

ORDINANCE NO. 262

AN ORDINANCE PROHIBITING, REGULATING AND LICENSING JUNK YARDS, SALVAGE YARDS AND OTHER PLACES USED AND MAINTAINED FOR THE COLLECTION, STORAGE AND DISPOSAL OR USED ON SECONDHAND GOODS AND MATERIALS.

The Borough of Freeport, Armstrong County, Pennsylvania, hereby ordains as follows:

Section One:

(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 Two:

No person shall hereafter establish any junk yard or salvage yard within the limits of the Borough of Freeport.

Section Three:

No person shall engage in business as a junk dealer or maintain any junk yard, salvage yard or any other place for the collection, storage or disposal of used or second-hand goods or materials in the Borough of Freeport without first having obtained a license from the Borough Council, for which license the fee shall be One Hundred Fifty dollars (\$150.00) for each and every calendar year, such fee to be for

the use of the Borough. 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 Borough 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 Four:

The license provided for in the Second section of this Ordinance shall be issued by the ~~XXXXXXXXXXXX~~ COUNCIL after 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 from which such business is to be conducted. Such license shall be posted conspicuously upon the premises licensed thereunder.

Section Five: No person licensed under this Ordinance shall, by virtue of one license, keep more than one place of business within the Borough of Freeport 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.

Section Six:

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).

Section Seven:

Every junk dealer shall provide and shall constantly keep a book, in which shall be fairly written down in the English language 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 officials of the Borough of Freeport.

Section Eight:

Every junk dealer or person using or maintaining a place for the storage, collection or disposal of used or second-hand goods and materials, shall constantly maintain such 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, and shall be surrounded by a solid fence constructed of material of a uniform kind and quality and be of such height and so erected as to conceal all materials or goods not stored within a building on such premises from the view of any residential property in the vicinity. Such fence shall be kept properly repaired and painted so as to present a neat and orderly appearance and of a color to harmonize with other buildings in the vicinity.

(b) No garbage or other organic waste, and no paper, rubbish, rags, other flammable articles or materials 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) Such premises shall not be open for business nor shall any work be done therein in connection with the storage, processing and transporting or removal of junk at any time on the first day of the week, commonly called Sunday, or on any other day of the week before seven o'clock a.m. or after six o'clock p.m.

Section Nine:

Any person who shall violate any of the provisions of this Ordinance shall, upon conviction thereof, be sentenced to pay a fine of not more than two hundred dollars (\$200.00) and costs of prosecution. Provided: Each day's violation of any of the provisions of this Ordinance shall constitute a separate offense.

ENACTED AND ORDAINED this 12th day of June
1974.

BOROUGH OF FREEPORT

by James A. DeBlasio

Attest:

Elizabeth J. Cantina

Approved this 12th day of June, 1974.

George W. Cawards