

ORDINANCE 2

Resolution

A resolution or ordinance to license and regulate junk yards and/or places for the dismantling, wrecking and disposing of the junk and/or refuse materials of automobiles and machinery of any kind to prescribe the fee therefor and the rules, regulations and conditions for the operation and licensing thereof and to prescribe penalties for violation of this resolution.

The Township of Flowerfield of the County of St. Joseph and State of Michigan, resolves and ordains:

1. It shall be unlawful for any person, firm, corporation or as association to operate, conduct or carry on any junk yards and/or places for the dismantling, wrecking and disposing of the junk and/or refuse materials of automobiles and machinery of any kind in said Township of Flowerfield without first having obtained a license therefor from the Clerk of said Township.

2. Applications for such license shall be in writing and signed by the applicant or applicants and shall contain the correct legal description of the premises where such business is to be conducted and shall further state the age and previous residences of the applicants, and list any violation of laws or ordinances of which said applicant or applicants may have been previously convicted, and list any license denials or revocations previously suffered by said applicant or applicants. The statements contained in such applications shall be verified before a Notary Public or some other officer of this state authorized to take oaths and affirmations.

3. The annual fee for such license shall be twenty-five (\$25.00) Dollars, payable in advance.

4. As a condition to the original granting of such license and the operation of such junk and/or dismantling yard, as a part of said application, the applicant or applicants shall obtain from 65% of the freeholders residing in said Township within one (1) mile radius of the place where said business is proposed to be conducted, a written statement or waiver addressed to said Township Board recommending that such license be granted.

5. Such application *with* said recommendation attached and the annual fee shall be delivered to the Clerk of said Township who shall present the same to the next meeting of said Township Board.

6. If said application is in accordance with the requirements herein and the statements therein are true and the applicants are over 21 years of age, and persons of good character, and have paid the license fee and have obtained the recommendation of freeholders as herein provided, then said Board shall grant said license and authorize the Clerk of said Township to issue the same forthwith.

7. The requirements for the recommendation of freeholders set forth in paragraph four (4) above, shall not be required on any renewal of the original license if the same has not been revoked.

8. Said licensee shall operate, conduct and carry on said business without violating the resolutions and ordinances of this Township, the laws of Michigan or the laws of the United States.

9. Said licensee shall at least once each month prepare and mail to the Commissioner of the Department of Public Safety at East Lansing, Michigan, and to the Secretary of State at Lansing, Michigan, a sworn statement of all purchases and sales made by the said licensee.

10. The junk or dismantling yard operated by such licensee in said Township shall have a six (6) foot woven wire fence, or one similar thereto as adequate, along any adjoining highway, except at driveways.

11. The junk, rubbish, bodies, tires, parts and other similar material therein shall 'be not less than 20 rds. from said road fence, except when being driven to and from such portion of said premises.

12. All buildings on said premises shall be not less than 20 rds. from said road fence, except buildings on said premises at the effective date of this resolution or ordinance.

13. Said license shall not be transferable and shall permit such business to be conducted only on the premises described in said application.

14. Said license shall be subject to revocation by said Board upon failure to conduct said business in conformity with any of the rules, regulations or conditions, herein contained, or if any of the statements in the

said application are found to be false, or if 65% of the freeholders residing in said township within a radius of one (1) mile from the place of said business petition said Township Board therefor.

15. Before revoking said license said licensee shall be notified by mail in writing at his or their last known address of the reasons for such proposed revocation and shall be advised therein of the date of the next meeting of said Board where he or they shall be entitled to appear and give reasons why such license should not be revoked.

16. Such revocation shall be in writing, signed by a member of the Township Board and mailed by registered mail to licensee at his or their last known address.

17. Any person, firm, association or corporation which shall operate a dismantling or junk yard without a license, or shall violate any rule, regulation or condition hereof, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine not exceeding one hundred (\$100.00) Dollars, or by imprisonment in the county jail not to exceed ninety (90) days or by both such fine and imprisonment in the discretion of the court.

18. Within five (5) days after the adoption of this resolution and before the same shall take effect, said resolution and the rules, regulations and conditions enacted hereunder shall be published by posting the same in three (3) conspicuous places in the township and an affidavit of said posting shall be filed in the office of the Township Clerk, whereupon this resolution shall become effective.

19. Should any provision of any section of this resolution be held unconstitutional, or invalid, such holding shall not be construed as affecting the validity of any of the remaining which shall stand notwithstanding the invalidity of any provision or section hereof.

Adopted April 24, 1951.

FIRST AMENDMENT TO JUNK YARD ORDINANCE

First Amendment to Ordinance Adopted April 24, 1951, by Flowerfield Township, being an ordinance to license and regulate junk yards and/or place for the dismantling, storing, wrecking and/ or disposing of the junk and/ or parts and refuse of used automobiles, to prescribe the fee therefor and the rules, regulations and conditions for the operation and licensing thereof and to prescribe penalties for the violation of said ordinance.

The Township of Flowerfield of the County of St. Joseph and State of Michigan, ordains:

That a new paragraph be added to the said Ordinance adopted April 24, 1951, after paragraph number one thereof, to be known as paragraph number One A, as follows:

1A. The term "junk yard", as used herein, shall mean any place within the township used as a site to buy, store, place or receive any used paper, cloth, metals, used materials, used machinery or more than one un-licensed automobile or part thereof.

The foregoing Amendment to said Ordinance shall be published as required by law and become effective at noon on the 14th day of August, 1967.

Adopted: July 14th, 1967

Jesse J. Anderson, Supervisor
Claude B. Castle, Clerk
Elmer S. Houts, Sr., Treasurer
Orville Miller, Trustee
Leonard D. Mohny, Trustee

All members of Flowerfield Twp. Board voted in favor of adoption of Junk Yard Ordinance Apr 24, 1951 - all voted "aye" on 1st Amendment to same on July 14, 1967
C.B. Castle - clerk 828

**FIRST AMENDMENT
TO JUNK YARD ORDINANCE**

First Amendment to Ordinance Adopted April 24, 1951, by Flowerfield Township, being an ordinance to license and regulate junk yards and/or place for the dismantling, storing, wrecking and/or disposing of the junk and/or parts and refuse of used automobiles, to prescribe the fee therefor and the rules, regulations and conditions for the operation and licensing thereof and to prescribe penalties for the violation of said ordinance.

The Township of Flowerfield of the County of St. Joseph and State of Michigan, ordains:

That a new paragraph be added to the said Ordinance adopted April 24, 1951, after paragraph number one thereof, to be known as paragraph number One 1A, as follows:

1A. The term "junk yard," as used herein, shall mean any place within the township used as a site to buy, store, place or receive any used paper, cloth, metals, used materials, used machinery or more than one unlicensed automobile or part thereof.

The foregoing Amendment to said Ordinance shall be published as required by law and become effective at noon on the 14th day of August, 1967.

Adopted: July 14, 1967.

Jesse J. Anderson, Supervisor
Claude B. Castle, Clerk
Elmer S. Houts Sr., Treasurer
Orville Miller, Trustee
Leonard D. Mohney, Trustee
(July 19, 1967)

**LEGAL NOTICE
Flowerfield Township**

**FIRST AMENDMENT
TO JUNK YARD ORDINANCE**

First Amendment to Ordinance Adopted April 24, 1951, by Flowerfield Township, being an ordinance to license and regulate junk yards and/or place for the dismantling, storing, wrecking and/or disposing of the junk and/or parts and refuse of used automobiles, to prescribe the fee therefor and the rules, regulations and conditions for the operation and licensing thereof and to prescribe penalties for the violation of said ordinance.

The Township of Flowerfield of the County of St. Joseph and State of Michigan, ordains:

That a new paragraph be added to the said Ordinance adopted April 24, 1951, after paragraph number one thereof, to be known as paragraph number One A, as follows:

1A. The term "junk yard", as used herein, shall mean any place within the township used as a site to buy, store, place or receive any used paper, cloth, metals, used materials, used machinery or more than one unlicensed automobile or part thereof.

The foregoing Amendment to said Ordinance shall be published as required by law and become effective at noon on the 14th day of August, 1967.

Adopted: July 14th, 1967

Jesse J. Anderson, Supervisor
Claude B. Castle, Clerk
Elmer S. Houts, Sr., Treasurer
Orville Miller, Trustee
Leonard D. Mohney, Trustee
July 20, 1967