

AN ORDINANCE REGULATING SALVAGE AND JUNK DEALERS

THE TOWN BOARD OF THE TOWN OF HANSEN DO ORDAIN:

Section 1. No person or person, Association, Partnership, Firm or Corporation shall Hereafter in the Town of Hansen, keep, conduct or maintain any building, structure, yard or place for keeping, storing or piling, in commercial quantities, whether temporarily, irregularly or continually, or for the buying or selling at retail or wholesale or dealing in any old, used or second hand materials of any kind, including cloth, rags, clothing, paper, rubbish, bottles, rubber, iron, or other articles which from its worn condition renders it practically useless for the purpose which it was made, and which is commonly classified as junk, whether with a fixed place of business or 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 "Salvage or Junk Dealer"

- (A) This ordinance limits the number of vehicles without a license to four.

Section 2. Every applicant for a license to engage in the Business of Salvage or Junk Dealer shall file with the Town Board a written application upon a form prepared and provided by the town, signed by the applicant or applicants. Said application shall state:

- (A) The name and residence of the applicant, if an Individual, Partnership, or Firm, or the names of the Principal Officers and their residence, if the applicant is an Association or Corporation.
- (B) The detailed nature of the business to be conducted and the kinds of material to be collected, bought, sold or otherwise handled
- (C) The premises where such business is to be located or carried on.
- (D) Any existing Salvage or Junk Dealer must apply for a license within twelve months of the adoption of this ordinance, and shall comply fully with the ordinance.

Each application shall contain an agreement that the applicant accepts the license, if granted, upon the condition that it may be suspended or cause at any time by the town board.

Section 3. The application shall be submitted to the Town Board who shall inspect or cause to be inspected such premises to be determined whether it complies with all laws, ordinances, rules and regulations. Said premises and all structures thereon shall be situated and constructed that the business of Salvage or Junk Dealers may be carried on in a sanitary manner, shall contain no fire hazards and shall be arranged so that there can be a through inspection at any time by proper authorities.

This ordinance shall take effect and be inforce from and after its passage and publication as amended. This ordinances shall become effective January 1, 1998

Approved this 14 Day of October 1997.

Adopted this 18 Day of November 1997.

Town of Hansen
Chairman Karl J. Schiller
Clerk Carol E. Tompkins
Supervisor Marshall Durand
Supervisor Charles Huser

Each of the premises upon which the business of Salvage or Junk Dealer is to be carried on shall be enclosed by a solid, painted fence or structure no less than seven (7) feet in height. Said enclosure shall be maintained in good condition at all times, and must meet the approval of the town board. No articles shall be piled so as to protrude above the said enclosure.

Section 4. No premises shall be used for carrying on the business of Salvage or Junk Dealing when ~~located~~ a building is situated within a distance of three hundred (300) feet ~~and~~ used solely for residence purposes. Said enclosure shall be located twentyfive (25) feet from the street line and nine (9) feet from the side property line. Two or more adjoining Junk or Salvage Yards may be constructed wall to wall if approved by the Town Board, and property owners.

Section 5. Upon filing of the application and the payment to the Town of the license fee herein provided, the Town Board shall issue to the applicant a license to engage in business as provided in section 1. No license shall be refused except for a specified reason. All licenses shall be numbered in order in which they are issued and shall clearly state the location of the Salvage or Junk Yard business, the date of issuance and expiration of the license and the name and address of the licensee. No applicant to whom a license has been refused shall make further application until a period of at least six (6) months shall have elapsed since the last previous rejection unless he can show that the reason for such rejection no longer exists.

Section 6. Every Salvage or Junk Dealer shall pay an annual license fee of \$250.00. All licenses shall be issued as of July 1st, and shall continue in force until June 30th next succeeding the date of issuance thereof, unless revoked sooner.

Section 7. Every Salvage or Junk Dealers license shall designate the place of business in or from which salvage or Junk Dealer receiving such license shall be authorized to carry on such business. No licensee shall remove his or its place of business from the place designated in the license until written permit has been secured from the Town Board, and the same has been endorsed upon the license.

Section 8. No Salvage or Junk Dealer shall carry on the business at or from any other place than the one designated in the license therefor. Nor shall said business be carried on after such license has been revoked or expired.

Section 9. The Town Board shall formulate reasonable rules and regulations relating to the conduct of the business or Junk dealing which shall protect the health of the community. No Salvage or Junk Dealer shall violate any such rule or regulation.

Section 10. Every Salvage or Junk Dealer upon being served with a written notice to do so by the Town Board on blank forms to be furnished by the said Town Board, an accurate description of all goods, articles, or other things purchased or received by him in the course of business of Salvage or Junk Merchant at such time and during such period of time specified in the notice, stating the amount paid for the same, and the name, residence and general description of the person from whom such goods, articles or things received.

Section 11. If any goods, articles or things whatsoever shall be advertised in any newspaper in Wood County, as having been lost or stolen, and the same or any answering the description advertised or any portion, or part thereof shall be or come into possession of any Salvage or Junk Dealer, he or it shall give information thereof in writing to the Town Board and state whom the same was received. Any Salvage or Junk Dealer who has or receives any good, articles or things lost or stolen, or alleged or supposed to have been lost or stolen, shall exhibit the same on demand to any Police Officer, Town Board, or any magistrate who shall exhibit such authorization to the Sheriff of Wood County, or any magistrate who shall exhibit authorization to Salvage or Junk Dealers.

Section 12. Upon complaint being made in writing by any Town Official or Resident of the Town of Hansen to the Town Clerk that any licensee has violated any of the provisions of this ordinance, the Town Board shall summon such licensee to appear before it. At the time specified in the summons, which shall be not less three (3) days after the date of the service thereof, to show cause why this license shall be revoked. The Town Board shall proceed to hear the matter and if they find the allegations of said complaint are correct, they, shall revoke said Salvage or Junk Dealer's license.

Whenever any license shall be revoked, no refund of any un-earned portion of the fee therefore shall be made and no license shall be granted to any person, firm, partnership, association or corporation whose license has been revoked within a period of one year from the date of such revocation. Notice of such revocation and the reason or reasons therefore in writing shall be served by a member of the Town Board upon the person, firm, partnership, association or corporation named in the application by mailing the same to the address given in the application and upon filing a copy with the town clerk.

Section 13. Any person, persons, firm, association, partnership, or corporation who by himself or itself or by his or its clerk, agent, or employee, shall conduct the business of a Salvage or Junk Dealer as herein defined without the license required by this ordinance, shall violate any of the provisions of this ordinance, or shall violate any of the provisions of this ordinance, or who, having had his, its or their license revoked, shall continue as a Salvage or Junk Dealer; may upon conviction thereof be subjected to a fine or penalty of not more than \$10.00 for each day during which said violation shall continue, together with the costs of prosecution, and in default of the payment of such fine and the costs of such prosecution, shall be imprisoned in the County Jail of Wood County, not exceeding 30 days. In addition to the penalties imposed the license of the person, persons, firm, association, partnership or corporation violating the same, shall be cancelled or revoked.

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Approved this 14 Day of October 1997.

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