

ORDINANCE NO. 59-3

AN ORDINANCE REGULATING AND REQUIRING THE LICENSING OF JUNK DEALERS AND JUNK YARDS IN THE TOWNSHIP OF HILLTOWN, AND PRESCRIBING PENALTIES FOR VIOLATION.

The Board of Supervisors of Hilltown Township, Bucks County, Pennsylvania, 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 term "junk dealer", as used in this ordinance, shall mean any person, as hereinafter defined, who shall engage in the business of selling, buying, dealing in and storing junk, whether such person shall engage in such business casually or on a full time basis.

(c) The term "junk yard", as used in this ordinance, shall mean any accumulation of junk, as hereinbefore defined, covering an area of 200 square feet or more.

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

(e) 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 nor operate or maintain a junk yard in the Township of Hilltown without first having obtained a license from the Township Supervisors, for which license the fee shall be One Hundred Dollars (\$100.00) for each and every calendar year, such fee to be for the use of the Township of Hilltown. 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 or a junk yard shall be established in the Township of Hilltown on or after the first day of July in any year, the license fee payable for the remainder of such year shall be one-half the yearly rate.

Section 3. The license provided for in the second section of this ordinance shall be issued by the Township 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 the license is issued and the premises from which his business is to be conducted or upon which the junk yard is situated. Such license shall be posted conspicuously upon the premises licensed thereunder. The names of the person licensed 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 or in connection with the junk business by such person.

Section 4. No person licensed under this ordinance shall, by virtue of one license, keep more than one place of business, or maintain or operate more than one junk yard within the Township of Hilltown, nor shall any such person engage in business as a junk dealer or operate or maintain a junk yard in any place other than the place designated upon his license, nor shall any such person, or any other person, operate upon any of the streets of the Township of Hilltown, whether from a vehicle or upon foot, as a scavenger or an itinerant buyer or seller of junk.

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 junk dealer and every person operating or maintaining a junk yard 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 such person shall at all times be subject to the inspection of the Supervisors of Hilltown Township, or their duly authorized representative.

Section 7. Every junk dealer and every person operating or maintaining a junk yard, 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 and every person operating or maintaining a junk yard, 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, and no paper, rubbish, rags or 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) No junk shall be placed, kept, or stored upon any premises within fifty feet of the legal right of way limits of any public road or highway abutting or adjoining the licensed premises or the premises sought to be licensed.

Section 9. 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 Twenty Five Dollars (\$25.00) and costs of prosecution. PROVIDED: Each day's violation of any of the provisions of this ordinance shall constitute a separate offense.

Ordained and enacted into ordinance this 18th day of July, A. D., 1959.