

## AN ORDINANCE REGULATING JUNK DEALERS

The Town Board of the Town of Grant, Portage County, Do Ordain:

Section 1. No person or persons, association, partnership, firm or corporation shall hereafter in the Town of Grant, keep, conduct or maintain any building, structure, yard or place for keeping, storing or piling, whether temporarily, irregularly or continually, or for the buying or selling at retail or wholesale or dealing in any old, used or second hand materials of any kind, including cloth, rags, clothing, paper, rubbish, bottles, rubber, iron, brass, copper or other metal, furniture, used motor vehicles, or the 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 class ed 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 aforesaid business shall be referred to herein as "junk dealer".

Section 2. Every applicant for a license to engage in the business of junk dealer shall file with the building inspector a written application upon a form prepared and provided by the Town, signed by the applicant or applicants. Said application shall state:

(a) The name and residence of the applicant, if an individual, partnership, or firm, or the names of the principal officers and their residence, if the applicant is an association or corporation.

(b) The detailed nature of the business to be conducted and the kinds of material to be collected, bought, sold or otherwise handled.

(c) The premises where such business is to be located or carried on.

Each application shall contain an agreement that the applicant accepts the license, if granted, upon the condition that it may be suspended for cause at any time by the Town Board.

Section 3. The Building Inspector shall report such application to the Town Board who shall inspect or cause to be inspected such premises to determine whether it complies with all laws, ordinances, rules and regulations, including Section 175.25 of the Wisconsin Statutes. Said premises and all structures thereon shall be so situated and constructed that the business of junk dealer may be carried on in a sanitary manner, shall contain no fire hazards, and shall be arranged so that there can be a thorough inspection at any time by proper authorities.

Each of the premises upon which the business of junk dealer is to be carried on shall be enclosed by a solid, painted fence or other structure not less than seven (7) feet in height, constructed so that no material may pass or protrude through. Said enclosure shall be maintained in good condition at all times and painted every third year, at least. No articles shall be piled so as to protrude above said enclosure.

Section 4. No premises shall be used for carrying on the business of junk dealing when more than two buildings situated within a distance of 1,000 feet are used for residence purposes. Said enclosure shall be located 300 feet from the street line and 30 feet from the side lot line. Two or more adjoining junk yards may be constructed wall to wall if approved by the Town Board. Existing junk dealers need not comply with Section 4.

Section 5. Upon the filing of the application and the payment to the Building Inspector of the license fee hereinafter provided, the Building Inspector shall issue to the applicant a license to engage in business as provided in Section 1. 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 junk business, the date of issuance and 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.

Section 6. Every junk dealer shall pay an annual license fee of \$100.00. All licenses shall be issued as of July 1st, and shall continue in force until June 30th next succeeding the date of issuance thereof, unless revoked sooner. If the license hereunder is not renewed, the reasons for the non-renewal shall be set forth in the minutes of the meeting.

Section 7. Every junk dealer's license shall designate the place of business in or from which the junk dealer receiving such license shall be authorized to carry on such business. No licensee shall remove his or its place of business from the place designated in the license until a written permit has been secured from the Town Board, and the same shall have been endorsed upon the license.

Section 8. No junk 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.

Section 9. The Health Officer shall formulate reasonable rules and regulations relating to the conduct of the business of junk dealing which shall protect the health of the community. No junk dealer shall violate any such rule or regulation.

Section 10. Every junk dealer upon being served with a written notice to do so by the Town Board on blank forms to be furnished by the said Town Board, shall provide an accurate description of all goods, articles, or other things purchased or received by him in the course of business of a junk merchant at such time and during such period of time specified in the notice, stating the amount paid for the same, and the name, residence and general description of the person from whom such goods, articles or things were received.

Section 11. If any goods, articles or things whatsoever shall be advertised in any newspaper printed in the City of Wisconsin Rapids, Wis. 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 possession of any junk merchant or peddler, he or it shall give information thereof in writing to the proper officer and state from whom the same was received. Any junk merchant or peddler 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, Town Board, or any magistrate or person duly authorized in writing by the Sheriff of Portage County, or any magistrate who shall exhibit such authorization to such dealer or peddler.

Section 12. Upon complaint being made in writing by any town official or resident of the Town of GRANT to the Town Clerk that any licensee has violated any of the provisions of this ordinance, the Town Board shall summon such licensee to appear before it at the next Town Board meeting. The Town Board and the Building Inspector shall proceed to investigate the matter, and if they find the allegations of said complaint are correct, they shall bring action against the licensee under the provisions of this ordinance.

Section 13. Penalties for Violation of Ordinance. Any person violating any provision of this ordinance, shall upon conviction thereof forfeit not less than \$10 nor more than \$50 and the costs of prosecution and in default of payment of such forfeiture and costs shall be imprisoned in the county jail until payment of such forfeiture and costs of prosecution, but not exceeding thirty days for each violation. Each day of violation shall constitute a separate offense.

Section 14. Separability and Conflict. (a) If any section, subsection, paragraph, sub-paragraph, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions of this ordinance.

Section 15. This ordinance shall take effect and be in force from and after its passage and posting.

The foregoing ordinance was adopted at a regular meeting of the Town Board of the Town of Grant, Portage County, on May 7, 1966.

Attest:

E. Leist  
Clerk

Craig C. Corbett  
Chairman  
Harry Brandt  
Supervisor  
Clarence E. Schmidt  
Supervisor

I hereby certify that the above ordinance was adopted by the Town Board of the Town of Grant, Portage County, on the 7 day of May, 1966 and was posted by me in three of the most public places of the Town on the 7 day of May, 1966.

Dated: May 7, 1966

E. Leist  
Clerk, Town of Grant  
Portage County, Wisconsin