

CHAPTER 22

JUNK DEALERS AND AUTO SALVAGE DEALERS

22.01 LICENSES REQUIRED.

No person shall in the Village of Allouez keep, conduct or maintain any building, structure, yard or place of keeping, storing or piling, in commercial quantities, whether temporarily, irregularly, or continually, or for the buying or selling at retail or wholesale, or the dealing in any old, used or second hand material of any kind, including used motor vehicles or the parts thereof and also including cloth, rags, clothing, paper, rubbish, bottles, rubber, iron, brass, copper, any other metal, furniture or 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 classified as junk, whether with a fixed place of business or as an itinerant peddler, without first having obtained and paid for a license as hereinafter provided. One carrying on the aforementioned business shall be referred to herein as a "junk dealer" or an "auto salvage dealer".

22.02 APPLICATION FOR LICENSE.

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

- (1) The name and residence of the applicant, if an individual, partnership, or firm; and the names of the principal officers and their residences, if the application is for an association or a corporation.
- (2) The detailed nature of the business to be conducted and the kind of materials to be collected, bought, sold or otherwise accumulated or handled.
- (3) The specific legal description of the premises where such business is to be located or carried on, or where the collected articles are to be stored.

22.03 INSPECTION.

The Village Clerk-Treasurer shall report such application to the Village Board, which shall inspect or cause to be inspected such premises to determine whether it complies with all laws, ordinances, rules and regulations. The premises may only be located in an area properly zoned for such use as a junk yard or auto salvage yard, and must be carried on in a sanitary manner and contain no fire hazards, and shall be arranged so that there can be a thorough inspection at any time by the proper village authorities.

22.04 FENCED ENCLOSURE.

Each of the premises upon which the business of junk dealer or auto salvage dealer is to be carried on shall be enclosed by a solid fence or other structure not less than 8 feet in height, constructed so that no dust or other material may pass through. The enclosure shall be maintained in good condition at all times. No articles shall be piled or accumulated so as to protrude above the enclosures.

22.05 CONDITIONS FOR LICENSE.

The following criteria shall be applied by the Village in determining whether or not a license for a junk dealer or auto salvage dealer should be granted or denied:

A. Topography.

Any proposed construction or use shall not:

- (1) Increase the flow of surface water beyond the capacity of existing and proposed storm sewers.
- (2) Adversely affect access to light and air by adjoining property.

B. Traffic Safety.

Any proposed construction or use shall not cause:

- (1) An unreasonable increase in motor vehicle traffic to the area.
- (2) A change in existing motor vehicle traffic patterns to the detriment of the neighborhood and the Village.
- (3) A change in the number, size and type of access points for motor vehicle traffic to the detriment of the neighborhood and the Village.
- (4) An adverse effect on current or probable future pedestrian patterns and habits.
- (5) An obstruction to visibility by or of motor vehicle or pedestrian traffic within or about to enter an intersection.

C. Fire Hazard.

Any proposed construction or use shall not increase existing fire hazards.

D. Property Values.

Any proposed construction or use shall not unreasonably or excessively depreciate values of adjoining or neighboring properties.

E. Aesthetics.

Any proposed construction or use shall not be such as to create an appearance or condition which is contrary to the general nature and characteristics of the neighborhood.

F. Odors, Noises, Etc.

Any proposed construction or use shall not unreasonably increase the amount of noise, odors, fumes, dust, smoke, light, etc. which would affect adjoining or neighboring premises.

22.06 ISSUANCE OF LICENSES.

Upon the filing of the application and the payment to the Village of the license fee hereinafter provided, the Village shall issue to the applicant a license to engage in business as provided for in Section 22.01. No license shall be refused except for a specified reason. All licenses shall be numbered in the order in which they are issued and shall clearly state the location of the business to be conducted, the date of issuance, the expiration of the license, and the name and address of the licensee. No applicant to whom a license has been refused shall make further application until a period of at least six months shall have elapsed since the last previous rejection unless he can show that the reason for such rejection no longer exists.

22.07 LICENSE FEES.

Every junk dealer or auto salvage dealer shall pay an annual license fee as outlined in Section 8.09.

22.08 LOCATION.

Every junk dealer's license or auto salvage dealer's license shall designate the premises from which the dealer may conduct such business.

No licensee shall remove his place of business from the place designated in the license until a written permit has been secured from the Village Board, and the same has been endorsed upon the license. No 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.

22.09 STOLEN GOODS.

If any goods, articles, or things shall be advertised in any newspaper printed within Brown County as having been lost or stolen, and the same or any answering the description advertised or any portion or part thereof shall be or come into the possession of any junk dealer or auto salvage dealer, the dealer shall give information thereof in writing to the Sheriff of Brown County and state from whom the same was received.

Any junk dealer or auto salvage dealer who has or receives any goods, articles or things lost or stolen, or alleged or supposed to have been lost or stolen, shall exhibit the same on demand to any police officer,

member of the Village Board, or other magistrate or person duly authorized in writing by the Sheriff of Brown County.

22.10 REVOCATION OF LICENSE.

Upon complaint being made in writing by any Village official or resident of the Village of Allouez to the Village that any licensee hereunder has violated any of the provisions of this chapter, the Village Board shall summon such licensee to appear before it at the time specified in the summons, which shall be not less than 3 days after the date of the service thereof, to show cause why his license shall not be revoked. The Village Board shall proceed to hear the matter and if it finds the allegations of said complaint are correct, and there is adequate cause therefor, it shall revoke said 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 whose license has been revoked, within a period of one year from the date of such revocation. Notice of such revocation and the reason or the reasons therefor shall be served upon the dealer or any officer thereof.

22.11 PENALTY.

Any person who by himself or by his clerk, agent, or employee, shall violate any provision of this chapter shall upon conviction thereof be subjected to the penalty provided for violation of this code. In addition to the penalties imposed, the license of the violator shall be canceled or revoked.