

Chapter 161

JUNK DEALERS

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[HISTORY: Adopted by the Village Board of the Village of Fall Creek 12-6-1966 (Ch. 13, Sec 13.06 of the 1960 Code). Amendments noted where applicable.]

GENERAL REFERENCES

Peddling and soliciting -- See Ch. 203.
Abandoned vehicles -- See Ch. 245.

Solid waste -- See Ch. 223.

§ 161-1. License and permit required.

It shall be unlawful for any person, firm, partnership or corporation to operate as a junk dealer or automobile junk dealer or to travel from place to place within the village limits of the Village of Fall Creek for the purpose of buying, selling or trading in junk or for the purpose of accumulating automobile junk or rags, old iron, brass, copper, zinc, tin and other metal, bottles, paper, bagging or other material or any object or material known as "junk" or to accumulate the same for private use within the corporate limits of the Village of Fall Creek without first obtaining a license therefor as hereinafter provided. No premises may be maintained in the process of such operation except as authorized by permit issued by the Village of Fall Creek.

§ 161-2. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

AUTOMOBILE JUNK -- Any unoperable, disassembled, abandoned or unlicensed automobile in whole or in parts thereof, which such automobile or part thereof is accumulated for storage or is stored outside of any building.

AUTOMOBILE JUNK DEALER -- A person, firm, partnership or corporation who or which accumulates or stores any junked automobile or part thereof outside of any building.

JUNK -- Rags, old iron, brass, copper, zinc, tin or other metal, bottles, paper, bagging or other material.

JUNK DEALER -- A person, firm, partnership or corporation which engages in, keeps, conducts or carries on a business for the purchase and sale of rags, old iron, brass, copper, zinc, tin and other metal, bottles, paper, bagging or other material or any object or material known as "junk."

§ 161-3. License fee.

The license fee hereunder shall be \$100 per year or part thereof. A separate license shall be required for each shop or yard maintained on separate premises, the permit to be issued by the Village of Fall Creek and signed by the Village Clerk-Treasurer and Village President, and shall specify the quantity and manner of storing such junk or automobile junk.

§ 161-4. License term, specifications and transfer.¹

The license year shall run from July 1 to June 30. Applications for licenses hereunder shall be filed, together with the license fee, with the Village Clerk-Treasurer. All licenses issued hereunder shall be signed by the Village President and the Village Clerk-Treasurer and shall limit the area and specify the locations of the premises licensed. Regulations specifying the manner of storing junk and automobile junk shall be adopted by the Village Board and shall be printed on the reverse of such license. No license hereunder shall be transferred or the area in which operations are authorized to be conducted changed without the consent of the Village Board.

§ 161-5. License revocation or suspension.

Any license issued hereunder may be revoked or suspended at any time by the Village Board of the Village of Fall Creek after a hearing at which it has been found that the licensee has failed or refused to comply with the provisions of this chapter. Such hearing may be held by the Village Board upon its own motion or upon the complaint, in writing, duly signed and verified by a complainant. Such complaint shall state the nature of the alleged failure to comply with the provisions hereof. A copy of the complaint, together with a notice of the hearing, shall be served upon the licensee not less than 10 days previous to the date of the hearing.

§ 161-6. Storage regulations.

- A. Unbaled paper and rags shall be stored at all times inside enclosed buildings.
- B. Junk and automobile junk shall be stored at all times as follows:
 - (1) When stored outside of enclosed buildings:
 - (a) Fenced from view of persons walking or riding upon adjacent sidewalks or streets, said fences being of standard design, construction and finish and certified as having been approved by the Building Inspector.
 - (b) Neatly arranged in rectangular rows, all materials being easily accessible, such rows being separated according to type of material being contained therein.
 - (2) When stored inside enclosed buildings:

- (a) In compliance with the Wisconsin State and Village of Fall Creek Building Codes.²
- (b) In compliance with applicable provisions of law and ordinance.

§ 161-7. Violations and penalties.

Any person violating any of the provisions hereof shall, on conviction thereof, forfeit not exceeding \$25 for each violation, together with the costs of prosecution, and, in default of the payment of such forfeiture and costs, shall be imprisoned in the county jail of Eau Claire County for a term of not more than 30 days. Each part of such automobile or junk involved as set forth in this chapter shall constitute a separate offense. Each separate day upon which a provision hereof shall be violated shall constitute a separate offense. The village shall also have the right to remove and store or dispose of such offensive material at the owner's expense upon serving him 20 days' notice, in writing, by certified mail.

² Editor's Note: See Ch. 118, Building Construction and Fire Prevention.