

JUNK YARD CONTROL

ORDINANCE NO. ~~87~~ 12

An ordinance regulating junk dealers, the establishment and maintenance of junk yards, including, but not limited to automobile junk or grave yards, the storage and disposal of scrap, refuse and junked articles, providing for the issuance of licenses for junk dealers and for the maintenance and operation of junk yards under the prescribed conditions, prescribing remedies for the abatement of unlicensed junk yards and scrap yards, prescribing penalties for violators, and providing for the revocation of licenses in the event of non-compliance.

BE IT ENACTED and ordained by the Board of Supervisors, Bradford Township, Clearfield County, Pennsylvania, and it is hereby enacted and ordained by authority of the same and pursuant to the authority granted by the Act of the Legislature approved May 1, 1933, P. L. 103, as amended, as follows:

SECTION 1. Short Title. This ordinance shall be known and may be cited as "Bradford Township Junkyard Ordinance".

SECTION 2. Definitions. Unless otherwise expressly stated, the following words and phrases shall be construed throughout this ordinance to have the meanings herein indicated:

- A. Person. Shall include any natural person, partnership, association, firm and corporation or other legal entity.
- B. Township. Shall mean Bradford Township, Clearfield County, Pennsylvania.
- C. Board. Shall mean the Board of Supervisors of Bradford Township.
- D. Junkyard. Shall mean any place where any junk as hereinafter defined, is stored, disposed of, or accumulated. Any premises as herein defined having two or more scrapped, abandoned or junked motor vehicles thereon, shall in any event be deemed a junkyard.
- E. Junk. Shall mean any discarded material or article and shall include, but not be limited to, scrap metal, scrapped, abandoned,

or junked motor vehicles, machinery, equipment, paper, glass, containers and industrial waste. It shall not include, however, refuse or garbage kept in proper container for the purpose of prompt disposal.

- F. Junk Dealer. Shall mean any person, as hereinafter defined, who shall engage in the business of selling, buying, salvaging, storing and dealing in junk and who maintains and operates a junk yard within the Township of Bradford.
- G. License. Shall mean the permit granted to a person who accumulates, stores or disposes of junk as hereinbefore defined.

SECTION 3. License. No person shall engage in business as a junk dealer, or maintain a junk yard without first having obtained a license from the Board, for which license a fee in the sum of FIFTY (\$50.00) DOLLARS as hereinafter set forth shall be paid to the Township for the use of the Township. The license shall be issued for the twelve month period beginning July 1, and ending June 30 of the following year, and each license must be renewed annually on or before the first day of July of each year.

SECTION 4. Application for License. The license provided for in this ordinance shall be issued by the Board after written application shall have been made therefor by the person desiring to be licensed. Such license shall state the name of the person to whom such license is issued and the premises on which such business is to be conducted, or such junkyard is to be maintained. Such license shall be posted conspicuously upon the premises licensed thereunder. The written application for license hereinabove mentioned shall be accompanied by a form, every question of which must be answered, which form will be supplied by the Board. Applicant shall also submit therewith a plot of the premises used or to be used in connection with such license.

SECTION 5. Issuance of License. Upon receipt of an application by the Board, the Board shall issue a license or shall refuse to issue a license to the person applying therefor after an examination of the application

and taking into consideration the suitability of the property proposed to be used for the purpose of the license, the character of the properties located nearby and the effect of the proposed use upon the township, both economic and aesthetic. In the event the Board shall issue a license, it may impose upon the license and the person applying therefor such terms and conditions in addition to the regulations herein contained and adopted pursuant to this ordinance as may be deemed necessary to carry out the spirit and intent of this ordinance.

SECTION 6. License Fee. The license fee shall be paid immediately upon the issuance or renewal of a license.

SECTION 7. License Limitation. No person licensed under this ordinance shall, by virtue of one license, keep more than one place of business within the Township or maintain more than one junkyard, for the purpose of buying, selling and dealing in junk. No person shall engage in business as a junk dealer in any place other than the place designated upon his license, or maintain a junkyard in any place other than the place designated upon his license.

SECTION 8. Transfer of License. No license issued by the Board shall be transferrable by the Licensee to any other person unless such a transfer is authorized by the Board. Any person desiring to transfer his license shall notify the Board in writing, which notification shall be accompanied by an application for a license, as described in Section 4 of this ordinance by the transferee.

SECTION 9. Transfer Fee. In the event the Board shall approve the transfer of a license the transferee shall immediately pay to the Township a transfer fee of TEN (\$10.00) DOLLARS.

SECTION 10. Records. Every person, licensed under this ordinance, shall provide and shall constantly keep a record, in which shall be fairly

written down in the English language at the time of the purchase of any junk, a description of every article or material purchased or received by him, the date and the hour of such purchase and the person from whom such article or material was purchased, received or handled by such person shall at all times be subject to the inspection of the Board or any authorized agent of the Board. Records kept in accordance with Pennsylvania's Pawn Brokers Act shall be deemed sufficient under this Section.

SECTION 11. Delay in Disposal. Every person, licensed under this ordinance, shall keep and retain upon the licensed premises, for a period of forty-eight (48) hours after the purchase or receipt thereof, all junk received or purchased by him, and he shall not disturb or reduce the same or alter the original form, shape or condition until such period of forty-eight (48) hours shall have elapsed, unless specifically authorized by the Board.

SECTION 12. Regulations. Every person licensed under this ordinance shall constantly maintain the licensed premises in accordance with any special provisions imposed by the Board and in the manner prescribed by this section and any subsequent regulations adopted by the Board.

(a) Such premises shall at all times be maintained so as not to constitute a nuisance or a menace to the health of the community or of residents nearby or a place for the breeding of rodents and vermin.

(b) No garbage or other organic waste shall be stored in such premises.

(c) Whenever any motor vehicle shall be received in such premises as junk, all gasoline shall be drained and removed therefrom. Gasoline in an amount not exceeding One Hundred (100) gallons may be stored above the ground in said junk yards provided the same be placed in containers approved by the Board. All other gasoline which is kept in the premises

shall be stored underground, which underground storage must be approved by the Board.

(d) The manner of storage and arrangement of junk, and the drainage facilities of the premises shall be such as to prevent the accumulation of stagnant water upon the premises, and to facilitate access for fire-fighting purposes. Junked and scrapped motor vehicles shall be spaced in rows with at least fifteen (15) feet between each double row to permit the movement of fire equipment. Junk shall not be piled to a height of more than eight (8) feet from the ground.

(e) All junk kept, stored or arranged on the licensed premises shall at all times be kept, stored and arranged within the junk yard as described in the application for license hereunder, and as limited under Paragraph (d) above.

(f) A person licensed under this ordinance shall not burn more than one motor vehicle or its equivalent at any one time. No burning shall be permitted on Sundays and Mondays.

(g) The premises to be licensed shall be set back a minimum distance of twenty-five (25) feet from the right-of-way lines on all streets or roads and a minimum distance of fifteen (15) feet from all other property lines. The area between the set back lines and the right-of-way line and all streets and roads and all other property lines, shall be at all times, kept clear and vacant.

(h) When the Board shall deem it necessary and desirable, the premises to be licensed shall at the set back lines be enclosed by a fence of type and style to be determined by the Board or by evergreen and screen plantings, or both. The Board may set forth the fence and planting requirement at the time of the issuance of a license or at the time of renewal or transfer of a license.

SECTION 13. Violations. Any person who shall violate any of the

provisions of this ordinance shall upon conviction thereof, by a summary proceeding, be sentenced to pay not more than TWO HUNDRED (\$200.00) DOLLARS and the costs of persecution, provided that each day's violation of any of the provisions of this ordinance shall constitute a separate offense.

SECTION 14. Abatement of Nuisances. In addition to the remedies provided in SECTION 13, above, any continued violations of this ordinance which shall constitute a nuisance in fact or which shall in the opinion of the Board constitute a nuisance and be abated by proceeding against the violator in a court of equity for relief.

SECTION 15. Severability. If any section of this ordinance shall be found to be invalid the other sections of the ordinance shall not be affected thereby,

SECTION 16. Repeal. All ordinances or parts of ordinances in conflict herewith be and the same are hereby repealed.

APPROVED, ADOPTED and ENACTED into an ordinance this 5 day of June, 1968 to become effective the 5 day of June, 1968.

attest
Floyd Wilson Secy

Bradford Township Supervisors

Floyd Greene

John Gass

Fred Peter

ORD. No. 12a AMENDMENT OF ORDINANCE NO. ~~12~~ 12
RELATIVE TO JUNK YARD CONTROL

WHEREAS, an Ordinance known as a Junk Yard Control was adopted by the Supervisors of the Township of Bradford on June 5, 1968, and it is now desired to revise and amend in certain respects,

THEREFORE BE IT ENACTED AND ORDAINED by the Board of Supervisors of Bradford Township, Clearfield County, Pennsylvania, and it is hereby enacted and ordained by authority of the same and pursuant to the authority granted by the Act of the Legislature approved May 1, 1933, P. L. 103, as amended as follows:

SECTION 2. Definitions. Clause D. shall be amended to read as follows:

- D. Junkyard. Shall mean any place where any junk, as hereinafter defined, is stored for the purpose of use, sale or disposal or otherwise accumulated. Any premises as herein defined having two or more scrapped or abandoned motor vehicles thereon which shall not be immediately repaired or improved so as to qualify for motor vehicles that can be registered, shall in any event be deemed junkyard.
- F. Junk Dealer. Shall mean any person who shall engage in the business of dismantling and disposing of, and otherwise utilizing scrapped motor vehicles and scrap machinery. No person shall be granted a license as a junk dealer until he shall qualify therefor be engaged in the business of a junk dealer, or may obtain a junkyard and have signified his willingness to qualify with the definitions of Section 2 of this Ordinance.
- G. License. Shall mean a permit granted to a person who accumulates motor vehicles or other articles as above defined for the purpose of disposal of salvage for sale.

APPROVED, ADOPTED and ENACTED into an ordinance, this 15th day of May, 1974, to become effective the 15th day of May, 1974.

ATTEST:

Alydell Wilson

BRADFORD TOWNSHIP SUPERVISORS

Franklin E. Weir

John Lass

Richard C. Karchmer Jr.

BRADFORD TOWNSHIP ROAD DISTRICT

WOODLAND, PA.

September 5, 1969.

ORDINANCE No. 13

Mr. Ronald Fye
Mineral Springs, Pa.

Dear Mr. Fye:

The Bradford Township Supervisors of Bradford Township at their regular meeting held September 3, 1969. Adopted a Resolution pertaining to you acting as Policeman at the Bigler Cross Roads morning and evening to protect school Children crossing the Highway coming and going from school.

This Resolution authorizes you to take license number of any driver of Automobile or Truck who do not obey the law and you can arrest anyone who will not obey.

This Resolution is only in effect at the Bigler Cross Roads and also is in effect for the School term.

Yours truly

Thos. Picene Supervisor
John Goss Supervisor
Fred B. L... Supervisor.

Attest.

Floyd G. Wilson. Secretary