

VILLAGE OF CLIFFORD

JUNK YARD ORDINANCE

ORDINANCE NO. 35

An ordinance to regulate junk yards and junk dealers and provide penalties for violations.

THE VILLAGE OF CLIFFORD ORDAINS:

ARTICLE I - DEFINITIONS

Section 1.1. JUNK. Any personal property which is or may be salvaged for reuse, resale, reduction, or similar dispositions or which is possessed, transported, owned, accumulated, dismantled or assorted for any of the aforesaid reasons. Without limiting the definition of junk, the term shall include inoperable motor vehicles, inoperable farm machinery, used or salvaged metals and their compounds or combinations, used or salvaged appliances, ropes, bags, papers, rags, glass, rubber and similar articles or property.

Section 1.2. JUNK DEALER. A person who engages in the business of buying, exchanging, accumulating, receiving, storing or selling any junk.

Section 1.3. JUNK YARD. Any place at which a junk dealer buys, exchanges, accumulates, receives, stores, sells or otherwise handles junk.

ARTICLE II - LICENSES

Section 2.1. STATE LICENSE. All applications must include evidence that the applicant has applied for any required state licenses.

Section 2.2. ISSUANCE OF VILLAGE LICENSE. The sole power to grant a village junk license hereunder is vested in the Village Council. Licenses so granted shall be issued by the Village Clerk.

Section 2.3. EXPIRATION. All Village licenses issued hereunder shall expire on the 1st day of January of each year.

Section 2.4. COMPLIANCE. All conditions of this ordinance must be fully met before a license shall be issued or renewed.

Section 2.5. INITIAL INSPECTION. Upon application for a new license or a license renewal, the Village President or other official appointed by the Village Council shall make a thorough inspection of the premises and report to the Village Council before any action is taken on the license.

Section 2.6. COMPLIANCE INSPECTIONS. The junkyard shall be subject to random compliance inspections by the Village President or other official appointed by the Village Council.

ARTICLE III - GENERAL REGULATIONS

Section 3.1. ZONING. Any property used for a junk yard shall be zoned for either Commercial or Industrial use.

Section 3.2. FENCING OR GREENBELTS. All junk yards shall be screened by a fence, greenbelt or earth berm so as to obscure vision of the junkyard area from any public roads or residences. Any fence or berm shall be at least eight (8) feet in height. Any greenbelt shall be planted with evergreen trees which shall be at least three (3) feet in height when planted and shall be planted in two (2) staggered rows with each tree being no more than ten (10) feet apart. Any berm shall be planted to grass or shrubs and kept trimmed. Any fence must be constructed of wood or aluminum materials and must not contain any openings through which the junkyard can be seen. Any fence must be painted or otherwise treated to maintain an attractive appearance. No advertising matter shall be displayed on any fence, other than that of the licensee.

Section 3.3. GATES. Any access gates to the premises shall be closed when the premises are not open for business.

Section 3.4. BURNING. No burning, smelting, rendering or reducing by heat of any junk shall be permitted.

Section 3.5. RECORD OF ACQUISITION. Every junk dealer shall maintain a record in which shall be entered at the time of purchase or exchange a description of all articles acquired and the name and residence of the person from whom the article was secured, and the date and hour when such transaction occurred; provided, however, that this requirement shall not apply to scrap iron, steel, old rags, or waste paper. The record book shall be open for inspection by members of any police agency or other public official.

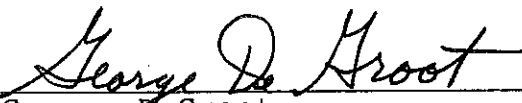
Section 3.6. LIMITATION ON PURCHASE OR ACQUISITION OF ARTICLES. No purchase or receipt of any article shall be made from any person who at the time is intoxicated, or from any person known by the dealer to be a thief or an associate of thieves, or a receiver of stolen property.

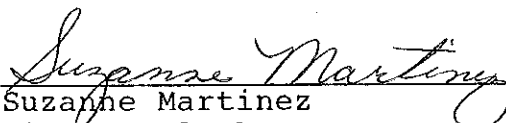
ARTICLE IV - PENALTIES

Section 4.1. Any person violating any of the provisions of this Ordinance shall be punished by a fine of not exceeding Five Hundred (\$500.00) Dollars or by imprisonment in the County Jail for a term not exceeding ninety (90) days or by both such fine and imprisonment at the discretion of the Court. Each day that a violation is maintained shall be considered as a separate offense.

ARTICLE V - ADOPTION AND EFFECTIVE DATE

Section 5.1. This ordinance was adopted by the Clifford Village Council on the 21st day of January, 1986, shall take full force and effect twenty (20) days after said date of its adoption. The Ordinance was published in the Marlette Leader on the 28th day of January, 1986.


George DeGroot
Village President


Suzanne Martinez
Village Clerk