

ORDINANCE NO. 78

FOR THE PURPOSE OF PROMOTING THE PUBLIC HEALTH,
SAFETY, CONVENIENCE, ORDER, PROSPERITY AND GENERAL WELFARE
OF THE CITIZENS OF THE TOWN OF MOUNT CARMEL, TENNESSEE,
THE FOLLOWING REGULATIONS ARE HEREBY ESTABLISHED

BE IT ORDAINED by the Board of Mayor and Aldermen of the Town
of Mount Carmel, Tennessee.

ARTICLE I. SHORT TITLE

This ordinance shall be known as the "Junk Control Ordinance of
the Town of Mount Carmel, Tennessee."

ARTICLE II. DEFINITIONS

For the purposes of this article, the following words and phrases shall
have the meanings respectively ascribed to them by this article:

Junk Dealer - Any person, in any way acquiring, buying, selling,
exchanging, trading, or dealing in scrap-iron, brass, second-hand
metals, or parts of any sort.

Junk - For the purpose of this article, the term "junk" shall
mean any motor vehicle, machinery, appliance, product, or merchan-
dise with parts missing, or scrap metal, or other scrap materials
that are damaged, deteriorated, or that are in a condition which prevents
their use for the purpose for which they were intended. This definition
specifically includes motor vehicles not movable under their own
power, and that cannot be made so movable by minor repairs such as
inflating a tire or installing fuel or battery.

Junk yard - Any open or uncovered land on which dilapidated
automobiles, rags, old papers, boxes, barrels or other used articles
defined as "Junk" herein, are assembled for purposes of trade.

ARTICLE III. GENERAL PROVISIONS

It shall be unlawful and a violation of this article for any person,
firm, or corporation to keep or store "junk" as defined in Article II,
in the Town of Mount Carmel, unless such junk is located in a zone

allowing the storage of such junk, and only then if such junk is stored in such a manner as to not be visible from adjacent property, including public streets. In no event shall it be lawful for any person, firm, or corporation, to allow junk, as defined in this article, to accumulate on any property not properly zoned for the storage of junk. Nothing contained in this section shall be construed to prevent persons, firms, or corporations which repair motor vehicles, appliances, etc., from accumulating unserviceable articles left with them in the normal course of their business, provided, however, such unserviceable articles shall not be visible from adjoining property.

ARTICLE IV. PENALTIES

Any person violating any provision of this ordinance shall be guilty of a misdemeanor, and upon conviction shall be fined not less than two dollars (\$2.00) nor more than fifty dollars (\$50.00) for each offense. Each day such violation shall continue shall constitute a separate offense.

ARTICLE V. LEGAL STATUS PROVISIONS

Section A. Conflict with Other Ordinances. In the case of conflict between this ordinance or any part thereof, and the whole or part of any existing or future ordinance of the Town of Mount Carmel, the most restrictive in all cases shall apply.

Section B. Validity. If any section, clause, provision or portion of this ordinance shall be held invalid or unconstitutional by any court, of competent jurisdiction, such holding shall not effect any other section, clause, provision, or portion of this ordinance which is not of itself invalid or unconstitutional.

Section C. Effective Date. This ordinance shall take effect and be in force from and after its passage, the public welfare demanding it.

Passed 1st Reading December 11, 1980

Passed 2nd Reading January 8, 1981

Passed 3rd Reading February 12, 1981

Approved and Signed In Open Meeting

C. Sidney Snodgrass
Mayor

Attest:

Kim L. Ward
Recorder

Town Attorney