

COLES COUNTY SOLID WASTE STORAGE AND HANDLING OF REFUSE AND NUISANCES ORDINANCE

JUNKYARD: means an establishment or place of business which is maintained, operated, or used for storing, keeping, buying, or selling junk, or for the maintenance or operation of an automobile graveyard.

Part 5-Junkyards and Automobile Graveyards

- (a) Junkyards, mobile home salvage yards, automobile graveyards, and scrap processing facilities located outside the corporate limits of cities, towns, or villages shall have a permit to operate from the County Board and meet the requirements of this Part. Exempt from these requirements are junkyards and automobile graveyards which are permitted by local township ordinances.
- (b) No person may hereafter establish a junkyard, mobile home salvage yard, automobile graveyard, or scrap processing facility within 500 feet of any residential dwelling, with the exception of the establishment's owner residential dwelling. The establishment shall not be located within 200 feet of a potable water source, with the exception for the potable water source for the establishment. The establishment shall not be located within a 100 year flood plain. Approved fencing 6 feet in height shall be required around the perimeter of the establishment.
- (c) PERMITS: Permit are to be renewed annually with all permit expiring on 30 November of each year.
 - (1) Within thirty days of the effective date of this Ordinance all existing junkyards and automobile graveyards shall obtain a permit from the County Board.
 - (2) After the effective date of this Ordinance no one shall establish a junkyard or automobile graveyard without first obtaining a permit from the County Board.
 - (3) The application for a permit or the permit renewal shall be requested by completing the "Application For Junkyard or Automobile Graveyard" form and submitting it to the Authorized Representative. The application for a permit for all yards shall include the following:
 - A. Names. The name and address of the owner(s) of the yard and the name and address of the yard, if different from the owners. The name and address of the owner(s) of the real estate is also to be furnished if different than the owner(s) of the business.
 - B. Location Map. A simple location map showing the location of the

junkyard or automobile graveyard facility in relation to the adjacent roads. Such location map shall indicate the direction north with a north point or arrow, shall show the dimensions of the tract of land, show the distance from the nearest town or city limits or from the nearest intersecting route, location of all wells within 1,000 feet of the facility, location and description of all improvements within 1,000 feet of the facility, and names and location of adjoining property owners.

C. Junk Deposit Area. If the tract shown on the location map is larger in area than the space proposed for the deposit of junk, that portion proposed for deposit of junk shall be cross-hatched and its dimensions shown. Any deposit of junk beyond this area will not be permitted unless a new permit is granted by the County Board.

D. Plan for Screening. The owner(s) of any junkyard or automobile graveyard facility shall submit a plan drawn to scale indicating how screening is to be accomplished. Such plans shall show the construction details of the screening to be used. The screening shall be located on the owner's land and not on any part of the road or highway right of way and should be compatible with the surroundings. the screen shall be in place prior to the time the junk is deposited. A letter authorizing the owner to proceed with the screening project will be issued subsequent to the approval of the proposed yard location and screening plan by the County Board; however, the permit will not be approved and issued until after the screening material is in place.

E. Fee A first time initial filing fee is \$25.00 and the annual fee for permits shall be \$25.00.

(d) ACCEPTABLE SCREENING MATERIALS

(1) Fencing Materials. Acceptable fencing shall include fences of steel or other metals, durable woods such as tide water cypress, redwood, or other wood treated with a preservative, or walls of masonry. Some of the types acceptable are:

A. Chain link type with aluminum, steel, plastic, or wooden slat inserts.

B. Wooden types with basket weave, palisade, louver, or other suitable design.

C. Walls of masonry including plain or ornamental concrete block, brick, stone, or other suitable masonry material.

The above types of fencing and walls are given as examples only. Any other design of fencing constructed of other materials may be submitted for consideration by the County Board.

(2) Plant Material. Plant material shall be used to compliment artificial screening except where it is not feasible to do so as determined by the County Board at the recommendation of the Authorized Representative. Unless it can effectively screen the yard on a year around basis plants cannot be used as the sole screening material.

Plant materials indicated on the plans submitted for a permit shall specify the name of the plant materials to be used, the size at the time of planting, and the spacing between plants. All plant material shall be taken from nurseries located within, or north of , Zone 6 of the climatic map as shown in Rehder's "Manual of Cultivated Trees and Shrubs", published in 1940.

(3) Maintenance. The owner or owners of any junkyard or automobile graveyard shall maintain in an acceptable condition the screening for his junkyard, regardless of who established it initially, performing such painting and repairs as is required to keep any fences, walls or other structural material in good condition and appearance. Plant material shall be watered, cultivated, and/or mulched, and given any required maintenance including spraying for insect control, to keep the planting in a good healthy condition. Dead plant material shall be replaced during the next spring or fall planting season following death of the material. The replacement plants shall be at least as large as the initial planting. The screening shall be maintained so that the yard is effectively screened as long as the business is in existence.

Failure to maintain the screening in an acceptable condition shall result in the revoking of the junkyard or automobile graveyard owner's permit upon written notification and the County Board shall take whatever legal action is necessary to cause the owner of such junkyard or automobile graveyard facility to provide such maintenance of the screening to the satisfaction of the County Board or to abate the nuisance created by the yard which is not in compliance with the Act.

Any junkyard or automobile graveyard in existence on the effective date of this Ordinance shall be screened from view from the road, highway and/or adjoining residential property within two (2) years.

(d) Any junkyard or automobile graveyard in existence on the effective date of this Ordinance and screened from view from the road, highway and/or adjoining residential property or any yard established after the effective date and screened by the owner may not be extended beyond or above such screening so as to have junk visible from the main traveled way of the road or highway, or adjoining residential property. Any such visible junk will cause the facility to be in violation of its permit and these regulations and permit will become void upon written notification by the County Board.

The Authorized Representatives and the County Board shall then take whatever legal action is necessary to abate the nuisance created by the junkyard which is not in compliance with the Ordinance.