

TOWN OF HOLLIS AUTOMOBILE GRAVEYARD AND JUNKYARD ORDINANCE

First Approved 5/21/1986

A copy of an ordinance entitled "Town of Hollis Automobile Graveyard and Junkyard Ordinance" as certified to me by the Municipal Officers of Hollis on this 15th day of December 2006.



Automobile Graveyard and Junkyard Ordinance
Town of Hollis, ME

Section 1: Purpose

The purpose of this ordinance is to provide adequate controls to ensure that automobile graveyards and junkyards do not have a deleterious impact on the town's health, safety and general welfare.

Section 2: Authority

This ordinance is enacted pursuant to 30 MRSA, Section 2454, §5, as amended 1985.

Section 3: Applicability

This ordinance shall apply to all automobile graveyards and junkyards as defined in state law, 30 MRSA, Section 2451, within the Town of Hollis.

Section 4: Requirements for all New Automobile Graveyards and Junkyards

- 4.1 Any person wishing to locate a new automobile graveyard or junkyard within the town shall apply to the Selectmen for a permit required by state law pursuant to 30 MRSA, Section 2451 et. Seq. The applicant shall present either a permit from the Maine Department of Environmental Protection (DEP) or a letter from the DEP stating that a permit is not required.
- 4.2 The applicant shall submit a site plan drawn to a scale not to exceed 1"=100', on which is shown:
 - a. The boundary lines of the property and the proposed site of the junkyard or automobile graveyard,
 - b. The soils,
 - c. The location of any sand and gravel aquifer or aquifer recharge area, as mapped by the Maine Geological Survey, or a licensed geologist,
 - d. The location of the residences, wells, or public building within 1,000 feet of the area where cars or junk will be placed,
 - e. The location of any water bodies on the property or within 200 feet of the property lines,
 - f. The boundaries of the 100-year flood plain.

Section 5: Performance Standards Which Shall be Complied with for All New Junkyards and Automobile Graveyards

- 5.1 An effective visual screen at least 6 feet in height shall be located and maintained around all sides of the area where junk or automobiles are deposited or along all property lines.
- 5.2 No vehicles or junk shall be stored within 300 feet of any waterbody or inland wetland.
- 5.3 No vehicles or junk shall be stored within 1,000 feet of any residence, private well, or public building.
- 5.4 No vehicles or junk shall be stored over a sand and gravel aquifer or aquifer recharge area as mapped by the Maine Geological Survey or by a licensed geologist.
- 5.5 No vehicle or junk shall be stored within the 100-year flood plain.

- 5.6 Upon receiving a motor vehicle, the battery shall be removed, and the automotive fluids, if removed, shall be drained into watertight, covered containers and shall be recycled or disposed of according to all applicable Federal and State Laws, Rules and Regulations regarding disposal of waste oil and hazardous materials. No discharge of any fluids from any motor vehicle of junk shall be permitted into or on to the ground.
- 5.7 All vehicles or junk shall be located at least 100 feet from all lot lines.
- 5.8 To reduce noise, all dismantling or motor vehicles or junk with power tools shall be done after 7 AM and before 6 PM Monday through Saturday.
- 5.9 All Federal and State hazardous waste laws and regulations shall be complied with.

Section 6: Automobile Graveyards and Junkyards in Existence at the Time This Ordinance is Enacted

- 6.1 Any automobile graveyard and/or junkyards in existence at the time this ordinance is enacted may remain in operation on the parcel of land it is presently located on providing it meets all pertinent statutory requirements.
- 6.2 A junkyard/automobile graveyard cannot be expanded beyond the original site plan or the boundaries which were in existence at the time of this ordinance, or the approved site plan.
- 6.3 Within three (3) years of the enactment of this ordinance, all existing graveyards and junkyards shall be enclosed by an effective visual screen 6 feet high located and maintained around the area where automobiles and/or junk are being deposited or along all property lines.

Section 7: Administration

- 7.1 This ordinance shall be administered by the Selectmen. No automobile graveyard or junkyard permit shall be issued under 30 MRSA, S2451 et seq unless the provisions of this ordinance are complied with. The Selectmen may attach reasonable conditions to any permit issued to insure compliance with the Performance Standards and other requirements of this ordinance.
- 7.2 Permits shall be renewed annually to remain valid. Once the site plan is approved it does not have to be resubmitted. The municipal officers shall annually inspect, or cause to be inspected, the site to ensure that the provisions of this ordinance and state laws are complied with.
- 7.3 An annual fee shall be submitted with the permit application. This fee can include costs of posting notices, mailings and whatever miscellaneous expenses are incurred as set forth in 30 MRSA, S2455.

Section 8: Enforcement

- 8.1 This ordinance shall be enforced by the municipal officers in accordance with state law. Any violation of this ordinance shall also be deemed a nuisance, and the violator shall be subject to the penalties set forth in 30 MRSA, S4966.

Section 9: Amendment

- 9.1 This ordinance may be amended by vote of the legislative body.

Section 10: Effective Date

- 10.1 This ordinance shall become effective on the date of adoption.

Section 11: Conflicts

- 11.1 If the provisions of this ordinance conflict with statutory provisions and regulations enforced by the Department of Environmental Protections, the state laws shall supersede.

Section 12: Separability

- 12.1 If any provision of this ordinance shall be declared invalid, that provision shall not effect any other portion of this ordinance.