

AN ORDINANCE REGULATING AND
REQUIRING THE LICENSING OF
JUNK DEALERS AND JUNKYARDS
IN THE TOWNSHIP OF LOWER
CHANCEFORD, YORK COUNTY,
PENNSYLVANIA, AND PRESCRIBING
PENALTIES FOR VIOLATION.

THE TOWNSHIP OF LOWER CHANCEFORD HEREBY ORDAINS AS FOLLOWS:

SECTION 1. Definitions: Unless otherwise expressly stated, the following words and phrases shall be construed throughout this ordinance to have the meanings herein indicated:

(a) Junk. Shall mean any discarded material or article and shall include, but not be limited to, scrap metal and scrapped motor vehicles. It shall not include, however, refuse or garbage kept in a proper container for the purpose of prompt disposal.

(b) Junkyard. Shall mean any place where any junk is stored, disposed of, or accumulated.

(c) Junk Dealer. Shall mean any person, as hereinafter defined, who shall engage in the business of selling, buying, storing, or dealing in junk, and who maintains or operates a junk yard within the Township of Lower Chanceford.

(d) Person. Shall mean any natural person, partnership, firm, or corporation.

(e) Township. Shall mean Lower Chanceford Township, York County, Pennsylvania.

(f) Board. Shall mean the Board of Supervisors of Lower Chanceford Township.

(g) License. Shall mean the permit granted by the Township to a junk dealer.

In this ordinance, the singular shall include the plural and the masculine shall include the feminine and the neuter.

SECTION 2. License: No person shall engage in business as a junk dealer in the Township without first having obtained a license from the Board, for which license a fee in accordance with the schedule hereinafter set forth shall be paid for the use of the Township. The license shall be issued for the twelve month period beginning and ending the following year, and each license must be renewed annually

on or before the first day of _____ of each year. Provided: In any case where a junk dealer's business shall be established in the Township on or after the first day of _____ in any year, the license fee payable by such junk dealer for the remainder of such year shall be at one-half the yearly rate.

SECTION 5. Application for License: Any person desiring a license under this Ordinance shall make written application to the Board upon forms supplied to him by the Board, and shall answer all questions thereon Upon receipt of an application, the Board shall determine whether or not such a license should be issued, taking into consideration the suitability of the property for this purpose and the effect upon the neighborhood. Before the Board may decide against issuing a license, it must give the person applying a public hearing on the merits of his case. In the event the Board does issue a license, it may impose, at the original issuance or at any transfer or renewal of the license, such terms and conditions as may be deemed necessary to carry out the spirit and intent of this Ordinance, including, but not limited to: (a) set-back lines, (b) fences, and (c) screen plantings.

SECTION 4. License: All licenses shall state the name of the person to whom such license is issued and the premises from which such business is to be conducted. Such license shall be posted conspicuously upon the premises licensed thereunder.

SECTION 5. License Fee: The license fee shall be paid before the issuance or renewal of a license. The amount of the fee shall be calculated according to the amount of land used in the business:

- A. 15,000 square feet or less - \$10.00
- B. More than 15,000 square feet but less than 40,000 square feet - \$15.00
- C. 40,000 square feet or more - \$25.00

SECTION 6. License Limited: No person licensed under this Ordinance shall, by virtue of one license, keep more than one place of business within the Township for the purpose of dealing in junk or a junkyard. No person shall engage in business as a junk dealer in any place other than the place designated upon his license, or maintain a junkyard in any place other than the place designated upon his license.

SECTION 7. Transfer of License: No license issued by the Board shall be transferrable by the licensor to any other person unless such a transfer is authorized by the Board. Any person desiring to have a license transferred to him shall apply to the Board as stated in Section 5. If the Board shall approve the transfer of a license, the transferee shall pay to the Board a transfer fee of \$5.00 before the new license shall be issued.

SECTION 8. Maintenance of Junkyard: Every person licensed under this Ordinance shall constantly maintain the licensed premises in the manner prescribed by this section as follows:

(a) Such premises shall at all times be maintained so as not to constitute a nuisance or a menace to the health of the community or of residents nearby or a place for the breeding of rodents and vermin.

(b) No Garbage or other organic waste shall be stored in such premises.

(c) Whenever any motor vehicle shall be received in such premises as junk, all gasoline and oil shall be drained and removed therefrom, and none shall be permitted to remain upon the premises.

(d) The manner of storage and arrangement of junk, and the drainage facilities of the premises shall be such as to prevent the accumulation of stagnant water upon the premises, and to facilitate access for fire-fighting purposes.

(e) A person licensed under this Ordinance shall not burn more than one motor vehicle or its equivalent at any one time. No oil, grease, tires, gasoline or other similar material that might be dangerous or tend to produce obnoxious smoke or odors shall be burned within a junkyard at any time. Burning of vehicles must be attended and controlled at all times.

SECTION 9. Penalties: Any person who shall violate any of the provisions of this Ordinance shall, upon conviction thereof, by a summary proceeding, be sentenced to pay a fine of not more than One Hundred (\$100.00) Dollars and costs of prosecution for each offense and in default of payment of said fine and costs, shall be imprisoned in the York County Jail for a period not exceeding thirty (30) days. Provided: Each day's violation of any of the provisions of this Ordinance shall

constitute a separate offense.

SECTION 10. Abatement of Nuisances: In addition to the remedies provided in Section 8, any violations of this Ordinance which shall constitute a nuisance in the opinion of the Board may be abated by proceeding against the violator in a court of equity for relief.

SECTION 11. Severability: If any section of this Ordinance shall be found to be invalid, the other sections of the Ordinance shall not be affected thereby.

Approved, adopted and enacted into an Ordinance this

day of 4th May, 1964, to become effective the 9th day of

May, 1964.

J. Edward Pawlick
Solicitor

BOARD OF SUPERVISORS
LOWER CHANCEFORD TOWNSHIP
YORK COUNTY, PENNSYLVANIA

J. Pawlick Pres
Geo. B. Jordan
Mark R. Wadley

ATTEST:

Mark R. Wadley
Secretary