

ORDINANCE NO. 120

AN ORDINANCE REGULATING JUNK DEALERS, THE ESTABLISHMENT AND MAINTENANCE OF JUNKYARDS, INCLUDING, BUT NOT LIMITED TO AUTOMOBILE JUNK OR GRAVE YARDS, THE STORAGE AND DISPOSAL OF SCRAP, REFUSE AND JUNKED ARTICLES, PROVIDING FOR THE ISSUANCE OF LICENSES FOR JUNK DEALERS AND FOR THE MAINTENANCE AND OPERATION OF JUNKYARDS UNDER PRESCRIBED CONDITIONS, PRESCRIBING REMEDIES FOR THE ABATEMENT OF NUISANCES AND UNLICENSED JUNKYARDS AND SCRAP YARDS, PRESCRIBING PENALTIES FOR VIOLATORS, AND PROVIDING FOR THE REVOCATION OF LICENSES IN THE EVENT OF NON-COMPLIANCE.

BE IT ENACTED and ordained by the Board of Supervisors of Conewago Township, York County, Pennsylvania, and it is hereby enacted and ordained by authority of the same and pursuant to the authority granted by the Act of the Legislature approved May 1, 1933, P.L. 103, as amended, as follows:

SECTION 1: Short Title. This Ordinance shall be known and may be cited as "Conewago Township Junkyard and Refuse Ordinance".

SECTION 2: Definitions. Unless otherwise expressly stated, the following words and phrases shall be construed throughout this ordinance to have the meanings herein indicated:

A. "Person" shall mean any natural person, partnership, association, firm and corporation.

B. "Township" shall mean Conewago Township, York County, Pennsylvania.

C. "Board" shall mean the Board of Supervisors of Conewago Township.

D. "Junkyard" shall mean any place where any junk as hereinafter

such license shall be one-half the annual fee as hereinbefore prescribed.

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 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 location of 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 licensed 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. Applicants 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 and the applicable provisions of the Township Zoning Ordinance. In the event the Board shall issue a license, it may impose upon the license and the person applying therefor 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: License 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

of a license the transferee shall immediately pay the Township a transfer fee of Ten (\$10.00) Dollars.

SECTION 10: Records. Every person, licensed 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 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, 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 license 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 licensed 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 vehicles shall be received in such premises as junk, all gasoline and oil shall be drained and removed therefrom.

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 which shall constitute a nuisance in fact or which shall in the opinion of the Board constitute a nuisance may be adapted by proceeding against the violator in a court of equity for relief.

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

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

Approved, adopted and enacted into an ordinance this 17th day of July, 1972, to become effective five (5) days hereafter.

BOARD OF SUPERVISORS
OF CONEWAGO TOWNSHIP

James W. Kennedy

Richard B. Kenna

R. R. Singletary

Harold E. Kattamp
Secretary

Bill Number 10

Ordinance Number 73-132

Introduced 5th November, 1973

Introduced by: _____

A N O R D I N A N C E

An Ordinance amending Section 2E of Ordinance No. 120 entitled "An Ordinance regulating junk dealers, the establishment and maintenance of junkyards, including, but not limited to automobile junk or grave yards, the storage and disposal of scrap, refuse and junked articles, providing for the issuance of licenses for junk dealers and for the maintenance and operation of junkyards under prescribed conditions, prescribing remedies for the abatement of nuisances and unlicensed junkyards and scrap yards, prescribing penalties for violators, and providing for the revocation of licenses in the event of non-compliance" by redefining Junked Motor Vehicle.

SECTION 1: Sentence 2 of Section 2E of Ordinance No. 120,

which reads as follows:

"A motor vehicle shall be determined to be a junked motor vehicle within the meaning of this Ordinance if it is not inspected and registered with the Department of Motor Vehicles of one of the states of the United States and is not in running condition or ready to be placed in operation upon the public highways of the Commonwealth of Pennsylvania."

is amended to read as follows:

"A motor vehicle shall constitute a junked motor vehicle within the meaning of this Ordinance if it is

- (1) uninspected; or
- (2) unregistered with the Department of Motor Vehicles of one of the states of the United States or some jurisdiction in which registration of motor vehicles is permitted; or

ORDINANCE NO. 148

AN ORDINANCE AMENDING ORDINANCE NO. 120 AS AMENDED ENTITLED "AN ORDINANCE REGULATING JUNK DEALERS, THE ESTABLISHMENT AND MAINTENANCE OF JUNKYARDS, INCLUDING BUT NOT LIMITED TO AUTOMOBILE JUNK OR GRAVEYARDS, THE STORAGE AND DISPOSAL OF SCRAP, REFUSE AND JUNKED ARTICLES, PROVIDING FOR THE ISSUANCE OF LICENSES FOR JUNK DEALERS AND FOR THE MAINTENANCE AND OPERATION OF JUNKYARDS UNDER PRESCRIBED CONDITIONS, PRESCRIBING REMEDIES FOR THE ABATEMENT OF NUISANCES AND UNLICENSED JUNKYARDS AND SCRAP YARDS, PRESCRIBING PENALTIES FOR VIOLATORS, AND PROVIDING FOR THE REVOCATION OF LICENSES IN THE EVENT OF NON-COMPLIANCE", BUT EXCLUDING FROM THE DEFINITION OF "JUNKED VEHICLES" CERTAIN DEFINED VEHICLES

BE IT ENACTED and ordained by the Board of Supervisors of Conewago Township, York County, Pennsylvania and it is hereby enacted and ordained as follows:

SECTION 1: Section 2E of Ordinance No. 120, defining "Junk" shall be and hereby is amended by including the following subsections:

i. Excluded from the definition of "junked motor vehicles are any of the following:

(a) Antique motor vehicles. A motor vehicle, but not a reproduction thereof, manufactured more than 25 years prior to the current year which has been maintained in or restored to a condition which is substantially in conformance with manufacturer specifications.

(b) Classic motor vehicles. A self-propelled vehicle, but not a reproduction thereof, manufactured more than ten years prior to the current year and, because of discontinued production and limited availability, determined by the Pennsylvania Department of Motor Vehicles to be a