk Yard. Junk yard shall consist of premises of land, buildings or structures where junk, waste, discarded, salvaged or similar materials such as old metals, wood, lumber, glass, paper, rags, cloth, cordage, barrels, containers, etc., are brought, bought, sold exchanged, baled, packed, stored or handled including used lumber and building materials, equipment, wrecking yards and the like. This definition shall not include automobile salvage or wrecking yards or pawn shops and establishment for the sale, storage or purchase of secondhand vehicles, clothing, furniture, appliances, or similar household goods, all of which shall be useable, nor shall it apply to the processing of used, discarded or salvageable materials incident to manufacturing activity on the same site.

#### **10.03 LICENSE**

(1) Requirement. No person shall keep or maintain in the town any building or yard as a junk yard or automobile salvage yard without first having obtained a license as hereinafter provided.

(2) Application for a License. Every application for a junk yard or automobile salvage yard license shall be in writing and shall contain the name and address of the person applying for such license and proposed location of the business and detailed account of the type of materials to be dealt in or stored.

(3) Issuance of License. Whenever it shall appear that the proposed location of such junk yard or automobile salvage yard might be unsuitable and improper with regard to the public

health, safety and welfare or it may appear that such business shall become a fire hazard or become a public nuisance by reason of foul, noise or unsightliness, the Town Board shall direct that the applicant attend the next regularly scheduled Town Board meeting to give further evidence regarding the issuance of such a license. When the Town Board is satisfied that such junk yard or automobile salvage yard is suitable and proper with regard to the public health, safety and welfare; and that such a business shall not become a fire hazard nor a public nuisance, the Town Board shall authorize and the Town Clerk shall issue either a junk dealer's license or automobile salvage yard license. The Town Board may, in its discretion require any reasonable condition for the issuance of such license so as to prevent the proposed location from becoming a public nuisance or danger to safety and welfare of town residents. In addition to any other conditions, the Town Board shall require the following requirements for the issuance of a junkyard or automobile salvage yard license.

- (a) No processed junk or salvaged automobile shall be piled higher than fourteen feet.
- (b) A double row of trees shall be planted and maintained around the proposed premises with the application for permit outlining the location and type of trees to be planted.
- (c) Any storage or disposal of waste oil or anti-freeze shall comply with the Dept. of Natural Resource regulations.
- (d) The proposed location shall be made rodent free.
- (e) No used tire piles shall exceed 300 cubic yards.
- (f) All vehicles shall be placed behind a fence which shall surround the entire junk yard or automobile salvage yard unless the double row or trees shall block out the view of the said pile from all sides.
- (g) A front yard (a minimum of 25 feet setback) shall be maintained clear of all junk of salvage automobiles.

(4) Fee. The applicant shall accompany his application with an annual license fee as set by resolution of the Town Board. If the application is denied, one-half of the license fee shall be returned to Applicant.

(4) Term of License. All licenses shall be issued as of July 1st and shall continue in force until June 30th next succeeding the date of issuance thereof unless sooner revoked as provided by law.

(5) Revocation of License. Any junk yard dealer's license or automobile salvage yard license may be revoked by the Town Board whenever it shall appear that such business is

conducted in such a manner as to create a public nuisance or upon conviction of such licensee for violation of any State law or Town ordinance pertaining to junk dealers or automobile salvage dealers.

(6) Security Deposit. The Town Board may, at its discretion, require an applicant to file a cash bond or letter of credit with the Town Clerk to insure compliance with all town, county and state regulations. The amount of said bond shall at the discretion of the Town Board.

#### **10.20 PENALTIES.**

Any person, firm or corporation who shall violate any provisions of this ordinance shall, upon conviction thereof, forfeit not less than \$100.00 nor more than \$1,000.00 together with the costs of prosecution, and in default of payments of such forfeiture and costs of prosecution, shall be imprisoned in the County Jail until said forfeiture and costs are paid, but not exceeding ninety (90) days. Each violation and each day a violation continues or occurs shall constitute a separate offense. This section shall not affect the Town Board's right to take other actions under this ordinance.