

ORDINANCE 2014-118

An Ordinance Repealing and Replacing Ordinance 1984-8 in its Entirety and Setting Forth the Rules and Regulations Governing Junkyards, Automobile Graveyards, and Abandoned Vehicles

BE IT ORDAINED BY THE GOVERNING BODY OF THE TOWN OF ROLLING HILLS:

The purpose of this Ordinance is to hereby rescind any and all previous ordinances pertaining to junkyards, automobile graveyards and abandoned vehicles including, but not limited to, Ordinance 1984-8, and to re-establish and enact regulations governing all matters pertaining to junkyards, automobile graveyards and abandoned vehicles. Said regulations are set forth below as follows:

Section 1. Definitions

For the purposes of these rules and regulations, the following terms shall have the following definitions, unless the context of any particular rule or regulation requires otherwise:

(a) **Junk.** Any old or scrap material consisting of copper, brass, rope, rags, batteries, paper, trash, rubber debris, waste, iron, steel, or any other old or scrap ferrous or nonferrous material. Any junked, dismantled or wrecked automobiles, or parts thereof, that are not being used as described below.

(b) **Automobile Graveyard.** Any residential lot, establishment or place of business which is maintained, used, or operated for storage, keeping, buying or selling wrecked, scrapped, ruined or dismantled motor vehicles or motor vehicle parts, except as described below.

(c) **Junkyard.** Any residential lot, 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 any automobile graveyard, and the term shall include garbage dumps and sanitary fills.

(d) **Person.** Any individual, firm, agency, company, association, partnership, business, trust, joint stock company or corporation who operates or allows a junkyard to be placed or to remain on premises controlled by him.

Section 2. Prohibiting of Junkyards and/or Automobile Graveyards

No person shall own or operate for any purpose or be permitted to own or operate for any purpose a junkyard or automobile graveyard in the town.

Section 3. Abandoned Vehicles

(a) No person shall possess four (4) or more abandoned vehicles on his property or on property which is in his lawful possession or control, if any four (4) or more of the vehicles are visible from a roadway for more than thirty (30) consecutive days.

(b) For purposes of this section, a vehicle shall be presumed to be abandoned if it is in an inoperable condition and is not currently registered.

(c) This section shall not apply to:

- (i) Antique or historic motor vehicles as defined by W.S. 31-1-101(a)(xv)(A) - any motor vehicle which is at least twenty-five (25) years old and owned solely as a collector's item;
- (ii) Vehicles kept in an enclosed garage or storage building; and,
- (iii) Vehicles used for riprap on rivers, streams or reservoirs.

Section 4. Parking and Storage of Abandoned Vehicles

For health and safety reasons, all areas around the abandoned vehicles must be kept mowed and clean of debris.

Section 5. Notice and Penalties

Any person violating any of the provisions of this ordinance shall be given written notice specifying the nature of the violation. The person to whom such notice is sent shall have 10 days after receipt of such notice to correct all violations. If such person fails, refuses or neglects to correct all violations and comply with this ordinance, issuance of fines may result up to \$750 for each day of violation.

Passed and Approved January 6, 2015.

Mayor Jon O. Maines