

Ordinance #5

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AFFIDAVIT OF PUBLICATION

In the Matter of the ~~XXXXXX~~ Ordinance No. 5 Junk Yard Ordinance

STATE OF MICHIGAN
HOUGHTON
COUNTY OF ~~NEWENA~~ SS

LEGAL ADVERTISEMENT
August 14, 1981
HANCOCK TOWNSHIP ORDINANCE NO. 5
HANCOCK TOWNSHIP JUNK YARD ORDINANCE
ADOPTED: August 10, 1981
EFFECTIVE: September 10, 1981

An Ordinance to license and regulate junk yards in Hancock Township; to prescribe rules, regulations and conditions for the operation of the same; and to prescribe penalties for the violation of provisions of this Ordinance. This Ordinance is enacted pursuant to the authority of P.A. 350 of 1917 and P.A. 12 of 1927.
THE TOWNSHIP OF HANCOCK, HOUGHTON COUNTY, MICHIGAN, OR
DAINS:

SECTION I. TITLE

This Ordinance shall be known and cited as the Hancock Township Junk Yard Ordinance.

SECTION II. PURPOSE

The purpose of this Ordinance is to protect the health, safety, and general welfare of the residents, property owners and people within Hancock Township, Houghton County, Michigan, by regulating the operations of junk yards and related or similar types of businesses within said Township; to provide rules and regulations to govern the operation of such businesses; penalties for the violation of such rules and regulations; and to make the same supersede all Ordinances or parts of Ordinances in conflict therewith.

SECTION III. DEFINITION

The term "Junk Yard" as used in this Ordinance shall be construed to mean any place for dismantling, wrecking and disposing of the junk and/or refuse material of automobiles, or any place where parts thereof or used parts and materials of any kind are purchased, sold, exchanges, dismantled, wrecked or stored.

SECTION IV. LICENSE

Any person operating or maintaining a junk yard in Hancock Township shall obtain an annual license for such operation and maintenance from the Hancock Township Board.

SECTION V. LICENSE FEE

The fee for such licenses shall be \$25.00 per annum.

SECTION VI. APPLICATION FORM

The application for such license shall be submitted to the Hancock Township Board in the following form:

"APPLICATION TO OPERATE A JUNK YARD"

NAME _____ AGE _____ ADDRESS _____

Previous addresses for past five years: _____

Previous occupations for past five years: _____

Location of proposed junk yard: _____

THOMAS M. VETTER

being first duly sworn, says that he is an agent of the Publisher of The Daily Mining Gazette, a newspaper published in the English language for the dissemination of local or transmitted news and intelligence of a general character and legal news, which is a duly qualified newspaper, and that annexed hereto is a copy of a certain order taken from said newspaper in which the order was

published on the following dates: August 14, 1981

Agent of the Publisher of the Daily Mining Gazette.

17th

Subscribed and sworn before me this

day of August A. D., 1981

Notary Public, Houghton County, Michigan

RANDALL B. RICCHI

Notary Public, Houghton Co., Michigan

My Commission Expires Dec. 17, 1984

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Extent of operation expected:

1. Size of junk yard: _____

2. Number and size of structures to be located thereon: _____

3. Number of operations per 24 hour day: _____

4. Size of signs to be erected: _____

5. Lighting to be employed at night: _____

6. Number and names of Agents expected to be employed: _____

7. Previous experience as junk yard dealer: _____

8. Two or more business references: _____

Dated: _____

(Signature)
(Address)

SECTION VII. RULES, REGULATIONS & CONDITIONS

All licenses issued under this Ordinance shall be issued subject to the following rules, regulations, and conditions:

- (a) All licensees must maintain their junk yards and the property concerned therewith in an orderly, safe, and neat appearing manner.
- (b) The licensee shall, at least once each month, prepare and mail to the Commissioner of the Department of Public Safety, at East Lansing, Michigan, a sworn statement of all purchases made by said licensee as is required by Act No. 12 of the Public Acts of Michigan for 1929.
- (c) All outdoor storage or processing of materials shall be screened from adjoining property and public highways by a fence constructed and maintained in an attractive manner, of sufficient height and density to accomplish the substantial screening of the outdoor operations from such adjoining properties and highways. Natural or artificial barriers may be utilized, where available, to effect the screening herein specified. An initial hedge not less than two (2) feet in height and which will grow to not less than four (4) feet in height, or a fence not less than six (6) feet in height shall be deemed substantial compliance with this provision.
- (d) The Township Board reserves the right to revoke any license issued under this Ordinance and to refuse to issue a license hereunder if it appears to the Township Board that the operation of a junk yard would be against the public health, interest and general welfare or that this Ordinance has been in any manner violated.

SECTION VIII. VIOLATION DEEMED NUISANCE

The operation of any Junk Yard in violation of the rules, regulations and conditions contained in this Ordinance is hereby determined to be detrimental to the health, safety and general welfare of the inhabitants, property owners and people within the Township of Hancock, and a public nuisance.

SECTION IX. PENALTIES FOR VIOLATIONS

- A. Any person, firm, association or corporation which shall operate a junk yard without a license or shall violate any rule, regulation or condition contained herein, shall be deemed guilty of a misdemeanor and shall be punished in the County Jail for not more than ninety (90) days or by a fine of not more than One hundred (\$100.00) Dollars, or by both such fine and imprisonment, at the discretion of the Court. Each day that a violation continues to exist shall constitute a separate and distinct offense.
- B. Any person who violates any of the regulations or provisions contained in this Ordinance, whether as owner, lessee, Licensee, agent, servant, or employee, shall be liable as principal.
- C. Any violations of the regulations and provisions contained in this Ordinance shall constitute a basis for injunctive relief against the violator, restraining and prohibiting said violator from continuing said violation, in addition to any other relief or penalty set forth or allowed by law.

SECTION X. SAVING CLAUSE

All Ordinances or parts of Ordinances in conflict with any of the provisions of this Ordinance are hereby repealed as to those sections which are in conflict.

SECTION XI. EFFECTIVE DATE

This Ordinance shall take effect on the 10th day of September, 1981.

Michele Kemppainen, Clerk
Hancock Township

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