

SPECIAL NOTICE

Notice is hereby given that the Supervisors of the Township of Richmond, Crawford County, Pennsylvania, intend to adopt the following ordinance at a Regular Meeting of the Board of Supervisors to be held the 5th day of July, 1966, at 8:00 o'clock P. M., W. D. S. T., at the Township Hall.

17-2010

AN ORDINANCE REGULATING JUNK DEALERS AND THE ESTABLISHMENT AND MAINTENANCE OF JUNK YARDS, PROVIDING FOR THE ISSUANCE OF LICENSES FOR JUNK DEALERS AND JUNK YARDS UNDER PRESCRIBED CONDITIONS; PRESCRIBING REMEDIES FOR THE ABATEMENT OF NUISANCES AND UNLICENSED JUNK YARDS AND PRESCRIBING PENALTIES FOR VIOLATIONS HEREOF

BE IT ORDAINED BY the Board of Supervisors of Richmond Township, Crawford County, Pennsylvania, and it is hereby enacted and ordained by the authority of the same, and pursuant to the authority granted by the Act of the Legislature of May 1, 1933, P. L. 103, as amended by the Act of May 23, 1961, P. L. 215, as follows:

Section I

SHORT TITLE - This ordinance shall be known as the Richmond Township Junk Yard and Junk Dealers Licensing Ordinance.

Section II

DEFINITIONS

Unless otherwise expressly stated, the following words and phrases shall be construed in this ordinance to have the meanings herein indicated:

- A. "PERSON" shall include any partnership, association, firm, corporation, natural person or other entity.
- B. "TOWNSHIP" shall mean Richmond Township, Crawford County, Pennsylvania.
- C. "JUNK YARD" shall mean any place where any junk as hereinafter defined is stored, disposed of, accumulated, bought or sold.
- D. "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, structures, or other scrapped, abandoned or discarded material of any nature. The term "junk" shall not include, however, refuse or garbage kept in a proper container for the purpose of prompt and periodic disposal, or at a garbage dump operated under proper sanitary conditions in accordance with the regulations of the Pennsylvania Department of Health.

c. "JUNK DEALER" shall mean any person as hereinabove defined who shall engage in the business of buying, selling, salvaging or dealing in junk, and who maintains and operates a junk yard or storage place for such material within ~~Richmond~~ Township.

d. "LICENSEE" shall mean the permit granted to a person who accumulates, stores or disposes of junk, or is a junk dealer as hereinbefore defined.

Section III

No person shall engage in the business of junk dealer or maintain a junk yard without first obtaining a license from the Board of Supervisors of Richmond Township for which license a fee in accordance with the schedule hereinafter set forth shall be paid to the township for the use of the township. Licenses shall be issued for the calendar year beginning on January 1st of each year and ending on December 31st of each year. Such licenses to remain effective, must be renewed annually on or before the first day of each year.

Section IV

Any person desiring a license under the terms of this ordinance shall file a written application with the Board of Supervisors upon a form furnished by the Board. Such applications shall set forth in reasonable detail the type of business to be conducted, the premises on which said business is to be conducted, or the premises upon which said junk is to be stored or accumulated and shall have attached thereto a map or sketch showing the location of the premises to be licensed, shall state the name of the person to whom such license is to be issued, shall the address of the person to whom such license is to be issued, shall the address of the person to whom the license is to be issued and other information as the Board of Supervisors may, from time to time, request.

Section V

Upon receipt of any application for such license by the Board of Supervisors, the Board of Supervisors shall examine the premises to be

licensed and, after taking into consideration the suitability of the property proposed to be used for the purposes of a license, the character of the properties located nearby and the effect of the proposed use upon the township, both economic and aesthetic, the Board shall either refuse such license, or shall issue a license, and in the issuance thereof may impose upon the licensee such terms and conditions in addition to the regulations herein contained and adopted pursuant to this ordinance.

Section VI

The license fee shall be remitted to the Board of Supervisors with the application for license and if the license is refused, such license fee will be returned. The license fee shall be Fifty (\$50.00) Dollars for each and every calendar year. No license shall be issued for the use of a tract of land in excess of 20 acres exclusive of set back areas, nor shall any single license be issued for the use of two or more noncontiguous areas as a junk yard or for use by a junk dealer. No persons shall engage in business as a junk dealer at any place other than that designated by the license or maintain a junk yard in any place other than that designated by his license.

Section VII

No license issued by the Board of Supervisors shall be transferrable, and any sale, conveyance, lease or other disposition of the licensed premises by the holder of the license shall terminate the license, and any purchaser, grantee or lessee of the premises wishing to continue the operation of a junk yard, or to continue or commence the business of a junk dealer shall apply to the Board for a new license.

Section VIII

License fees so set forth hereinabove shall be for the calendar year or any portion thereof and any person commencing the operation of a junk yard or beginning to operate as a junk dealer during the

calendar year shall pay a full license fee for the remainder of the calendar year.

Section IX

Every person licensed under this ordinance shall provide and constantly maintain a book 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 of such purchase or receipt, and the person from whom such article or material was purchased, received or handled by such persons, and such book shall at all times be subject to the inspection of any official of the township.

Section X

Every person licensed under this ordinance shall keep and retain upon the licensed premises for a period of not less than 48 hours after the receipt or purchase thereof all junk received or purchased by him, and shall not disturb or reduce the same or alter the original form, shape or condition until such period of 48 hours shall have elapsed.

Section XI

REGULATIONS

Every person licensed under this ordinance shall constantly maintain the licensed premises in accordance with any special provisions imposed by the Board of Supervisors under the terms of his, her or its license, and in the manner prescribed by this section, or any subsequent regulations adopted by the Board of Supervisors.

- 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, vermin or insects.
- B. No garbage or other organic waste shall be stored in such premises at any time.
- C. Any gasoline stored on the premises in excess of 10 gallons must

D. All junk and other materials shall be so stored and arranged as to permit proper drainage and no accumulations of stagnant water shall be permitted upon the premises, and all junk shall be so arranged as to facilitate access for fire fighting or inspection purposes.

E. Any person licensed under this ordinance shall not burn more than one motor vehicle or its equivalent at any time. No oil, grease, tires, gasoline or other similar materials that might be dangerous or tend to produce obnoxious smoke or odors shall be burned within the junk yard at any time. Burning of vehicles must be attended and controlled at all times.

F. The premises to be licensed shall be set back a minimum of 5 feet from the right-of-way line of all streets or roads and a minimum of 25 feet from all other property lines. The area between the set back line and the right-of-way line of any street or road and all other property lines shall at all times be kept clear and vacant.

G. When the Board of Supervisors shall deem it necessary and desirable, the premises to be licensed shall be enclosed at the set back line by a fence or by evergreen plantings sufficient to shield the licensed premises from view either from surrounding properties or the public highway. The Board may require such fence or planting at the time of the issuance of the license or at the time of any renewal thereof.

Section XII

Any person who shall violate any of the provisions of this ordinance shall, upon conviction thereof in a summary proceeding be sentenced to pay a fine of not more than One Hundred (\$100.00) Dollars and the costs of prosecution, and each days violation of the provisions of this ordinance shall constitute a separate offense.

Section XIII

In addition to the remedies provided above, any continued violations of this ordinance shall constitute a nuisance and may be

for relief.

Section XIV

If any section of this ordinance shall be found to be invalid or unconstitutional, the other section or sections of the ordinance shall not be affected thereby.

Section XV

All ordinances or parts of ordinances of conflict herewith are hereby repealed.

Section XVI

Effective date - five days (5) after adoption.

STUART A. CULBERTSON
PAUL E. ALLEN
Solicitors
349 Center Street
Meadville, Pennsylvania

EVELYN WINTON, Secretary
Richmond Township
Supervisors