

1970

Upon motion of Joseph Ott, seconded by Henry Oberlander, the following Ordinance was duly enacted, all voting in favor of enactment and none voting against enactment:

ORDINANCE NO. 4-70-B

AN ORDINANCE TO REGULATE THE ESTABLISHMENT OF JUNK YARDS AND THE CONDUCTING OF JUNK YARD BUSINESS IN THE TOWNSHIP OF SUMMIT, AND PROVIDING PENALTIES FOR VIOLATION.

WHEREAS, the Supervisors of Summit Township recognize the fact that there is inherent in the establishment of junk yards and the conducting of junk yard businesses the possibility that nuisances or conditions detrimental to the health, welfare, and safety of citizens of the Township and the public generally may be created; and, therefore, deem it necessary that regulations to govern the establishment of junk yards and the conducting of junk yard businesses shall be adopted.

NOW, THEREFORE, BE IT ENACTED AND ORDAINED, Under authority granted by Section 702, Clause LVIII, of the Second Class Township Code, as re-enacted, supplemented and amended, and it is HEREBY ENACTED AND ORDAINED as follows:

Section 1: Definitions -

✓ Junk Yard - the words "junk yard" as used in this Ordinance shall, unless a contrary meaning is indicated herein, mean a parcel of land used for the collection, storage, sorting, salvaging or baling of glass, paper, rags, scrap metal or other discarded material, or for the storage or cannibalizing of vehicles or machinery not in operating condition.

Junk Yard Business - the words "junk yard business" as used in this Ordinance shall, unless a contrary meaning is indicated herein, mean the business of collecting, storage, sorting, salvaging, or baling of glass, paper, rags, scrap metal or other discarded material, or for the storage or

cannibalizing of vehicles or machinery not in operating condition, which business may only be carried on in a junk yard.

Section 2: That no person, partnership, association or corporation shall establish a junk yard or carry on a junk yard business in the Township of Summit, Erie County, Pennsylvania, without first obtaining a license therefor.

Section 3: That licenses to establish junk yards and/or to carry on junk yard businesses shall be issued annually for each calendar year on application by the owner or owners thereof made on forms provided by the Township, containing such information as the Supervisors may require. An annual license fee of Fifty (\$50) Dollars shall be charged, which shall accompany the application and in case the application is refused, the fee shall be returned.

Section 4: If, upon application for such license and after investigation of the premises and circumstances, the Supervisors are satisfied that the requirements as hereinafter set forth are met, they shall, after applicant furnishes such security as the Supervisors may require, and being satisfied that the applicant will abide by all conditions of the license, issue a license therefor which shall be prominently displayed at all times upon the land where the junk yard is located.

Section 5: No junk yard shall be established, or junk yard business carried on, unless the proper drainage for the entire lot is provided.

Section 6: No automobile, tractor, or motor of any kind shall be placed or kept in any junk yard unless and until the gas is drained therefrom.

Section 7: No rubbish, refuse, garbage or other waste material shall be kept or placed on the premises.

Section 8: No burning of tire or parts shall be done on the premises.

Section 9: Junk yards shall be open only on week days from Monday through Saturday, 7.00 a. m. to 5.00 p. m. and not on Sundays or holidays.

Section 10. Any such junk yard shall be enclosed by the minimum of an eight (8) foot solid fence or other screening.

Section 11: No junk yard business shall be carried on except in a licensed junk yard.

Section 12: Any person, partnership, association or corporation who shall establish a junk yard or shall conduct a junk yard business without first obtaining a license therefor, or who shall violate or permit the violation of any license issued, shall, upon summary conviction before any District Justice in Erie County, be sentenced to pay a fine or penalty of not less than Ten (\$10) Dollars or more than Three Hundred (\$300) Dollars, for the use of the Township and costs of suit, and in default of payment thereof such person, partner, member of an association or officer of any corporation shall be committed to the County Jail for a period not exceeding thirty (30) days.

Section 13: If any sentence, clause, phrase, or provision of this Ordinance shall be found to be invalid for any reason, such invalidity shall not affect any other provision of said Ordinance. It is the intention of the Supervisors of Summit Township that this Ordinance would have been enacted without such invalid provision.

Section 14: All ordinances, or parts of ordinances, which shall conflict with the provisions of this Ordinance are hereby repealed.

ENACTED AND ORDAINED this _____ 6th _____ day of

April _____, 1970.

ATTEST:

Dorothea Heumann
Secretary

Kenny Chulander
Chairman
Joseph Ott
Supervisor
Walter Lasser
Supervisor

(TOWNSHIP SEAL)