ORDINANCE NO: 42.1

“An ordinance defining junk, junk dealers, and promoting the health, safety and welfare of the City of Pillager and its citizens by the licensing and regulation thereof and providing penalties for violation thereof.”

The City Council of the City of Pillager ordains:

Sec. 1 Definitions:

1. Junk Defined: Clothing, paper, rubbish, bottles, rubber, metal of any kind , furniture, inoperative motor vehicles, parts of motor vehicles, agricultural or construction equipment, building materials, waste, discarded or salvage material, or other articles which because of their worn condition are no longer useful for the purpose for which they were made.
2. Junk Dealer Defined: Any person, association, partnership, business, corporation or other entity which keeps, conducts or maintains any building, structure, yard or place in which junk as heretofore defined is kept or stored or who conducts business in which the principal commodity is junk.

Sec II No Junk dealer as defined herein shall engage in the business or activities o a junk dealer unless he has first obtained a license pursuant to this ordinance.

Sec. III: Application for License: Every applicant for a license to engage in the business of a junk dealer, shall file with the City Clerk a written application, signed by the applicant and accompanied by a fee of $100.00. The license shall be for a period of one year from the date the application is granted by the City Council.

Sec IV No license shall be granted herein unless the entire area proposed to be used for the purpose of carrying on the business of a junk dealer is fenced with a solid fence at least 8 feet high which cannot be seen through around the entire perimeter of the area. No license shall be granted unless the area proposed to be used is in an area zoned commercial.

Sec. V: Enforcement: Any person violating the provisions of this ordinance, whether engaging in the business of a junk dealer without a license, or not complying with the terms of the license if issued, shall be guilty of a misdemeanor and upon conviction shall be punished by a fine not exceeding 700.00 or by imprisonment for not more than 90 days or both..

Sec.VI: In addition, in the event of a violation of the provisions of this ordinance, the City Council shall have the right to seek injunctive relief from the District Court of Cass County, Minnesota to restrain any violations of the ordinance. In the event that any person fails to comply with the provisions of the ordinance, the City shall cause to be served by registered mail upon the owner, tenant or person in occupancy of said premises directing compliance with the provisions of the ordinance. If compliance does not take place within fifteen (15) days after such notice is mailed, the City shall cause the removal of the junk and add the actual costs of such removal plus 7% thereof and shall cause the total to be certified to the Cass County auditor and such amount shall then become a lien on the real estate where the activity is taking place the same as real estate taxes against said premises.

Sec VII Each provision of this ordinance shall be deemed independent of all other provisions, and if any provision of the ordinance is declared invalid all other provisions thereof shall remain valid and enforceable.

Sec. VIII Effective Dates: This ordinance shall become effective upon passage and publication in the legal newspaper of the City of Pillager.

Sec IX: Ordinance # 42 is hereby repealed.

Passed by the Council this 17th day of April 1985

Rodney Dilley Mayor

Attest

Gerald Johnson

City Clerk

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