

CROW WING COUNTY ORDINANCE NUMBER 1-81

AN ORDINANCE PERTAINING TO JUNK/SALVAGE
YARDS IN COUNTY OF CROW WING

In order to promote safety, health, welfare by regulating the establishment, location and operation of junk and/or salvage yards in Crow Wing County, Minnesota, the following ORDINANCE is established;

Section 1: PURPOSE: This Ordinance is intended to control the establishment, location and operation of junk and/or salvage yards, hereinafter referred to as junk/salvage yards in the unincorporated area of Crow Wing County, Minnesota.

Section 2: DEFINITION OF A JUNK/SALVAGE YARD: For purposes of this Ordinance, "junk/salvage yard" means a place (land or buildings) where waste, discarded or salvaged materials and items, generated from sources other than the junk/salvage yard site itself, are bought, sold, exchanged, stored, cleaned, packed, disassembled or handled shall include, but not be limited to, vehicles and machinery of any and all types and/or parts thereof, scrap metal, rags, paper, cardboard, rubber products, plastic products, glass products, lumber products, masonry products, fiber products, and items, materials and products resulting from the salvaging, wrecking, dismantling or crushing of automobiles or other items.

Section 3: ANTIQUES AND SECOND HAND SALE MATERIALS: Businesses dealing exclusively with antiques and second hand material shall be excluded from the requirements of the junk/salvage yard ordinance as long as there is no outside storage of these items.

If the businesses dealing exclusively with antiques and second hand material utilizes an outside storage area and the outside storage area does not exceed the square footage that is used for inside storage, these businesses shall be excluded

from all requirements of the junk/salvage yard ordinance except those requirements for buffering and screening of the outside storage, and the time limits to bring such buffering and screening into conformity.

Section 4: LAND THAT IS ACTIVELY USED FOR AGRICULTURAL OR FARMING: If property is zoned agricultural and is being used for the production of agricultural crops and/or the raising of livestock, it shall be excluded from this ordinance provided that:

A - The occupant of the land is not actively buying or selling junk or salvage materials and:

B - Any salvage material accumulated for use in occupant's agricultural endeavor and not stored inside of a building, shall be stored at least 100 feet from adjacent property lines and 300 feet from the high water mark of any lake or stream.

Section 5: ZONING AND TIME OF COMPLIANCE:

(a) It shall be unlawful for anyone to operate a junk/salvage yard in any location in the unincorporated area of Crow Wing County except in an area zoned AGRICULTURAL or INDUSTRIAL I or INDUSTRIAL II.

(b) Junk/salvage yards in existence prior to adoption of the Crow Wing County Zoning Ordinance (prior to January 4, 1972), shall be considered in compliance with the intent of this Ordinance insofar as location is concerned and shall automatically be granted a Conditional Use permitting them to continue in operation subject to the conditions of this Ordinance. The junk/salvage yard owner shall apply for a license to operate the junk/salvage yard within thirty (30) calendar days after the adoption of this Ordinance and further, shall then have not longer than one (1) calendar year from the date of said license to bring the junk/salvage yard into full compliance with the provisions of this Ordinance.

(c) Junk/salvage yards that were not in existence prior to January 4, 1972 and which are not located in areas zoned AGRICULTURAL or INDUSTRIAL I or INDUSTRIAL II and for which a Conditional Use has not been granted, shall be considered not in compliance with this Ordinance. Owners of such junk/salvage yards shall make application, in accordance with established zoning procedures, requesting a zoning change to Agricultural or Industrial I or Industrial II for the property whereon located and further, shall make application for a Conditional Use to operate said junk/salvage yard. Such request shall be initiated within ninety (90) calendar days of the adoption of this Ordinance with a public hearing being held to approve or disapprove the Zoning Change and Conditional Use not later than ninety (90) days after said request is made. Should the requested Zoning Change and/or Conditional Use be denied, the junk/salvage yard shall be considered in violation of this Ordinance and be required to be removed and/or otherwise disposed of by the owner in a manner satisfactory to the County of Crow Wing, Minnesota within one hundred, eighty (180) calendar days. Should the Zoning Change and Conditional Use be approved, the junk/salvage yard owner shall apply for a license to operate the junk/salvage yard within thirty (30) days after the zoning change has been granted and, further, shall have one (1) calendar year from the date of said license to bring the junk/salvage yard into full compliance with the provisions of the Ordinance.

(d) New Junk/Salvage Yards: The owner of a junk/salvage yard to be established subsequent to the adoption of this Ordinance, if not to be located in an area zoned Agricultural, Industrial I or Industrial II, shall make application, in accordance with established zoning ordinance procedures for a zoning change to Agricultural or Industrial I or Industrial II of the property where the junk/salvage yard is to be located and further, shall make application for a Conditional Use to operate said junk/salvage yard. Should the Zoning Change and Conditional Use be approved, the owner shall be allowed one (1) calendar year from the date of the granting of the Zoning Change to establish the junk/salvage yard with the

understanding that the junk/salvage yard shall be in full compliance with the provisions of this Ordinance within this time frame and prior to the issue of a license to operate same. Failure to meet the provisions of this Ordinance within the above specified time frame shall result in the withdrawal of the Zoning Change approval.

Section 6: GENERAL CONDITIONS: To be approved for operation under the provisions of this Ordinance, a junk/salvage yard shall comply with all of the following:

(a) Community health and safety shall not be impaired by the operation of the junk/salvage yard.

(b) There shall be adequate and approved drainage of runoff and other water and liquids generated or collected by the junk/salvage yard.

(c) Noise levels generated by the junk/salvage yard operation shall comply with applicable regulations.

(d) All activities within the junk/salvage yard shall comply with applicable regulations.

(e) Proper sanitary facilities shall be located within the site area as required for employee and public health and public decency.

(f) The junk/salvage yard shall be properly identified, posted and operated for public safety.

(g) There shall be a 35 foot buffer zone along all property lines, wherein absolutely no junk or salvage material can be kept.

(h) The junk/salvage yard shall be screened on all sides from public view by a solid fence or dense planting of not less than eight (8) feet in height. In meeting this requirement, the junk/salvage yard shall either be solidly fenced or shall have approved plantings planted within one (1) calendar year after the date of the initial junk/salvage yard operating license. Should plantings be provided to meet this requirements, such plantings shall be approved by the County of Crow Wing, Minnesota and be of such type and planting density so as to provide a

solid screening of the junk/salvage yard within three (3) calendar years, after planting. Other types of screening may be acceptable if approved by the Planning Commission.

(i) No hazardous or toxic materials may be held or stored within the confines of a junk/salvage yard.

(j) No open fires shall be permitted within the junk/salvage yard.

(k) Rodents shall be controlled at all times.

(l) Junk/salvage yard material shall be stored so as not to create a fire hazard.

Section 7: ENFORCEMENT: The County of Crow Wing, Minnesota shall be responsible for enforcement of this Ordinance.

Section 8: LICENSING REQUIREMENTS: There shall be an annual license fee for each permitted junk/salvage yard site of an amount set by Crow Wing County Board of Commissioners, payable to the Crow Wing County Treasurer. The license shall be issued on a calendar year (January through December) basis. The cost of license, if issued initially for less than a full year, shall be reduced to reflect the actual number of months remaining in the calendar year in which issued. No license shall be transferable nor refundable in any portion. Failure to meet any or all of the provisions of this Ordinance shall be considered sufficient grounds for the withdrawal or withholding of this license by the Crow Wing County Board of Commissioners. All licensed junk/salvage yards shall be subject to periodic inspection by the County of Crow Wing to ascertain that conditions of this Ordinance are being adhered to.

Section 9: PENALTY: Any person, firm or corporation who shall violate any of the provisions of this Ordinance, or who shall fail to comply with any provisions herein, or who shall make any false statement in any document required to be submitted under the

provisions of this Ordinance, shall be guilty of a misdemeanor. Each day that a violation continues shall constitute a separate offense.

Section 10: Each provision of this Ordinance shall be deemed independent of all other provisions herein, and if any provision of this Ordinance is declared invalid, all other provisions hereof shall remain valid and enforceable.

Section 11: EFFECTIVE DATE: This Ordinance shall be in effect from and after the adoption of same by the Board of County Commissioners, County of Crow Wing, Minnesota, and publication.

Public hearing notice published November 9, 1981

Public hearing held December 9, 1981

Passed and approved this 21st day of December, 1981.
to become effective January 11, 1982.

Attest:

Conrad A. Bye
County Auditor

Arthur J. ...
Chairman, Board of County Commissioners

Ordinance publication January 8, 1982

Date recorded January 20, 1982

Crow Wing County Recorder January 20, 1982