

Section

- 113.01 Definitions
- 113.02 Licenses
- 113.03 Screening from public view

- 113.99 Penalty

Cross-reference:

Junk or abandoned vehicles, see § 92.11

§ 113.01 DEFINITIONS.

For purposes of this chapter the following words and phrases shall have the following meanings ascribed to them respectively.

(A) "JUNK" or "SALVAGE YARD." Includes all of the following operations:

(1) "JUNK." Old or scrap copper, brass, rope, rags, trash, waste, batteries, paper, rubber, junked, dismantled, or wrecked automobiles or parts thereof, iron, steel and other old or scrap ferrous or non-ferrous materials.

(2) "JUNK YARD." An establishment or place of business, which is maintained or operated for the purpose of storing, keeping, buying, or selling junk, or for the maintenance or operation of an automobile graveyard, and includes garbage dumps and sanitary landfills. For the purposes of this section, the term "JUNK YARD" shall also include scrap metal processing facilities which are located within 1000 feet of the nearest edge of the right-of-way of a highway, street, or alley.

(3) "AUTOMOBILE GRAVEYARD." Any establishment or place of business which is maintained, used, or operated for storing, keeping, buying, or selling wrecked, scrapped, ruined, or dismantled motor vehicles or motor vehicle parts.

(4) "FENCE." A barrier at least 8 feet in height, constructed of non-transparent material, and maintained so as to obscure the junk from the ordinary view of persons passing upon streets, alleys, and highways in the city.

(5) "SCRAP METAL PROCESSING FACILITY." An establishment having facilities for processing iron, steel, or nonferrous scrap and whose principal product is scrap iron and steel or nonferrous scrap for sale for remelting purposes. (Ord. 1000, passed 4-15-71)

§ 113.02 LICENSES.

Any person operating a junk yard, which shall include all operations defined in § 113.01 shall obtain a license to maintain a junk yard adjacent to city streets, alleys, or highways, from the city clerk. All yards established prior to the passage of this chapter shall be issued a license upon payment of a fee of \$25 and, within one year thereafter, shall erect or have erected a suitable fence or screening as defined in § 113.03. All junk yards established after April 15, 1971 shall have such screening or fence prior to issuance of a license. (Ord. 1000, passed 4-15-71)

§ 113.03 SCREENING FROM PUBLIC VIEW.

All junk and salvage yards within 500 feet of a street or highway within the city, shall be screened from view as follows:

(A) By an opaque fence 8 feet high constructed of standard fencing materials, the fence to be neat and maintained in a neat condition, or

(B) By a live screening of plants, trees, and hedges 8 feet in height.

(C) If such yard is screened by the contour of the land or by buildings, then no fencing will be necessary.

(D) If it is not practical or economically feasible by reason of topography, as determined by the manager, to obscure the view of a junk yard established on or before April 15, 1971, from any street, alley, or highway, the manager shall require suitable plantings, or a practical and appropriate barrier not less than 6 feet nor more than 10 feet in height, to partially obscure the view of such junk yard from such streets, alleys, or highways. (Ord. 1000, passed 4-15-71)

§ 113.99 VIOLATIONS; PENALTY.

(A) Whenever a junk yard is being operated in violation of this chapter, the city attorney may apply in the name of the city to the common pleas court alleging the violation and asking for an injunction against its operation. Action under this section shall not be a bar to any other penalty.

(B) Whoever violates this chapter shall be fined not less than \$25 nor more than \$1,000 and the costs of prosecution. (Ord. 1000, passed 4-5-71)