

## **Sec. 14-781. Compliance with article required.**

No person shall engage in the junk business except in strict accordance with the provisions of this article.

*(Code 1982, § 12.16(1))*

## **Sec. 14-782. Definitions.**

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Junk* means pig iron, chain, brass, copper, tin, lead, other base metals, automobiles, trucks, trailers or any parts thereof to be junked or demolished, taken apart or destroyed for salvage materials, paper, wastepaper, paper clippings, rags, rubber, glass or bottles and all articles and things discarded as manufactured articles composed of or consisting of any one or more of the articles mentioned, including industrial metal or scrap or other material commonly included within the term "junk." Also included within the meaning of "junk" are those items included within the definitions of rubbish, refuse, garbage and abandoned, dismantled, inoperable, junked or wrecked motor vehicles set forth in [chapter 22](#), article III.

*Junk business* means the buying, selling, gathering, delivering or storing of junk.

*Junk dealer* means a person who buys, sells, gathers, delivers or stores junk and maintains a yard or building therefor.

*Junk peddler* means a person engaged in buying and gathering junk by means of a wagon, cart or other vehicle.

*(Code 1982, § 12.16(2))*

**Cross reference**— *Definitions generally, § 1-2.*

## **Sec. 14-783. Application for license.**

- (a) Application for a junk dealer's license shall be made to the clerk-treasurer and shall contain the following information:
  - (1) The full name and residence of the applicant; and if a firm or association, the full name and residence of the firm or association; and if a corporation, the full name and residence of the officers thereof.
  - (2) The address and description of the premises for which the license is desired.
  - (3) A complete statement of the business to be carried on.
  - (4) An enumeration of the articles and merchandise to be handled on the premises and a statement as to whether the junk to be stored is combustible or incombustible.
  - (5) Such other information as the town board may from time to time require.
- (b) Each applicant for a license shall execute a permit granting the town board or any of its representatives permission to inspect and search the premises. Any false statement contained in such application shall automatically nullify any license issued pursuant thereto.
- (c) Licenses under this article shall be granted by the town board. In considering such application for a license under this article, the town board shall take into account, among other things, the nature and development of surrounding property, the proximity of churches, schools, public buildings or other places for public gathering, the health, safety and general welfare of the public, traffic volume, congestion and hazard at the location of applicant's proposed place of business.

*(Code 1982, § 12.16(3))*

## **Sec. 14-784. Fees.**

- (a) The license fee, in an amount specified by [section 14-35](#), per annum or fractional part thereof for each junk business.
- (b) There shall be a fee, in an amount specified by [section 14-35](#), per annum for each junk peddler using one wagon, cart or other vehicle. For each additional wagon, cart or other means of conveyance used for each purpose, such licensee shall pay the additional sum of \$2.00. Each licensee engaged in collecting or gathering junk shall be

furnished with a plate with the number of his license described thereon which shall be securely fastened by the licensee in some conspicuous place on the wagon, cart or other vehicle so used by him.

(Code 1982, § 12.16(4); Ord. No. 2008-01, § 13, 12-22-2008)

### **Sec. 14-785. License numbers.**

All licenses shall be numbered consecutively and the clerk-treasurer shall furnish each licensee a card setting forth his name and the number of such license.

(Code 1982, § 12.16(5))

### **Sec. 14-786. Revenues and expenses.**

The clerk-treasurer shall secure the necessary blanks or cards and the expense thereof shall be paid by the town out of the general fund and all monies derived from such licenses shall be turned into the general fund.

(Code 1982, § 12.16(6))

### **Sec. 14-787. Limitation upon issuance of licenses.**

A separate license shall be required for each place of business and each shall particularly describe the premises for which issued.

(Code 1982, § 12.16(7))

### **Sec. 14-788. Restriction of licenses.**

- (a) *Accumulation of junk.* No person except a licensed junk dealer or junk peddler shall buy, collect, gather junk or shall allow the junk to accumulate in any substantial amount in the town.
- (b) *Storage restrictions.* No junk shall be accumulated, stored or placed on any premises in the town within 750 feet from the centerline of any public highway or roadway or within one-half mile from the nearest residence, school, church or other place of public gathering. No burning of junk shall be done on such premises unless such burning takes place not less than 1,000 feet from the centerline of any public highway or roadway within the town and not less than one-half mile from the nearest residence, school, church or other place of public gathering.
- (c) *Storage of combustible junk.* No combustible junk shall be stored in any building unless such building is approved by the building inspector and is of fireproof construction.
- (d) *Enclosure of junkyards.* Every junkyard shall be enclosed by a substantial enclosure consisting of a solid fence, to be approved by the building inspector, not less than eight feet in height and maintained in proper condition. Junk placed in a junkyard shall be piled as to not rest against or project through the enclosure. No person shall affix or display or permit to be affixed or displayed upon such enclosure any picture, sign, bill, placard, pamphlet, notice or other thing for the purpose of advertising or notification. The words "Post No Bills" shall be painted on such enclosure at intervals in letters six inches high.
- (e) *Record of purchases.* A written record consisting of an accurate description and price of the goods, articles and things purchased, together with the name, age and residence of the seller shall be maintained by each licensee under this article. Such record shall be available to any law enforcement officer for inspection at any reasonable times.
- (f) *Purchase from certain persons.* No purchase shall be made from any child or children under 18 years of age or from any intoxicated or unknown person.
- (g) *Purchase of certain property.* No person shall purchase used pipe, faucets, boilers, spigots or coils from any person except the manufacturer thereof, a licensed plumber, a licensed peddler or the owner of the building from which material is taken.
- (h) *Rodents and vermin.* Effective means for the elimination of the rodents and vermin commonly infesting junk areas shall be administered by all licensees under this article.
- (i) *Garbage.* No person shall store any garbage materials on the premises licensed under this article.
- (j) *Revocation.* See [section 14-46](#) for provisions regarding the revocation of licenses.

(Code 1982, § 12.16(8))

**Sec. 14-789. Limitation of licenses granted.**

The town board shall issue no more than one license to cover junkyards for each 5,000 inhabitants or fraction thereof, except that if a greater number of licenses have been granted, issued or in force in the town than shall be permissible under such limitation, the town board may issue and grant such licenses equal in number to those granted, issued or in force on the effective date of this section, but the town board shall not grant and issue any additional licenses above the number of licenses existing on such date until the number of licenses shall correspond to the limitation provided in this section.

*(Code 1982, § 12.16(9))*