

book

ORDINANCE NO. 30

AN ORDINANCE REGULATING JUNK DEALERS, INCLUDING DEALERS IN JUNK MOTOR VEHICLES.

The Village Council of the Village of Dennison does ordain as follows:

Section 1. No person or persons, association, partnership, firm or corporation shall hereafter in the Village of Dennison keep, conduct, or maintain any building, structure, yard, or place for keeping, storing or piling in commercial quantities, whether temporarily, irregularly, or continually, or for the buying or selling at retail or wholesale or dealing in any old, used, or secondhand materials of any kind, including cloth, rags, clothing, paper, rubbish, bottles, rubber, iron, brass, copper or other metal, furniture, used motor vehicles or the parts thereof, or other articles which from its worn condition renders it practically useless for the purpose for which it was made and which is commonly classed as junk, shall not hereafter carry on the aforesaid business in the residential or business district of said Village except as herein provided. One carrying on the aforesaid business shall be referred hereinto as "junk dealer".

Section 2. No person or persons, association, partnership, firm or corporation shall hereafter in the Village of Dennison carry on the aforesaid business without first having obtained and paid for a license as herein-after provided.

Section 3. Every applicant for a license to engage in the business of junk dealer shall file with the Village Clerk a written application upon a form prepared and provided by the Village, signed by the applicant or applicants. Said application shall state:

- (a) The names and residences of the applicants, if an individual, partnership or firm, or the names of the principal officers and their residences if the applicant is an association or corporation.
- (b) The length of time such applicant or applicants, if an individual, firm or partnership, or the manager or person in charge, if the applicant is a firm or corporation, has or have resided in the Village of Dennison.
- (c) The detailed nature of the business to be conducted and the kind of materials to be collected, bought, sold or otherwise handled.
- (d) The premises where such business is to be located or carried on.

Each application shall contain an agreement that the applicant accepts the license, if granted, upon the condition that it may be suspended for cause at any time by the Mayor of said Village.

Section 4. Such application shall be signed and acknowledged before a Notary Public or before the Clerk.

Such application shall be accompanied by a bond to the municipality in some surety company licensed to do business in this State, approved as to form by the municipal attorney, in the penal sum of two thousand dollars (\$2,000.00) for a junk merchant and one thousand dollars (\$1,000.00) for a junk peddler, conditioned upon the due observance during the term of the license of any and all ordinances which are now in force or may be hereafter adopted by the Council respecting the collection, buying, selling or otherwise dealing in articles enumerated in Section 1, and all other ordinances touching upon the conduct of the licensee's business. Section 4 is optional as to the discretion of the Village Council.

Section 5.

The Village Clerk shall report such application to the Chief of Police, Health Officer, Fire Chief, and building inspector, who shall inspect or cause to be inspected such premises to determine whether it complies with all laws, ordinances, rules and regulations. Said premises and all structures thereon shall be so situated and constructed that the business of junk dealer may be carried on, and a sanitary thorough inspection may be made at anytime by the proper health, fire, building and police authorities. No building shall be used for the business of junk dealing unless it shall be of fireproof construction.

Each of the premises upon which the business of junk dealer is to be carried on shall be enclosed by a proper fence or other structure no less than seven feet in height, constructed subject to the approval of the Village Council. Said enclosure shall be maintained in good condition at all times. No article shall be piled so as to protrude above said enclosure.

Section 6. No premises shall be used for carrying on the business of junk dealing when more than one building situated within a distance of 200 feet are used solely for residence purposes.

Any junk dealer using premises for the business of junk dealing at the time of the passage of this ordinance which does not comply with this section may be granted a license for six months but said license shall not be renewed.

Section 7. Every junk dealer shall pay an annual license fee of ten dollars (\$10.00). All licenses shall be issued as of January 1st, of each year and shall continue in force until the next succeeding the date of issuance thereof, unless sooner revoked.

Each holder of a junk dealer's license shall be entitled to have, keep and operate one vehicle in connection with said business for the purpose of collecting junk. For each additional vehicle used in and about said business for the purpose of collecting junk the additional sum of ten dollars (\$10.00) shall be paid.

Every holder of a junk dealer's license shall at all times keep said license posted while in force in a conspicuous place on the premises described in the application for such license. It shall be unlawful for any person to post such license or to be permitted to post it upon the premises other than those mentioned in the application, or knowingly to deface or destroy any such license.

Section 8.

- (a) No junk dealer shall carry on the business at or from any other place than the one designated in the license therefor. Nor shall said business be carried on after such license has been revoked or has expired.
- (b) No junk dealer shall make any purchase from any person, or receive any articles, between the setting sun and seven o'clock in the morning, on Sundays or holidays.
- (c) The contents of the premises of every junk dealer shall be arranged in an orderly manner with all similar things located together so as to facilitate inspection by the proper authorities. The premises of every junk dealer shall be subject to inspection by the proper municipal authorities at any reasonable time.

Section 9. The Health Officer shall formulate reasonable rules and regulations relating to the conduct of the business of junk dealing which shall protect the health of the community. No junk dealer shall violate any such rules or regulations.

Section 10. Upon complaint being made in writing by any municipal official or resident of the Village to the Village Clerk that any licensee has violated any of the provisions of this ordinance, the Mayor shall summon such licensee to appear before him at the time specified in the summons, which shall be not less than three days after the date of the service thereof, to show cause why his license shall not be revoked. They Mayor shall proceed to hear the matter and if he finds the allegations of such complaint are correct, he shall revoke said junk dealer's license.

Whenever any license shall be so revoked, no refund of any unearned portion of the fee therefor shall be made and no license shall be granted to any person, firm, partnership, association or corporation whose license has been revoked within a period of five years from the date of such revocation.

Section 11. Any person, persons, firm, association, partnership or corporation who by himself or itself or by his or its clerk, agent or employee, shall conduct the business of a junk dealer as herein defines without the license required by this ordinance, or shall violate any of the provisions of this ordinance, or who, having had his, its, or their license revoked, shall continue as a junk dealer, may, upon conviction thereof, be subjected to a fine or penalty of not more than ten dollars (\$10.00) for each day during which said violation shall continue, together with the costs of such prosecution, and default of the payment of such fine and the costs of such prosecution shall be imprisonment in the county jail or county workhouse for a period not exceeding ninety days. In addition to the penalties imposed, the license of the person, persons, firm, association, partnership or corporation violating the same, shall be cancelled or revoked and the bond upon such license shall be forfeited. Upon such forfeiture the amount of the bond shall thereupon become due and payable to the Village of Dennison and the amount thereof may be recovered in a civil action based upon such forfeiture.

This ordinance shall take effect and be in force from and after its passage and publication.

Passed by the Council this 6 day of June, 1960.

SEAL

Attest: Mr. Thomas Estem  
Clerk

Signed Richard Zolten  
President of Council

Published in \_\_\_\_\_ on \_\_\_\_\_, 1960.

Section 4. Such application shall be signed and submitted by the applicant at any time by the Mayor of said Village.

Such application shall be in the form of a check payable to the Village of Dennison in the amount of \$2,000.00 for a junk merchant and one license of any and all ordinances which are now in force as well as hereafter adopted by the Council respecting the collection, buying, selling or otherwise dealing in articles enumerated in Section 1, and all other ordinances pertaining to the conduct of the licensee's business. Section 4 is optional as to the discretion of the Village Council.