

ORDINANCE NO. 8

JUNK YARD ORDINANCE

AN ORDINANCE TO REGULATE AND LICENSE JUNK YARDS IN THE TOWNSHIP OF ROLLIN; TO PRESCRIBE RULES, REGULATIONS AND CONDITIONS FOR THE OPERATION OF THE SAME, AND TO PROVIDE PENALTIES FOR THE VIOLATION THEREOF.

THE TOWNSHIP OF ROLLIN ORDAINS:

SECTION 1. DEFINITION

Unless it appears in the context that a different meaning is intended, the following words shall have the meaning given them by this resolution:

"Person" shall mean and include any person, firm, association or corporation.

The term "Junk Yard" as used in this Ordinance shall be construed to mean any place where automobiles, junk and/or refuse material are stored, dismantled and/or disposed of.

SECTION 2. LICENSE

No person shall maintain or operate a junk yard in the Township of Rollin without first having secured a license from the Township Clerk as herein provided.

SECTION 3. APPLICATION FOR LICENSE

The application for license of a junk yard shall be made to the Township Board, by the owner or authorized agent, upon blanks to be furnished by the Township Clerk, and shall contain:

- a. The full name, age and residence of the owner.
- b. The site or sites and dimensions of said junk yard.
- c. The title owners of the property of said junk yard.
- d. Whether the person making application for a license of a junk yard has been previously licensed by the Township of Rollin, and if so, the date of issuing of such previous license.
- e. Whether the person making application for a license is now engaged in conducting a junk yard in any other location.
- f. The length of time in business as a junk yard dealer continuously prior to the application, if previously engaged in business.
- g. The trade name under which the business is to be conducted.
- h. If a corporation, the name, age and address of its executive officer and the principal stockholder.

The said application shall be subscribed and sworn to by the applicant and filed with the Township Clerk. The application shall be immediately referred by the Township Clerk to the Township Board who shall cause an investigation to be made, as to the suitability of the site and the fitness of the applicant as to character and ability to conduct such a business. If, in the opinion of the Township Board, the person making application is a proper person and the place to be used as a junk yard is suitable and zoned for such business, and is licensed by the Secretary of State and has a sales tax permit, it may authorize the granting of the license by the Township Clerk upon the payment of the license fee as provided in this Ordinance.

Such license shall expire on June 30th, following the date of issuance. No license shall be issued until ten (10) days have elapsed from the date application is filed with the Township Clerk. Licenses shall be conspicuously displayed at the sites licensed.

SECTION 4. LICENSE FEE

The license fee herein provided for the site which is used as the principal place of business of the licensee shall be Twenty Five (\$25.00) Dollars for the first year or fraction thereof, and Twenty Five (\$25.00) Dollars for each consecutive year that said junk yard shall be operated.

SECTION 5. RECORDS

Every licensee shall keep in his principal place of business a record of all purchases and all such other records as required by the Secretary of State of Michigan which are now in force by law or which may hereafter be required, the same to be kept up-to-date and legibly written in the English language, and all such records and stock in trade shall be open to the inspection of the Supervisor of the Township, the Township Board or any person designated by the Board without the formality of legal process. Each licensee shall on the first of each month, prepare and mail to the Commissioner of the Michigan State Police at East Lansing, Michigan, and to the Secretary of State of the State of Michigan, a sworn statement of all purchases made by said licensee during the previous month.

SECTION 6. PLACES OF BUSINESS

All places of business and sites upon which a license has been issued as aforesaid, shall be kept neat and orderly at all times and shall be enclosed by a tight board fence at least six (6) feet in height; which fence shall be back at least fifty (50) feet from the edge of the highway.

SECTION 7. AUCTION SALES

No auction sale of motor vehicles shall be held on such junk yard within a period of six (6) months from the time of the issuing of a license of such junk yard.

SECTION 8.

License granted under this Ordinance may be transferred from one location to another with the approval of the Township Board but shall not be

transferred from one dealer to another.

SECTION 9.

All resolutions or parts of resolutions inconsistent or in conflict herewith are hereby repealed.

SECTION 10.

Should any provisions or section of this Ordinance be held unconstitutional or invalid, such holdings shall not be construed as affecting the validity of any of the remaining provisions or sections, it being the intent that this Ordinance shall stand, notwithstanding the invalidity of any provision or section.

SECTION 11.

This resolution shall become effective on the 3rd day of August, 1960, provided that applications for license may be filed within ten (10) days prior thereto.

SECTION 12.

This resolution and all rules, regulations and conditions enacted in connection therewith, shall within five (5) days after their adoption and before the same shall take effect, be published by posting same in three conspicuous places in the Township, and an affidavit of such posting shall be filed in the office of the Township Clerk. *paper?*

SECTION 13. PENALTY

Any person violating the provisions of this Ordinance shall upon conviction thereof, be punished by a fine not exceed One Hundrd (\$100.00) Dollars and costs of prosecution, and in default thereof by imprisonment for a period not exceeding ninety (90) days or both such fine and imprisonment in the discretion of the court.

Adopted: August 3, 1960

/s/

~~Harold M. Dayton~~
Rollin Township Clerk