

ORDINANCE NO. 826

AN ORDINANCE PROVIDING DEFINITIONS FOR AND REGULATING AUTOMOBILE GRAVEYARDS OR JUNKYARDS, AND FOR AN EMERGENCY TO BE DECLARED.

BE IT THEREFORE, ORDAINED BY THE CITY COUNCIL OF THE CITY OF WYNNE, ARKANSAS:

WHEREAS, there is a need for the definition and regulation of automobile graveyards and junkyards; and

WHEREAS, the City Council has determined that the immediate passage of this Ordinance is necessary for the health, safety and welfare of the citizens of Wynne, Arkansas.

Section 1. Definitions.

- A. "Automobile graveyard" means any establishment or place of business that is maintained, used or operated for the storing, keeping, buying or selling of five (5) or more wrecked, scrapped, ruined, or dismantled motor vehicles;" and
- B. "Junk" means old or scrap copper, brass, rope, rags, batteries, paper, trash, rubber debris, and waste or junked, dismantled, or wrecked automobiles, or parts thereof, or iron, steel and other old or scrap ferrous or nonferrous materials; and
- C.i. "Junkyard" means an establishment or place of business that is maintained, used, or operated for storing, keeping, buying, or selling junk or for the maintenance or operation fo an automobile graveyard.
- ii. The term "junkyard" shall also include garbage dumps and sanitary fills.

Section 2. Automobile graveyards and junkyards must be screened by natural objects, plantings, fences or other appropriate means, so as not to be visible from any state or national highway.

Section 3. Fencing must meet the following requirements:

- A. The fencing shall be of permanent materials and constructed so that it will be capable of remaining erect for at least 10 years.
- B. The fencing shall be high enough to screen all junk and junked cars from view of the traveled way of the highway. Should the junk pile (s) be increased in height, the fence must also be increased.
- C. It shall extend along the frontage of the junkyard parallel to the highway and perpendicular to the highway along the sides of the junkyard to a distance so that all junk and wrecked cars will be screened from view of the traveled way of the highway.
- D. The fence must be neat in appearance and of a uniform color and height.

Steel signs will not be acceptable as fencing material. If the fence is to be painted, it shall be of a uniform color neatly trimmed in another color. Bright, loud colors will not be acceptable.

- E. It is not necessary that the fence be solid. However, the opens paces must be small enough that the junk material is substantially screened.
- F. The fence shall be maintained by the owner and/or operator of the junkyard. Should the fence become damaged or destroyed, it must be repaired within 30 days.

Section 4. Plantings must meet the following requirements:

- A. If the plantings are to be used for screening, they must be large enough and placed close enough to screen the junk and junked cars immediately after planting.
- B. All plants used must be of evergreen varieties.
- C. Plants must be located with the stipulation as fences.
- D. In no cases will the planting of young plants or sparse plants with the purpose that in time the screening will be accomplished be acceptable.
- E. Should the plants become diseased, die or be damaged in any way so as to cause the junk not to be screened, they must be replaced within 30 days.

Section 5. Natural objects, including natural occurring rock outcrops, woods, earth mounds, etc., may be utilized for the screening if they are of a size such that the junk cannot be seen from the traveled way of the highway; and they may be used in conjunction with plantings, fences or other appropriate objects to screen junkyards.

Section 6. Any person violating any portion of this ordinance shall be deemed guilty of a misdemeanor and shall be punished, upon conviction, by assessment of a fine of ONE HUNDRED DOLLARS (\$100.00). Each day the junkyard is not screened as provided in this ordinance is a separate violation.

PASSED AND APPROVED THIS 11th day of June, 2019.

The City of Wynne, Arkansas

By:

Jennifer Hobbs, Mayor

Attest:

Kevin Watts
City Clerk

