

RESOLUTION OF THE TOWNSHIP OF POWELL, COUNTY OF
MARQUETTE, STATE OF MICHIGAN

Resolution of the Township Board of Powell Township, Marquette County, Michigan, passed at a duly convened meeting at the township hall in said township on the 9 day of Oct 1972. The following resolution was read and introduced by Charles Oravee member of the township board:

WHEREAS, Public Act 12 of 1929, of the State of Michigan, as amended, enables and gives power to this township board to adopt a resolution providing for the licensing of junk yards and places for the dismantling, wrecking and disposing of junk and/or refuse materials of automobiles and to prescribe the amount of license fee, and, to adopt rules, regulations and conditions for the operation thereof, which in the discretion of the board will best protect the public health, interest and general welfare of the township.

NOW THEREFORE, be it resolved that junk yards within the Township of Powell, Marquette County, Michigan, be licensed in accordance with the following rules and regulations:

SECTION 1. Any and all and every person engaged in the operation of a junk yard or junk yards within the Township of Powell, Marquette County, Michigan, shall be required to obtain a license for each and every location of such business within said township and shall be subject to the conditions, terms and operational regulations hereinafter provided.

SECTION 2. All persons engaged in the junk business within the said township shall obtain a license for each junk yard operated or maintained within the said township, from the township board.

SECTION 3. The license fee shall be in the amount of \$10.00 and the license shall extend for a period of one year unless revoked for failure to comply with the terms under which it was granted and the terms of these regulations. The annual license fee shall be the sum of \$10.00 for each junk yard maintained or operated.

SECTION 4. The term "junk dealer" shall mean any person who buys, stores, sells, receives at a fixed location, used rags, paper, used bags, used brass, used

of used metals and parts. The term "junk yard" shall mean any place within the township used as a site for the activities of a junk dealer. The term "person" when used herein shall mean any one or more natural persons, firms, co-partnerships, corporations and all associations of natural persons incorporated or unincorporated, whether acting by themselves, or by servant, agent or employee. All persons who violate the terms of this ordinance whether as owner or as agent, servant or employee shall be equally liable as principals.

SECTION 4A. Applications for and to license shall be in writing and directed to the township clerk. The application shall contain the names of all persons interested in the operation and ownership of the junk yard. The application shall contain the addresses of all persons interested in the junk yard, the mailing address of the business and the exact location of the junk yard. The name under which the business is to be operated by a corporation, the names and addresses of the officers of the corporation shall be disclosed, together with the corporate authorization for the application. The application shall contain a statement that the applicant will abide by the terms and rules of this resolution and regulations if granted a license.

SECTION 5. Upon receipt of an application for a junk yard license by the township clerk, such application shall be referred to the township board. Upon receipt of the application by the township board, the township board shall direct the township supervisor to make a full and complete investigation of the applicant and site the applicant proposes to conduct the junk yard business. The supervisor may call upon the Michigan State Police and the Office of the State Fire Marshal for assistance in the investigation. The supervisor shall report the result of his investigation to the township board as soon as possible. The township board shall thereupon act upon the application.

SECTION 6. The following regulations and conditions for the granting of a license to operate a junk yard shall be complied with;

(a) No junk yard or junk dealers shall operate his business or use the junk yard so as to create a nuisance by reason of noise, disagreeable odors.

substances.


(c) All places within the junk yard for the storage of junk shall be completely and suitably screened or fenced from view of any public street or highway and no junk shall be placed, so as to openly be visible from any public street or highway.


(d) All persons having a license under this resolution shall comply with all the rules, regulations and laws of the State of Michigan, or other governmental regulations relating to the operation of their business.

SECTION 7. No license under this resolution shall purchase, receive or take any junk from any person under the age of eighteen (18) years, from any intoxicated person, or from any person known by reputation or suspected by him to be a thief or any associate of thieves or a receiver of stolen property.

SECTION 8. Any person violating any of the provisions of this resolution regulating the license or the operation of junk yards or failing to comply with its requirements shall be subject to a fine not exceeding one hundred dollars (\$100.00) or by imprisonment of not more than ninety (90) days in the county jail, or both, at the discretion of the court. Upon conviction of any person failing to comply with the terms of this regulation, the township board shall revoke the junk yard license held by such convicted person and such a person shall not be granted a license to maintain and operate a junk yard in the said township for a period of two (2) years.

SECTION 9. This resolution and rules and regulations shall be effective upon publication. The above resolution was duly passed by the township board at the duly convened meeting on the 9th day of Oct 1972, at Powell Township Hall.


Charles Draver, Township Supervisor


Agnes TenEyck, Township Clerk