

Chapter 340

JUNK DEALERS AND SALVAGE YARDS

[HISTORY: Adopted by the Village Board 6-4-1985 as §§ 12.12 and 12.25 of the Village of Plover. Amendments where noted where applicable.]

GENERAL REFERENCES

Coin, precious metal and secondhand gun dealers — See Ch. 241.
Direct sellers — See Ch. 253.
Nuisances — See Ch. 388.
Rummage and garage sales — See Ch. 431.
Solid waste — See Ch. 460.

§ 340-1. Junk dealers.

- A. License required. No person within the Village shall keep, conduct or maintain any building, structure, yard or place for keeping, storing or piling commercial quantities, whether temporarily, irregularly or continually, or for the buying or selling at retail or wholesale or dealing in any old, used or secondhand materials of any kind, including cloth rags, clothing, paper, rubbish, bottles, rubber, iron, brass, copper or other metal, furniture, or other article which from its worn condition renders it practically useless for the purpose for which it was made and which is commonly classed as junk, whether with a fixed place of business or as an itinerant peddler, without first having obtained and paid for a license as hereinafter provided. One carrying on the aforesaid business shall be referred to herein as "junk dealer." [Amended by Ord. No. 7-98¹]
- B. Application. Application for such license shall be made to the Village Clerk on a form provided by the Clerk.
- C. License fee. The license fee shall be as provided in the Village Fee Schedule per year or any fraction thereof, said year to commence on July 1 and end on June 30. In addition, there shall be an investigation and inspection fee as provided in the Village Fee Schedule for the initial license.²
- D. Inspection required. The Village Clerk shall report such application to the Building Inspector, who shall inspect or cause to be inspected such premises to determine whether it complies with all laws, ordinances, rules and regulations. Said premises and all structures thereon shall be so situated and constructed that the business of junk dealer may be carried on in a sanitary manner, shall contain no fire hazards, and shall be arranged so that thorough inspection may be made at any time by the proper health, fire, building and police authorities.
- E. Referral to Plan Commission. An application for an initial license shall first be submitted to

1. Editor's Note: Original § 12.12(2), which immediately followed this subsection, was repealed 3-7-1998.

2. Editor's Note: See Ch. A600, Fees.

the Plan Commission for a hearing to determine the suitability of the site for the business proposed thereon. The Plan Commission may recommend conditions for granting the license.

- F. Referral to Village Board. The application for an initial license, together with the recommendation of the Plan Commission, shall be referred to the Village Board which may grant, grant with conditions, or deny the license.
- G. Operational requirements. Each licensee shall comply with the following operational requirements:
 - (1) Fencing. Each junkyard shall be entirely enclosed with a cyclone-type fence or tight board fence not less than eight feet in height. Such fence shall be built and maintained in a substantial manner and painted in a uniform color. No signs shall be posted on said fence, and any signs illegally posted shall be removed. The storage of any junk outside the fenced area is prohibited.
 - (2) Setback and yard requirements.
 - (a) Setback. The junkyard setback for fencing shall be 100 feet from the center line of any street or highway, except that where 50% or more of the area buildings have an average setback of more or less than said 100 feet, no fence shall be constructed within the average setback line so established, provided that in no event shall the fence be constructed within 25 feet of the street or highway right-of-way.
 - (b) Side yards. The side yards shall be a minimum of four feet.
 - (3) Off-street parking. The licensee shall construct 200 square feet of hard-surfaced off-street parking space for each five employees and adequate access to a public street or alley.
 - (4) Property maintenance. The licensee shall cut all noxious weeds and take all necessary means to exterminate rats and other vermin.
- H. Revocation. Upon complaint being made in writing by any resident or other official of the Village to the Village Board that any licensee hereunder has violated any of the provisions of this section, the Board shall summon such licensee to appear before it at the time specified in the summons, which shall be not less than 10 days after the date of the service thereof, to show cause why his license shall not be revoked or suspended. The Board shall thereupon proceed to hear the matter and, if it finds that the allegations of said complaint are true, may revoke or suspend the license of such person. The provisions hereunder shall not be effective unless the licensee has received notice from the Building Inspector that a complaint has been filed with the Board as to the operation of his premises and such licensee has been given a reasonable time to correct the condition complained of or to otherwise satisfy such complaint.

§ 340-2. Automobile salvage yards. [Added by Ord. No. 7-98]

- A. License required. No person within the Village shall keep more than five motor vehicles of any kind, incapable of being operated, on any nonresidential lot without having first

obtained and paid for a license as hereafter provided. This shall include tractor and machinery wrecking or used parts yards. The automobile salvage yard shall also be in compliance with Chapter 550, Zoning, of this Code.

- B. Exception. No license shall be required for the storage of wrecked motor vehicles stored within service garages and filling stations or on any service garage or filling station site, provided that not more than five wrecked vehicles may be stored on said premises at any one time for a period not exceeding 14 calendar days.
- C. Application. Application for such license shall be made to the Village Clerk on a form provided by the Clerk.
- D. License fee. The license fee shall be as provided in the Village Fee Schedule per year or any fraction thereof, said year to commence on July 1 and end on June 30. In addition, there shall be an investigation and inspection fee as provided in the Village Fee Schedule for the initial license.³
- E. Inspection required. The Village Clerk shall report such application to the Community Development Manager, who shall cause the premises to be inspected to determine whether it complies with all laws, ordinances, rules and regulations. Said premises and all structures thereon shall be so situated and constructed that the business of automobile salvage may be carried on in a sanitary manner, shall contain no fire hazards, and shall be arranged so that thorough inspection can be made at all times by the proper health, fire, building and police authorities of the facilities together with the books as provided in Subsection F below.
- F. Records. Any person maintaining or operating an automobile salvage yard shall keep at his place of business a book in which a record shall be kept of the day and time of day of each purchase; the name, residence, and description of the person selling and actually delivering the vehicle, parts, or accessories purchased; the amount of the purchase price; the make, state license number, motor number, body number, style, and seating capacity of the vehicle purchased; and the make and identifying number of the radiator, speedometer, and magnetos purchased, together with any other information concerning said property as may be necessary to prove ownership or identity of such vehicles or of such automobile parts or accessories purchased.
- G. Buying, selling, etc., vehicles or parts from which identification marks have been removed; notice to police. No purchaser shall knowingly buy, sell, receive, dispose of, conceal or have in his possession any motor vehicle, part, or accessory from which the manufacturer's serial number or any other number or identification mark has been removed, defaced, covered, altered or destroyed for the purpose of concealing or misrepresenting the identity of the vehicle, part or accessory. Every person to whom is offered for sale any motor vehicle, part, or accessory from which the manufacturer's serial number or any number or identification mark has been removed, defaced, covered, altered or destroyed shall immediately notify the Police Chief.
- H. Referral to Plan Commission. An application for an initial license shall first be submitted to the Plan Commission for a hearing to determine the suitability of the site for the business

3. Editor's Note: See Ch. A600, Fees.

proposed thereon. The Plan Commission may recommend conditions for granting the license such as, but not limited to, the hours of operation, etc. The property is subject to Chapter 550, Zoning, § 550-38, Conditional uses, of this Code in addition to the following:

- (1) Fence required. An automobile salvage yard shall be entirely enclosed by a fence not less than eight feet in height kept in good repair at all times, and which is constructed by a material approved by the Plan Commission, so as to exclude such yard from public view.
- (2) Advertisement on fence. The fence enclosing an automobile salvage yard shall not be used for bill postings or other advertising purposes, except that a space may be used to identify the business provided it complies with Chapter 447, Signs, of this Code.
- (3) Contents not to extend above height of fence. The contents of an automobile salvage yard shall not be placed or deposited to a height greater than the height of the fence surrounding it.

I. Referral to Village Board. The application for an initial license, together with the recommendation of the Plan Commission, shall be referred to the Village Board, which may grant, grant with conditions, or deny the license.

§ 340-3. Violations and penalties. ⁴

Any person who shall violate any provision of this chapter shall be subject to a penalty as provided in § 1-4 of this Code. A separate offense shall be deemed committed on each day on which a violation of this chapter occurs or continues.

4. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).