

Part 5. Junkyard and Junk Cars

305.01. **Definitions.** As used in this section, the terms shall mean the following:

Subd. 1. **Junk.** "Junk" as used in this ordinance shall mean old iron, steel, brass, copper, tin, lead, or other base metals; old cordage, ropes, rags, fibers, or fabrics; old rubber; old bottles or other glass; bones; wastepaper and other waste or discarded material which might be prepared to be used again in some form; and any or all of the foregoing; and motor vehicles, no longer used as such, to be used for scrap metal or stripping of parts; but "junk" shall not include materials or objects accumulated by a person as by-products, waste or scraps from the operation of his own business or materials or objects held and used by a manufacturer as an integral part of his own manufacturing processes.

Subd. 2. **Junkyard.** "Junkyard" as used in this ordinance means an establishment, place of business, yard, lot, or place of storage or deposit, covered or uncovered, outdoors or in an enclosed building, which is maintained, operated, or used for storing, keeping, buying, or selling junk as defined above, where the waste, body, or discarded material stored is equal in bulk to two or more motor vehicles.

Subd. 3. **Motor Vehicle.** "Motor Vehicle" for the purpose of this ordinance shall have the meaning ascribed in Minnesota Statutes 1961, Section 168.011, Subdivision 4, and as amended.

Subd. 4. **Motor Vehicle Part.** "Motor Vehicle Part" for the purpose of this ordinance, "Part or Parts of Motor Vehicles" shall include any part, accessory, attachment, or piece of equipment commonly used on or in connection with a motor vehicle.

305.02. **Permit Required.** No person, firm or corporation shall erect or establish or maintain a junkyard within the limits of the City of Hayfield, Dodge County, Minnesota without first obtaining a permit therefore from the city council or its authorized representative.

305.03. **Applications.** No permit for a junkyard shall be issued by the City Council unless and until the person requesting the permit shall first make application to the city clerk and shall submit all information and data. The application shall be in writing, signed by the applicant and shall include the following:

- a. Name and address of applicant.
- b. Location and legal description of premises to be used for the junkyard.
- c. A complete plan of the junkyard in conformity with Section 305.05 of this ordinance.
- d. Plans and specifications of all buildings, improvements, and facilities constructed or to be constructed within the junkyard.
- e. Such further information as the city council may request to enable the council to determine if the proposed junkyard will comply with legal requirements and will insure the protection and the best interests of the city and its citizens as to health, welfare, and public safety.

The application and three copies of all accompanying plans and specifications shall be filed with the city clerk. The city council shall make such investigation of the applicant, the plans, the site, and any other related subjects as it may deem necessary and proper.

305.04. **Fee.** The applicant shall pay to the city a permit fee in the amount of One Hundred and no/100 (\$100.00) at the time the application is filed.

305.05. **Requirements.** The junkyard shall conform to the following requirements:

- a. The junkyard shall conform to all applicable provisions of the County Zoning Ordinance.
- b. The site shall be well drained, properly graded to insure prompt drainage of surface and storm waters, and to insure freedom from stagnant pools of water.
- c. Junk shall be kept only in enclosed buildings or in areas which are adequately screened. "Adequate Screening" as used in this ordinance shall be deemed to mean a solid fence of at least six (6) feet in height surrounding the junkyard.
- d. The applicant shall provide a "Buffer Zone" of not less than thirty (30) feet in width, which buffer zone shall surround the perimeter of the junkyard and shall be landscaped with the planting of appropriate grass and/or sod and shrubbery which shall be maintained and kept by the owners and/or operators of the said junkyard in a presentable appearance.
- e. Such additional special requirements as may be required by the city to insure the protection of the best interests of the city and the promotion of the general health, welfare, and public safety.
- f. Gasoline and oil shall be removed from any scrapped engines or vehicles on the premises.
- g. No garbage or other waste liable to give off a foul odor or attract vermin shall be kept on the premises, unless such refuse is junk as defined in this ordinance and is in use in the licensed premises.

305.06. **Fires.** No open fires shall be permitted within the junkyard except in designated burners, and no burning of automobiles or accessories shall be permitted without the permission of the City Fire Department.

305.07. **Annual Permit.** On or before January 10 of each year following the first six(6) month period that a permit has been in force under this ordinance, the operator shall pay an annual permit fee to the city Clerk. Such fee shall be One Hundred and no/100 (\$100.00) Dollars per year.

All junkyard existing prior to the adoption to this ordinance shall be subject to provisions of this ordinance and shall pay the license fees provided in this section commencing January, 1977.

305.08. **Inspections.** The city council, or its duly authorized representatives, shall inspect the junkyard licensed under this ordinance at least once a year to determine whether such junkyard is being operated in accordance with the provisions of this ordinance and other applicable provisions of law. The licensee shall permit inspection of the premises of said junkyard by

having members of the city council or representatives of a member of the city council make inspection at any reasonable time.

305.09. **Revocation of Permit.** Failure to comply with all provisions of this ordinance or with all or any provisions of any special nature imposed upon the junkyard or the operator by the terms of such permit shall be cause for the city to revoke the permit.

305.10. **Penalties.** Any person, or persons, firm or corporation violating any of the provisions of this ordinance shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine not to exceed Seven Hundred and no/100 (\$700.00) Dollars or by imprisonment for not to exceed ninety (90) days, or both, for each offense. Each successive ten (10) days period that the violation is permitted to exist after the first day of violation hereunder shall constitute a separate offense hereunder.

305.11. **Severability.** Every provision of this ordinance shall be severable from every other part or provision thereof, and if one provision is held invalid, such invalidity shall not affect any other part or provision thereof.