

D. Junkyard. Shall mean any place where any junk as hereinafter defined, is stored, disposed of, or accumulated.

E. Junk. Shall mean any discarded material or article and shall include, but not be limited to, scrap metal, scrapped, abandoned or junked motor vehicles, machinery, equipment, paper, glass, containers, and structures. It shall not include, however, refuse or garbage kept in a proper container for the purpose of prompt disposal.

F. Junk Dealer. Shall mean any person, as hereinafter defined, who shall engage in the business of selling, buying, salvaging, and dealing in junk and who maintains and operates a junkyard within the Township of Great Bend.

G. License. Shall mean the permit granted to a person who accumulates, stores, or disposes of junk as hereinbefore defined.

SECTION 3. License. No person shall engage in business as a junk dealer, or maintain a junk yard 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 to the Township for the use of the Township. The license shall be issued for the twelve month period beginning _____, and ending _____ of the following year, and each license must be renewed annually on or before the first day of _____ of each year.

SECTION 4. Application for License. The license provided for in this ordinance shall be issued by the Board after written application shall have been made therefore 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 on which such business is to be conducted, or such junkyard is to be maintained. Such license shall be posted conspicuously upon the premises licenses thereunder. The written application for license hereinabove mentioned shall be accompanied by a form, every question of which must be answered, which form will be supplied by the Board. Applicant shall also submit therewith a plot of the premises used or to be used in connection with such license.

SECTION 5. Issuance of License. Upon receipt of an application by the Board, the Board shall issue a license or shall refuse to issue a license to the person applying therefore after an examination of the application and taking into consideration the suitability of the property proposed to be used for the purposes of the license, the character of the properties located nearby, and the effect of the proposed use upon the Township, both economic and aesthetic. In the event the Board shall issue a license, it may impose upon the license and the person applying therefore such terms and conditions in addition to the regulations herein contained and adopted pursuant to this ordinance as may be deemed necessary to carry out the spirit and intent of this ordinance.

SECTION 6. Licenses Fee. The license fee shall be paid immediately upon the issuance or renewal of a license. The amount of the license fee shall be calculated in accordance with the following schedule as determined by the actual land to be used by the person to whom the license is issued, excluding all set-back areas:

- A. Less than 15,000 square feet - \$50.00
- B. More than 15,000 square feet, but less than 40,000 square feet - \$100.00
- C. More than 40,000 square feet - \$200.00

No license shall be issued for the use of a tract of land in excess of twenty (20) acres, excluding set-back areas.

SECTION 7. License Limitation. No person licenses under this ordinance shall, by virtue of one license, keep more than one place of business within the Township or maintain more than one junkyard, for the purpose of buying, selling and dealing in junk. 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 8. Transfer of License. No license issued by the Board shall be transferable by the licensor to any other person unless such a transfer is authorized by the Board. Any person desiring to transfer his license shall notify the Board in writing, which notification shall be accompanied by an application for a license, as described in Section 4 of this ordinance, by the transferee.

SECTION 9. Transfer Fee. In the event the Board shall approve the transfer of a license the transferee shall immediately pay to the Township a transfer fee of ten (\$10.00) Dollars.

SECTION 10. Records. Every person, licenses under this ordinance, shall provide and shall constantly keep a book, in which shall be fairly written down in the English language at the time of 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, received or handled by such person shall at all times be subject to the inspection of any official of the Township.

SECTION 11. Delay in Disposal. Every person, 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 12. Regulations. Every person licensed under this ordinance shall constantly maintain the licenses premises in accordance with any special provisions imposed by the Board and in the manner prescribed by this section and any subsequent regulations adopted by the Board:

(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. Gasoline in an amount not exceeding ten (10) gallons may be stored above ground in said junkyards provided the same be placed in containers approved by the Board. All other gasoline shall be stored underground, which underground storage must be approved by the Board.

(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) All junk kept, stored, or arranged on the licenses premises shall at all times be kept, stored and arranged within the junkyard as described in the application for license hereunder, and as limited under paragraph (d) above.

(f) A person licenses 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 junk yard at any time. Burning of vehicles must be attended and controlled at all times.

(g) Re: Buildings/Structure setbacks.

i. The minimum front building/structure setbacks for all new building or structures or additions thereto shall be measured from the property line

side of the street right-of-way and shall be one-half of the street right-of-way distance, provided that the maximum required setback shall be 40 feet. In case of a corner lot, the setback from each adjacent street shall apply.

ii. The minimum required setback from the side lot line shall be no less fifteen (15) feet on any side, except as set forth as in Number 4.

iii. The minimum required setback from the rear lot line shall be no less than fifteen (15) feet.

iv. The Supervisors of Great Bend Township are hereby ordained with authority to reduce the minimum set back to no less than five (5) feet on lots smaller than ninety (90) feet in width. Should it be ordained in the best interests of Great Bend Township that a development of said lot is feasible, only with the reduced setback.

(h) When the Board shall deem it necessary and desirable, the premises to be licenses shall at the set back lines be enclosed by a fence of type and style to be determined by the Board or by evergreen screen plantings, or both. The Board may set forth the fence and planting requirements at the time of the issuance of a license or at the time of renewal or transfer of a license.

SECTION 13. Violations. Any person who shall violate any of the provisions of this ordinance shall upon conviction thereof, by a summary proceeding, be sentenced to pay of not more than One Hundred (\$100.00) Dollars and the costs of prosecution, provided that each day's violation of any of the provisions of this ordinance shall constitute a separate offense.

SECTION 14. Abatement of Nuisances. In addition to the remedies provided in Section 13, above any continued violations of this ordinance shall constitute a nuisance in fact or which shall in the opinion of the Board constitute a nuisance may be abated by proceeding against the violator in a court of equity for relief.

SECTION 15. Severability. If any section of this ordinance is found to be invalid the other sections of the ordinance shall not be affected thereby.

SECTION 16. Repeal. All ordinances or parts of ordinances in conflict herewith be and the same hereby repealed.

Approved, adopted and enacted into an ordinance on this the 8 day of
JUNE, 2000, to become effective the 8 day of JUNE, 2000.

Board of Supervisors

Attested:

Murphy Phillips

[Signature]

Chris Phillips

John L. Frank