

ORDINANCE #06

NOTICE: Notice is hereby given that the following proposed ordinance will be presented to the Board of Supervisors of the Township of Milford, Bucks County, Pa., for action at a special meeting of the Board to be held Monday, October 14, 1963, at 8:00 o'clock P.M., E.D.S.T., at the regular meeting place in the Township Hall, in Spinnerstown, Pennsylvania.

MILFORD TOWNSHIP ORDINANCE NO. 6: AN ORDINANCE PROHIBITING THE OPERATION OF UNLICENSED JUNK YARDS, PROVIDING REGULATIONS FOR THE MAINTENANCE AND OPERATION OF JUNK YARDS, PROVIDING FOR INSPECTIONS AND THE APPOINTMENT OF AN INSPECTOR, PERMITTING THE SUPERVISORS TO ADOPT REGULATIONS, PRESCRIBING PENALTIES FOR VIOLATIONS, AND PROVIDING FOR ENFORCEMENT.

BE IT ORDAINED AND ENACTED by the Supervisors of the Township of Milford, Bucks County, Pennsylvania, and it is hereby ORDAINED and ENACTED by the authority of the same:

SECTION 1. Definitions: Unless otherwise expressly provided, the following words shall for purposes of this ordinance have the following meanings:

- (a) Junk: Any and all forms of waste and refuse of any type of material, including scrap metal, junked motor vehicles, glass, industrial waste, and other salvageable material.
- (b) Automobile: Any and all types of motor vehicles, including self-propelled machinery of all kinds, with the exception of useable farm machinery.
- (c) Person: Any natural person, partnership, firm, corporation or other legal entity.
- (d) Township: The Township of Milford, Bucks County, Pennsylvania.
- (e) Board: The Board of Supervisors of Milford Township, Bucks County, Pa.
- (f) Junk Yard: Any place where junk as herein defined is stored or accumulated.
- (g) Premises: Any parcel of land situated in Milford Township, Bucks County, Pennsylvania, Having a separate tax map parcel number for county assessment purposes.
- (h) Junk Dealer: Any person who buys, sells, salvages, stores, or in any way deals in junk or owns, leases, operates or maintains a junk yard within the Township.

SECTION 2. No person shall be a junk dealer or own, lease, operate or maintain a junk yard as herein defined within the Township without first obtaining a license to operate a junkyard as a junk dealer. The annual fee for such license shall be \$100.00, and the license shall be effective for one calendar year only, each license terminating on December 31st of the year for which it is issued, subject to renewal upon reapplication. Application for a license or any renewal thereof shall be filed in writing with the Secretary of the Board and shall contain the applicant's sworn statement setting forth applicant's name and address, together with the names and addresses of all other persons interested in the business, an accurate description of the premises upon which the business is to be conducted and the junk yard located, including the Bucks County tax map parcel number, and a statement that applicant will comply with the ordinance and any regulations adopted pursuant to the ordinance. Upon receipt of the application and license fee of \$100.00 by the Township, if the applicant complies with the provisions hereof, the Secretary of the Board, or the Board, shall within ten days issue its license authorizing the operation and maintenance of a junk yard upon the premises by the applicant. Such license shall at all times be conspicuously

displayed upon the junkyard premises. The license shall be non-transferable both as to the junkyard premises and junk dealer.

SECTION 3. No person licensed under this ordinance shall, by virtue of one license, keep more than one place of business or maintain or operate more than one junk yard within the Township, nor shall any person engage in business as a junk dealer or operate or maintain a junk yard in any place other than the place designated upon his license, nor shall any person operate upon any of the roads or highways in the Township, whether from a vehicle or upon foot, as a scavenger or an itinerant buyer or seller of junk.

SECTION 4. Every junk dealer licensed under the ordinance shall maintain the licensed junkyard and conduct business as hereinafter provided:

(a) All junk shall be stored behind a fence, screen or hedge, as specified in (b) below, which fence, screen or hedge shall be set back at least fifty feet from all lot lines of the premises occupied by the junk yard. All open areas between fence, screen or hedge and lot lines shall be maintained continuously in good order and free of weeds and scrub growth.

(b) Every junk yard shall be completely enclosed by a heavy duty chain link, wire mesh or board fence at least six feet in height, or by a screen of evergreen trees or shrubs of such sizes and varieties and so spaced that within two years after planting they shall provide a complete screen or hedge around the junk yard or such a nature that it will maintain a height of at least six feet and cannot be readily penetrated by human beings. The fences, screens or hedges shall have gates which shall at all times be securely locked except during business hours when an attendant employed as such is on the premises.

(c) No junkyard shall cover an area in excess of two acres.

(d) All junk shall be stored and set back at least fifty feet from any adjoining premises and at least seventy-five feet from the nearest edge of the cartway of any public road or highway.

(e) All junk shall be stored and arranged so as to permit access by fire fighting equipment, and to prevent accumulation of stagnant water. Junked automobiles shall be spaced in rows with at least fifteen feet between each double row to permit movement of fire equipment. Junk shall not be piled to a height of more than eight feet from the ground.

(f) All gasoline shall be drained from any junked automobile into containers and removed from the junk yard premises within twelve hours from arrival on the said premises of the junked automobile. Gasoline shall be stored at only one location on the licensed premises, and no more than ten gallons in aggregate of gasoline shall be stored above ground.

(g) All weeds on any junkyard shall be kept mowed and shall not be permitted to go to seed.

(h) No garbage or organic waste shall be permitted to be stored on any junkyard.

(i) No burning or smelting shall be permitted which does not comply with the Air Pollution Control Act of Pennsylvania as it may be amended from time to time and with any rules or regulations now in effect or hereafter promulgated pursuant thereto.

(j) Junk yards shall at all times be maintained in such manner as to cause no public or private nuisance; nor to cause any menace to health or safety of any persons off the premises; nor to cause any excessive or offensive or noxious sounds or odors; nor to cause the breeding, harboring or infesting of rats, rodents or vermin; nor to cause a violation of any health or sanitation law, ordinance or regulation of any government body.

SECTION 5. Any member of the Board, of a duly authorized agent thereof, may at any time enter upon and inspect any premises for which there is a pending application for a junk yard license or which holds a current junk yard license.

SECTION 6. The Board may from time to time adopt regulations to carry out the provisions of this ordinance upon giving notice to the licensees affected by such regulations.

SECTION 7. The Township Supervisors may appoint and provide for the compensation of a Township employee to be known as the Junk Yard Inspector. It shall be the duty of the Junk Yard Inspector to make monthly inspections of all junk yards licensed pursuant to the terms of this ordinance and to file with the Board of Supervisors a written report on each such inspection. In making such inspections, the Junk Yard Inspector shall, ascertain whether the provisions of this ordinance are being complied with, shall note any violations thereof on his report of inspection, and shall inquire into such other matters as come within the scope of this ordinance.

SECTION 8. Any person violating any provisions of this ordinance shall upon conviction by summary proceedings before a Justice of the Peace be subject to a fine not exceeding \$300.00, plus cost of prosecution; provided, that each day's violation shall constitute a separate offense.

SECTION 9. The Board or any person may take any appropriate action at law or in equity, civil or criminal, to enforce the provisions of this ordinance, and this ordinance shall in no way restrict any remedies otherwise provided by law.

SECTION 10. Junk dealers and junk yards operating and existing in the Township on the effective date of this ordinance shall not be required to obtain a license nor comply with the licensing provisions prior to November 1, 1963, and the license fee for the period ending December 31, 1963, shall be \$18.00 only.

SECTION 11. This ordinance shall become effective five days after its adoption.

SECTION 12. All sections and parts of this ordinance are severable, and if any section or portion shall be declared invalid the same shall not affect the validity of any and all other sections and portions.

Enacted into an Ordinance of the Township of Milford this 14th day of October A.D. 1963.

BOARD OF SUPERVISORS OF THE TOWNSHIP OF MILFORD

Ruth Heffentrager, Secretary