

Chapter 57
JUNKYARDS AND JUNK DEALERS

§ 57-1.	Title.	§ 57-8.	Junkyards to be maintained.
§ 57-2.	Definitions.	§ 57-9.	Storage of junked vehicles.
§ 57-3.	License required.	§ 57-10.	Notice to owners.
§ 57-4.	Application.	§ 57-11.	Violations and penalties
§ 57-5.	License fee.	§ 57-12.	Other remedies.
§ 57-6.	Unlawful to transfer license.		
§ 57-7.	Fencing and screening; maintenance.		

[HISTORY: Adopted by the Board of Supervisors of the Township of Ligonier 6-13-1971 by Ord. No. 71-2. Amendments noted where applicable.]

§ 57-1. Title

This chapter may be known as the "Ligonier Township Junk Control Ordinance."

§ 57-2. Definitions.

The following words, when used in this chapter, shall mean as follows:

JUNKED VEHICLE - Any motor vehicle, trailer or semitrailer designed for use with a motor vehicle, or post event special purpose vehicles such as, but not limited to, demo cars, for which the obvious useful life has expired for a period of thirty (30) days, which is: (Amended 2-13-07 by Ord. No. 2007-OR-01)

- A. Exposed to weather;
- B. Inoperative due to defective or missing parts for a period of 30 days or lacking a current valid registration plate; and
- C. Lacking a current state inspection.

JUNKYARD - A place, other than a service shop, where three or more junked vehicles or two or more pieces of scrapped machinery or their parts are stored, disassembled, sold or exchanged. (Amended 2-13-07 by Ord. No. 2007-OR-01)

ORNAMENTAL EQUIPMENT - Any agricultural, or other small equipment arranged in an aesthetically pleasing fashion for the purpose of lawn display. (Added 2-13-07 by Ord. No. 2007-OR-01)

OWNER - is a person owning, leasing, occupying or having charge of any premises within the Township.

PERSON - Any natural person, partnership, firm or corporation.

SCRAPPED MACHINERY - Any piece of agricultural, construction or industrial equipment which is exposed to the weather and inoperative due to defective or missing parts, or ornamental equipment which has fallen into total disrepair. (Amended 2-13-07 by Ord. No. 2007-OR-01)

SERVICE SHOPS - A shop, business or office providing sales or services including, but not limited to, the repair of automobile, agricultural, lawn and garden and other vehicle or equipment repair, including service shops as defined in the Code, Part II, General Legislation, Chapter 64, Land Use Development, §64-76, "SERVICE SHOPS", where more than two (2) vehicles are stored, disassembled, sold or exchanged. (Added 2-13-07 by Ord. No. 2007-OR-01)

§ 57-3. License required.

No owner shall operate a junkyard in the Township of Ligonier without a license.

§ 57-4. Application.

A license shall be issued by the Township of Ligonier for a junkyard upon approval by the Board of Supervisors of Ligonier Township of an application which shall contain the following:

- A. The name and address of the applicant.
- B. The location and general description of the land used for any junkyard where owned, leased, used or operated by the junk dealer in the township.
- C. A sketch map, at a scale of one inch equals 100 feet, showing the complete boundary of the junkyard, with dimensions, including such part of the junkyard that may front upon any public road, and the point or points of access from the nearest public road or roads to the junkyard.
- D. The date of issuance and number of the township license.
- E. Such other information as shall be deemed necessary by the township.

§ 57-5. License fee.²

The license fee for each calendar year shall be as established by resolution of the Board of Supervisors. The fee must accompany the application. Licenses must be renewed each year prior to January 15. Each license shall be displayed conspicuously on the licensed premises.

§ 57-6. Unlawful to transfer license.³

No license issued under this chapter shall be transferable from one owner to another owner 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 as established from time to time by resolution of the Board of Supervisors.

§ 57-7. Fencing and screening; maintenance; (Amended 2-13-07 by Ord. No. 2007-OR-01)

To provide for public safety a fence of not less than six feet in height shall be constructed

between a junkyard or service shop where more than two (2) vehicles are being stored, disassembled, sold or exchanged, and any public roads which it faces. Setback of the fence shall be as prescribed in the Ligonier Township Comprehensive Development Ordinance, or any successor ordinance, for the district in which the junkyard or service shop is located. The fence shall be so constructed to permit an entrance of not more than 30 feet in width which shall be closed off by means of a gate similar in construction to the required fence, except during regular business hours of the yard or service shop. Such entrance, once established, shall not be changed without written permission from the township. (Amended 2-13-07 by Ord. No. 2007-OR-01)

§ 57-8. Junkyards to be maintained.

Every junkyard licensed under this chapter shall constantly be maintained in the manner prescribed by this section as follows:

- A. No junked vehicles or scrapped machinery shall be positioned in front of the fence. No debris of any kind shall be permitted to accumulate in front of the fence.
- B. Junked vehicles and scrapped machinery shall be positioned in rows with sufficient aisle space to permit access of emergency vehicles.
- C. Junked vehicles and scrapped machinery shall be stored in a such a manner to prevent accumulation of stagnant water as follows:
 - (1) Hoods, doors, trunk lids or other access hatches shall be kept closed in so far as is possible.
 - (2) No vehicle body shall be stored in an inverted position.

57-9. Storage of junked vehicles.

Storage of two or more junked vehicles or pieces of scrapped machinery on open grounds shall be regarded as use of such property for a junk yard.

§ 57-10. Notice to owners.

The owner or lessee of the property on which an unlicensed junkyard is observed shall be given 30 days' written notice by the Ligonier Township Supervisors to dispose of such junk or apply for a license. If the owner or lessee ignores such notice, the township shall take such action as herein provided.

§ 57-11. Violations and penalties. ⁴

This chapter shall be enforced by action brought before a District Justice in the same manner provided for the enforcement of summary offences under the Pennsylvania Rules of Criminal Procedure. Any owner who violates or permits the violation of this chapter shall, upon conviction in a summary proceeding, be punishable by a fine of not more than \$1,000 or by imprisonment for a term not exceeding 90 days. Each day or portion thereof that such violation continues or is permitted to continue shall constitute a separate offense. Each section of this chapter that is violated shall also constitute a separate offense.

§ 57-12. Other remedies.

Nothing herein contained shall prevent the township from taking such other lawful action as is necessary to prevent or remedy any violation.

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- 1 Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).
 - 2 Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).
 - 3 Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).
 - 4 Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

Amended by Ord. No. 2007-OR-01 2/13/07.