

Chapter 22
Article III.
SALVAGE AND SALVAGE DEALERS

Sec. 22-48. Salvage dealer

The term “ salvage dealer” shall mean any person, firm or corporation who shall keep, maintain, operate, or use any building, lot, parcel of ground or other place, for assembling, collecting, dumping, wrecking, storing, shredding, crushing or keeping of old iron, junked vehicles or machinery and other scrap metal material for the purpose of buying selling or salvaging of the same.

Sec. 22-49. Dealer’s license required.

It shall be unlawful for any person to operate a salvage business or salvage yard in the city without first procuring a license therefore, and paying an annual fee of \$100.00, to be paid at the time of filing an application. Each license term shall be April 1 to March 31 of each year. Any license application made on or after October 1 shall pay one-half of the annual license fee.

Sec. 22-50. Application for license.

Every salvage dealer shall make application for a license with the city clerk. Such application shall state:

Name, address and telephone number of the salvage dealer.

Business title and address.

Name, address and telephone number of individual responsible for the operation of said business, if other than salvage dealer.

Type of material bought and sold or processed.

Legal description of area to be licensed.

Plat of the proposed area to be licensed.

Type, source and expected volume or weight of materials to be handled per day, week, year.

A detailed description of the processing and disposal methods to be used.

A listing of equipment to be used, its design capacities and expected loads.

A contingency plan detailing specific procedures to be followed in case of equipment breakdown, maintenance downtime, or fire in equipment or vehicles, including methods to be used to remove or dispose of toxic, hazardous and general waste.

All new salvage dealer applications, after the effective date of this ordinance, shall submit, for approval, a site development plan for the proposed salvage yard.

Upon receipt of said application, the clerk shall refer it to the city administrator or his/her designee, who shall review said application and inspect premises for compliance with this article.

Sec. 22-51. City council approval required.

No license for the operation of a salvage yard within the city shall be granted until approved by the city council.

Sec. 22-52. Purchases of property from minors.

It shall be unlawful for any salvage dealer to purchase or receive any property from any minor without the written consent of his/her parent or guardian.

Sec. 22-53 Inspection of license, records and premises.

Each salvage dealer or their representative shall keep the license, records and premises open to inspection at all times by any sheriff, deputy sheriff or police officer or authorized city official. Any peace officer shall have power to examine the premises of any salvage dealer for the purpose of discovering stolen property.

Sec. 22-54. Concealment of property.

No salvage dealer shall conceal, secrete or destroy any article purchased or received for the purpose of concealing the identification thereof, by any officer or person claiming the article.

Sec. 22-55 Disposal of hazardous/toxic waste.

Disposal of acids, solvents, oils, lubricants, PCB's, refrigerants and other hazardous and toxic waste shall be in conformance with the environmental protection agency and the state department of natural resources regulations and requirements.

Sec. 22-56 Screening of Salvage yards.

Because of the nature and character of its operation, a salvage yard can impact surrounding properties through noise, dust and traffic; therefore, the requirement for screening is intended to minimize such operational characteristics. All outdoor storage of salvage and wrecking operations shall be screened and conducted entirely within an enclosed opaque screen, excepting driveway areas, at least eight (8) feet in height. Screens may be a fence or wall and shall be designed and of sufficient height to completely screen from view the salvage operation

from abutting and adjacent properties and public right-of-ways. Walls shall be constructed of natural stone, brick or other weatherproof materials arranged in a linear or serpentine alignment. Fences shall be constructed of wood or other weatherproof, durable materials generally used in the exterior construction of buildings and approved by the building inspector. All screens shall be maintained in a sound, safe condition at all times. Damaged, dilapidated, or rusted materials shall not be suitable. Maintenance shall include keeping painted screens free of chipping and peeling paint. Salvage yard materials shall not be stacked or placed so as to be visible above the screen.

Licensed salvage yards shall be in compliance with the screening requirements as listed in the Ottumwa Municipal Code Appendix A Zoning.

All new salvage yards, licensed after the effective date of this provision, shall be approved for licensing, contingent upon the ability of the applicant to reasonably demonstrate to the city administrator or his/her designee that the salvage yard will not create a nuisance in terms of a condition detrimental to the public health and safety or reasonable use, enjoyment and value of other properties. To achieve this, the city will require a site development plan be submitted for review and approval. No new license shall be issued, after the effective date of this provision, unless all provisions of this ordinance are complied with.

Sec. 22-57. Location.

In an M-1 zoning district it shall be unlawful for any salvage dealer to keep, maintain, operate or use any building, lot or other place for the storing or depositing of any scrap or salvage material anywhere within 300 feet of any building used for business or residential purposes. If the salvage yard is located in an M-2 zoning district, then the restriction shall be within 300 feet of any building used for retail sales business or a residential purpose. If the salvage yard is located in an M-2 zoning district and the entire salvage operation is totally contained within a building or buildings, with no outside storage whatsoever, then the city council can waive the 300-foot location requirement. The 300-foot location requirement shall be measured from the business building or residential structure to the nearest point of the salvage yard screen.

(2) Within any zone wherein the operation of a salvage yard is prohibited by the city zoning ordinance.

This section shall not apply to any salvage yard in operation on June 23, 1958, provided that any salvage dealer now operating a salvage yard located in any territory, which is prohibited by this section, shall not expand or increase the territorial boundaries of said salvage yard.

Sec. 22-58 Storage of salvage material on street or, unscreened property.

It shall be unlawful for any salvage dealer to permit any salvage material, used or wrecked vehicle or scrap to remain for a period longer than one hour upon any part of the public street in front of or adjacent to the place of business of such salvage dealer or upon any private

property not screened as prescribed by this article. For the purposes of this article, the word “street” shall include the driveway, parking and sidewalk of any street and shall include the entire width of the street from property line to property line and shall include avenues, alley and all public thoroughfares and grounds.

Sec. 22-59. Enforcement.

The provisions of this article shall be enforced by the city administrator or his or her designee. Failure to comply with the rules as outlined in chapter 22, article III, shall be cause for a notice to be issued outlining what corrective action must occur in order to remedy the noncompliance. If corrective action is not forthcoming, the subsequent recommendation to the city council may be to revoke the license. If the salvage dealer wants to appeal the city administrator or his/her designee’s decision, a hearing before the City Council may be requested. A request for a hearing shall be made in writing and filed with the City Clerk within ten days from the date of the notification of the license revocation recommendation. The city administrator or his/her designee shall, within 15 days after the filing of the request for hearing, fix the time and place of the hearing, which shall be within 30 days of the filing of the request.

Sec. 22-60 – 22-70. Reserved.