

JUNK CAR ORDINANCE NO. 7

AN ORDINANCE REGULATING THE PARKING AND STORING OF JUNK CARS WITHIN THE TOWNSHIP OF CREDIT RIVER AND REGULATING THE ESTABLISHMENT, MAINTENANCE AND OPERATION OF AUTOMOBILE GRAVEYARDS WITHIN THE TOWNSHIP.

THE BOARD OF SUPERVISORS OF THE TOWNSHIP OF CREDIT RIVER HEREBY ORDAIN AS FOLLOWS:

SECTION 1. Definitions.

Junk cars means any motor vehicle which for a period of 45 days or more is not in operable condition or is partially dismantled, or which is used for sale of parts or as a source of repair or replacement parts for other vehicles, or which is kept for scrapping, dismantling, or salvage of any kind, or which for a period of 30 days or more is not properly licensed for operation within the State of Minnesota, except seasonal service vehicles where license is required for part of year only.

Automobile Graveyard is any site, lot, field or tract of land upon which two or more junk cars are kept and shall include any building, structure or enclosure used or intended for use as part of the equipment of such automobile graveyard.

SECTION 2. Permit Required.

No person, firm or corporation shall erect or establish or maintain an automobile graveyard within the limits of Credit River Township, Scott County, Minnesota without first obtaining a permit from the Town Board or its authorized representative.

Before the Town Board or its representative shall issue a permit for a graveyard for cars, a Public Hearing shall be held and all abutting property owners shall be notified by mail by the applicant five (5) days prior to said public hearing, and notice of Public Hearing shall be published, as law requires. The applicant shall file an affidavit of mailing with the clerk.

SECTION 3. Location of Junk Cars.

No person, firm or corporation shall locate junk cars within the boundaries of Credit River Township, except in an automobile graveyard for which a permit has been granted under the provisions of this ordinance.

SECTION 4. Applications.

No permit for an automobile graveyard shall be issued by the Town Board unless and until the person requesting same shall first make application to the Town Clerk and shall submit therewith all information and data hereinafter specified. 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 graveyard.

- (c) Complete plan of the graveyard in conformity with Section 6 of this ordinance.
- (d) Plans and specifications of all building, improvements, and facilities constructed within the graveyard.
- (e) All information as the Town Board may request to enable the board to determine if the proposed graveyard will comply with legal requirements and will insure the protection of the best interests of the Township and citizens as to health, welfare and public safety.

The application, and all accompanying plans and specifications shall be filed in triplicate. The Town Board shall make such investigation of the applicant, the plans, the site, and any other related subjects as it may deem necessary and proper.

SECTION 5. Fee. *250.00*

A permit fee of ~~\$250.00~~ shall be paid by the applicant at the time the permit is granted and issued. A renewal fee of ~~\$250.00~~ shall be paid annually. *250.00*

A Bond of \$5,000.00 or such larger amount as the Town Board deems necessary, shall be posted at the time the permit fee is paid. This Bond shall run concurrent with each permit granted in order to cover any costs to the Township for cleanup, in the event of discontinuation of any graveyard operation.

SECTION 6. Requirements.

The automobile graveyard shall conform to the following requirements:

- (a) All applicable provisions of Credit River Township Zoning Ordinance.
- (b) The automobile graveyard shall be a minimum of three acres.
- (c) The site shall be well drained, properly graded to insure good drainage of surface and storm waters, and to insure freedom from stagnant pools of water.
- (d) Junk cars shall be kept only in enclosed buildings or in automobile graveyards which are adequately screened. Adequate screening requires a solid board fence at least six feet high surrounding the automobile graveyards. The fences shall be constructed of 3/4 No. 3 Pondeross lumber or its equivalent, and shall be kept in good repair, and well maintained.
- (e) The applicant shall provide a "Buffer Zone" of not less than 50 feet in width, which buffer zone shall surround the perimeter of the automobile graveyard 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 said automobile graveyard in a neat and presentable appearance.
- (f) Any additional special requirements as may be required by the Township Board to insure the protection of the best interests of the Township and the general health, welfare and public safety.
- (g) Prior to discontinuing a graveyard, the applicant shall remove all junk cars and parts thereof and remove all evidence of such graveyard.

SECTION 7. Fires.

No open fires shall be permitted within the graveyard except in a designated burner, and no burning of automobiles or accessories shall be permitted without the permission of the Fire Marshall.

SECTION 8. Annual Permit.

On or before January 10th of each year following the first six month period that a permit has been in force under this ordinance, the operator shall pay an annual license fee to the Township Treasurer.

All automobile graveyards established prior to the adoption of this ordinance shall be subject to provisions of this ordinance and shall pay the license fees provided for in this ordinance, commencing _____.

SECTION 9. 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 automobile graveyard or by its permit shall be cause for revocation of license.

Upon notification of any failure to comply with any and all regulations of this ordinance to operator and/or owner shall have 30 days to perform in accordance or be in jeopardy of having permit revoked.

SECTION 10. Penalties.

Any person, firm or corporation violating the provisions of this ordinance shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not to exceed \$100.00, or by imprisonment for not to exceed 90 days for each offense. Each ten (10) days that the violation is permitted to exist shall constitute a separate offense.

SECTION 11. Severability.

Every provision of this ordinance shall be severable from every other part of provision thereof, and if one provision is held to be invalid by the Court, such invalidity shall not effect any part or provision thereof.

SECTION 12.

This ordinance shall take effect and force thirty days from and after its publication.

Adopted this 3rd day of June, 1968.

Attest:

Clerk.

John F. Casey

BOARD OF SUPERVISORS
OF CREDIT RIVER TOWNSHIP

By *Roland Polzner*
Chairman