

**LOCAL LAW NO. 2-1998**

**JUNK STORAGE LAW  
TOWN OF PERTH  
FULTON COUNTY, NEW YORK**

BE IT ENACTED BY THE TOWN BOARD OF THE TOWN OF PERTH:

**ARTICLE A. INTRODUCTION**

Section 1. Authority

This law is adopted pursuant to the authority granted the Town of Perth in Section 10 of the Municipal Home Rule Law and in Section 130(15) of Town Law.

Section 2. Title

This local law shall be known as the "Town of Perth Junk Storage Law."

Section 3. Purpose of the Junk Storage Law

By adoption of this law, the Town of Perth declares its intent to regulate and control the storage or keeping of junk, and to regulate junkyards whether operated for commercial profit or otherwise. The Town Board hereby declares that a clean, wholesome, and attractive environment is of vital importance to the continued general welfare of its citizens, and that junk and junkyards can constitute a hazard to property and persons and can be a public nuisance. Such materials may be highly flammable and sometimes explosive. Junk and particularly junked vehicles can constitute attractive nuisances to children and certain adults. The presence of junk and junkyards is unsightly and tends to detract from the value of surrounding properties unless properly screened from view.

Section 4. Prior Existing Junkyard Law

The local law shall replace and supersede any prior existing Junkyard Law of the Town of Perth.

**ARTICLE B. DEFINITIONS**

For the purpose of this law, the following words and phrases shall have the meaning ascribed to them in this article.

*Enforcement Officer:* Any person appointed by the Town Board to represent it in particular matters pertaining to this local law.

*Junk:* The outdoor storage or deposit of any of the following shall constitute junk:

- 1) Two or more junk motor vehicles.
- 2) One or more junk mobile homes.
- 3) Two or more abandoned or inoperable appliances including, but not limited to, washers, dryers, dishwashers, stoves, refrigerators, freezers, and televisions.
- 4) Two or more abandoned or irreparably damaged pieces of indoor furniture including, but not limited to, sofas, lounge chairs, mattresses, bed frames, desks, tables, chairs and chests of drawers.
- 5) Any combination of the above or parts of the above that total two or more items.

- 6) All waste material of any nature including but not limited to, paper, plastic, newspapers, cans, bottles, glass, rags, old lumber, machinery, tires, scrap metal, fabrics, pallets, garbage, and old barrels.

*Junk Mobile Home:*

A structure, transportable in one or more sections, built on a permanent chassis and designed to be used as a dwelling unit, which is currently not inhabited and is no longer habitable under the New York State Uniform Fire Prevention and Building Code. This includes but is not limited to mobile homes, travel trailers, and campers.

*Junk Storage Area:*

The areas of any parcel of land or water used or intended to be used for the placement, storage or deposit of junk.

*Junk Vehicles:*

Two or more unregistered, old, secondhand motor vehicles, no longer intended or in condition for legal use on the public highways, or used parts or waste materials from motor vehicles which, taken together, equal in bulk two or more such vehicles. A vehicle is considered junked when it meets all of the following conditions:

- 1) It is unlicensed.
- 2) It is either abandoned, wrecked, stored, discarded, dismantled, or partly dismantled.
- 3) It is not in any condition for legal use upon the public highways.

- 4) It is in such condition as to cost more to repair to operating condition than its reasonable market value at the time before such repair.

*Junkyard:*

The outdoor storage or deposit of any of the following:

- 1) Five or more junk vehicles.
- 2) Two or more junk mobile homes.
- 3) Five or more junk appliances.
- 4) Five or more pieces of junk furniture.
- 5) Any combination of the above that totals five items.

*Motor Vehicle:*

All vehicles propelled or drawn by power other than muscular power originally intended for use of public highways.

*Person:*

Any individual, firm, partnership, association, corporation, company, entity, or organization of any kind.

**ARTICLE C: JUNK REGULATIONS**

No junk shall be located so as to be visible from public roads.

**ARTICLE D: JUNKYARD REGULATIONS**

Section 1. Location

No junk storage area shall be located within:

- A. 75 feet of any adjoining property line;

