

ORDINANCE NO. 45

TOWN OF TONTITOWN, ARKANSAS

AN ORDINANCE TO REGULATE AND CONTROL THE ESTABLISHMENT AND OPERATION OF AUTOMOBILE SALVAGE YARDS, JUNK YARDS AND AUTOMOBILE GRAVE YARDS WITHIN THE CORPORATE LIMITS OF THE TOWN OF TONTITOWN, ARKANSAS.

WHEREAS, the Town Council of the town of Tontitown, Arkansas, deems it necessary to establish certain regulations for the establishment and operation of automobile salvage yards, junk yards and automobile grave yards within the corporate limits of the Town of Tontitown, Arkansas, in order to protect the public health, safety and comfort of the citizens of the Town of Tontitown, Arkansas.

NOW THEREFORE, BE IT ORDAINED by the Town Council of the Town of Tontitown, Arkansas:

Section 1. DEFINITIONS:

"Automobile salvage yards, junk yards and automobile grave yards" referred to in this ordinance as "junk yards" and as used in this ordinance shall mean any place where two or more junk, wrecked, or non-operative automobiles or other vehicles are deposited, parked, placed or otherwise located.

"Person" shall as used in this ordinance shall include any person, company, partnership, corporation or association.

Section 2. LOCATION AND OPERATION OF JUNK YARD:

It shall be unlawful for any person to locate, establish, maintain, or otherwise place or operate any junk yard within one-half mile of any state highway, or within 100 yards of any county road or city street within the corporate limits of the Town of Tontitown, Arkansas.

Section 3. LICENSE REQUIRED:

No person, firm or corporation shall conduct or operate the business of an automobile junk yard without having obtained a yearly license therefor as herein provided.

Section 4: APPLICATIONS:

Applications for licenses to operate such automobile junk yards shall be made to the Town Recorder upon such forms and containing such information as are required by the Town Recorder and as approved by the Town Council.

Section 5: FEE:

The fee to be paid for such license shall be \$25.00 per year.

Section 6. PREMISES:

Any premises, area or piece or parcel of land licensed and used as a junk yard shall have not more than two entrances and two exits each of which shall not exceed 15 feet in width at the perimeter of the premises. Such premises, areas, pieces or parcels of land shall be kept in a neat and orderly manner. The licensee shall not permit any weeds or trash to be located upon the licensed premises or any part thereof and shall not permit any accumulation in any amount whatsoever of any water in the vehicles or other machinery or metal placed, located or deposited upon the premises.

Section 7. PENALTY:

Any person responsible who fails to comply with the provisions of this ordinance in any manner whatsoever shall be fined in an amount not to exceed \$500.00 for each separate offense and each day that a violation of this ordinance occurs shall constitute a separate offense and shall be punishable hereunder as a separate violation.

Section 8. CONSTITUTIONALITY:

Should any section or provision of this ordinance for any reason be held void, unconstitutional or invalid, it shall not affect the validity of any other section or provision hereof which in itself is not void, unconstitutional or invalid.

Section 9. EMERGENCY CLAUSE:

It is hereby declared that for the reason set forth above an emergency exists whereby the health, safety and general welfare of the citizens of the Town of Tontitown, Arkansas, are in jeopardy and this ordinance is necessary for the immediate preservation of such health, safety and general welfare and this ordinance shall take effect and be in force from and after its passage and approval.

PASSED AND APPROVED this 25 day of September, 1968.

Attest:

Richard M. Ademaque
Recorder

Henry Shultz
Mayor