

CHAPTER 4

JUNKYARDS

SECTION:

- 3-4-1: Definitions
- 3-4-2: Public Nuisances
- 3-4-3: License; Renewal; Fee
- 3-4-4: Requirements For License
- 3-4-5: Penalty

3-4-1: **DEFINITIONS:**

AUTOMOBILE COLLECTOR: A person acquiring collectible automobiles either for his or someone else's future use to restore, sell, or give away. Such collectible automobiles shall be sheltered in a covered building. Any person selling the parts off of collectible automobiles, or storing them in the open air, must comply with this chapter and obtain a license to so operate.

JUNK: Old or scrap copper, brass, rope, rags, batteries, paper, trash, rubber, debris, waste, junk, dismantled or wrecked automobiles, or their parts; iron, steel and other scrap ferrous or nonferrous material.

JUNKYARD: Any premises or place of business which is maintained, operated, or used for storing, keeping, buying, or selling junk, or for the maintenance or operation of an automobile graveyard. Any premises having more than two (2) inoperable and unregistered vehicles, or in the case of agricultural vehicles, vehicles which have not been registered for a period exceeding two (2) years, is a junkyard under this chapter and must comply herewith, unless its owner qualifies as an "automobile collector". (Ord. 94-7-1, 7-18-1994)

3-4-1

3-4-4

3-4-2: **PUBLIC NUISANCES:** For the purpose of promoting the public safety, health, welfare, convenience and enjoyment of public travel, and to preserve and enhance the scenic beauty of lands within the county, it is declared by the board of county commissioners of Cassia County, Idaho, to be in the public interest to regulate and restrict the establishment, operation and maintenance of junkyards within Cassia County. The board of commissioners finds and declares that junkyards that are not in compliance with the provisions of this chapter are public nuisances. (Ord. 94-7-1, 7-18-1994)

3-4-3: **LICENSE; RENEWAL; FEE:** It shall be unlawful for any person to operate, establish, or maintain a junkyard within the unincorporated areas of the county without obtaining a license from the county. The license and each renewal shall be issued on a calendar year basis and shall expire on December 31 following the date of issuance. A fee of one hundred fifty dollars (\$150.00) shall be charged for each original license and fifty dollars (\$50.00) for each renewal license, which fee shall be deposited in the county general fund. An original license sold after July 1 in any year shall be for one-half ($\frac{1}{2}$) year and shall cost seventy five dollars (\$75.00). (Ord. 94-7-1, 7-18-1994)

3-4-4: **REQUIREMENTS FOR LICENSE:** Licenses shall be granted for the operation of junkyards in accordance with the following procedure:

- A. Filing Of Application: The applicant shall fill out and file an application on a form approved by the county commissioners.
- B. Description Of Operation: The applicant shall describe the proposed junkyard operation and the location of the property to be used for a junkyard.
- C. Surrounding Uses: The applicant shall describe the uses prevalent in surrounding properties and the impact the junkyard would have on them.
- D. Required Provisions: The application for a junkyard must demonstrate provisions for:
 - 1. Fence: An opaque fence, surrounding the yard where junk is to be stored. which conceals the junk from view from surrounding properties; generally an eight foot (8') fence shall be required. The fence shall be constructed in a manner approved by the county commissioners to be aesthetically pleasing and consistent with the

3-4-4

3-4-5

surrounding properties and sturdy and durable enough to withstand the effects of weather conditions.

2. Facilities: Water, sewer and restroom facilities.

- E. Review Of Application: The application shall be reviewed by a committee appointed by the board of commissioners consisting of one representative from law enforcement, one representative of the health authority in the county and three (3) citizens appointed by the county commissioners from different areas of the county. The committee shall investigate the applicant and make its advisory recommendations to the board of commissioners thereon.
- F. Approval Or Denial: Action to approve or deny the application shall be taken within thirty (30) days of filing the application. Denials may be appealed under the procedures established in title 9, chapter 5 of this code. (Ord. 94-7-1, 7.18-1994)

3-4-5: **PENALTY:** Any person, firm or corporation who violates the provisions of this chapter shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be punished as set forth in section 1-4-1 of this code. Each day such violation is committed or permitted to continue shall constitute a separate offense and shall be punishable as such hereunder. (Ord. 94-7-1, 7-18-1994; amd. 2003 Code)