

*See Minutes
Meeting
for original packet.
20 Jan 87*

ORDINANCE NO. 2 - 1962

AN ORDINANCE REGULATING AND REQUIRING THE LICENSING OF JUNK DEALERS IN THE TOWNSHIP OF APOLACON, COUNTY OF SUSQUEHANNA AND STATE OF PENNSYLVANIA: AND PRESCRIBING PENALTIES FOR VIOLATION.

The Township of Apolacon hereby ordains as follows:

SECTION 1 (a) The word "junk" as used in this ordinance shall mean any discarded material or article such as is not ordinarily disposed of as rubbish or refuse, and shall include, but not be limited to scrap metal and scrapped motor vehicles, and shall not include any garbage or other organic waste, or any paper, rubbish, rags or other flammable article or material.

(b) The word "junk dealer" as used in this ordinance, shall mean any person, as hereinafter defined, who shall engage in the business of selling, buying and dealing in junk.

(c) The word "person" as used in this ordinance, shall mean any natural person, partnership, firm or corporation.

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

SECTION 2. No person shall engage in business as a junk dealer in the Township of Apolacon without first having obtained a license from the Township Supervisors, for which license the fee shall be \$50.00 for each and every calendar year such fee to be for the use of the Township. Such license shall be renewed annually on or before the first day of January 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 July 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 3. The license provided for in the second section of this ordinance shall be issued by the Supervisors after application shall have been made therefor by the person desiring to be licensed. Such license 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. The name of the licensed junk dealer and the number of the license under which he operates shall be placed in a conspicuous place on the outside of every vehicle used for business purposes by such dealer.

SECTION 4. No person licensed under this ordinance shall, by virtue of one license, keep more than one place of business within the Township of Apolacon, for the purpose of buying, selling and dealing in junk. Nor shall any such person engage in business as a junk dealer in any place other than the place designated upon his license, nor shall any person not licensed under this ordinance, operate upon any of the streets of the Township, whether from a vehicle or upon foot, as a scavenger of an itinerant buyer or seller of junk without having first obtained a special permit from the Township Supervisors, which permit shall be issued for a period of

one year at a fee of \$3.00. Any person operating under a special permit shall be subject to reasonable regulations as enacted from time to time by the Township Supervisors.

SECTION 5. No license issued under this ordinance shall be transferrable from one person to another person except when the ownership of a licensed premises shall change. In any such case the new owner shall apply for a transfer of such license to him and shall pay a transfer fee of ten dollars (\$10.00).

SECTION 6. Every dealer shall provide and shall constantly keep a book, in which shall be fairly written down at the time of the purchase of any junk, a description of every article or material purchased or received by him, the date and hour of such purchase or receipt, and the person from whom such article or material was purchased or received. Such book and all junk purchased, received or handled by any junk dealer shall at all times be subject to the inspection of any official of the Township of Apolacon.

SECTION 7. Every junk dealer, licensed under this ordinance shall keep and retain upon the licensed premises, for a period, of forty eight (48) hours after the purchase or receipt thereof, all junk received or purchased by him, and he shall not disturb, or reduce the same or alter the original form, shape or condition until such period of forty eight (48) hours shall have elapsed.

SECTION 8. Every junk dealer 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 surrounded by a tight fence constructed of lumber or other suitable material to a height of at least six feet and constructed in such a manner that said premises and junk stored thereon shall not be visible from outside said premises.

b. 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.

c. No garbage or other organic waste, and no paper, rubbish rags or other flammable articles or materials shall be stored in such 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.

SECTION 9. Any person who shall violate any of the provisions of this ordinance shall, upon conviction thereof in a summary proceeding, be sentenced to pay a fine of not more than \$25.00 and costs of prosecution. PROVIDED: Each day's violation of any of the provisions of this ordinance shall constitute a separate offense.

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SECTION 10. The provisions of this ordinance shall be severable, and if any of its provisions shall be held to be unconstitutional, illegal or invalid, such decision shall not effect the validity of any of the remaining provisions of this ordinance. It is hereby declared to be the legislative intent that this ordinance would have been adopted had such unconstitutional, illegal or invalid provision not been included herein.

SECTION 11. This ordinance shall become effective on the 1st day of December 1962.


Robert Hought
Mark Butler