

STATE OF LOUISIANA

PARISH OF WASHINGTON

WASHINGTON PARISH COUNCIL

ORDINANCE No. 11-557

Introduced on November 14, 2011

Introduced by Aubrey Posey

Public hearing held on November 28, 2011

**AN ORDINANCE FOR THE PLACEMENT, CONSTRUCTION
AND/OR OPERATION OF SALVAGE YARDS, JUNK YARDS,
SCRAP METAL YARDS OR RECYCLING CENTERS**

WHEREAS, the Washington Parish Government, in the interest of protecting the health, safety and welfare of the residents of the parish from undue odors, noise, air and ground pollution and other health and safety risks for the public welfare and for purposes of protecting the rights of property owners does hereby adopt this ordinance;

BE IT ORDAINED, that the following requirements are established for the placement, construction and/or operation of salvage yards, junk yards, scrap metal yards or recycling centers (hereinafter referred to collectively as junk yards):

1. Junk yards shall obtain a conditional use permit from the Washington Parish Government Permit Office in accordance with Article 5 of the Comprehensive Development Ordinance of Washington Parish, Louisiana.
2. The plan of use shall not create a hazard to the health, safety or welfare of the public, particularly adjacent residents or property owners, including but not limited to odor, noise, soil, ground water and air pollution.
3. The front of all junk yards, and any other side of a junk yard that adjoins a public road or is clearly visible from the public road shall be screened by solid fences or walls at least ten feet high and totally and completely enclosing the property from public view. Depending on the location of the facility, additional fencing of a height and type determined by the Planning Commission may be required taking into consideration health, safety and other factors in the best interest of the public. Factors such as remoteness of the location of the facility and natural buffer zones, such as vegetation or wooded areas, will be considered in making a determination. Any such fence or siding shall be of the same material and of the same color and if colored, shall not be of an obnoxious or loud color. Colors such as earth tone, forest green, tan or brown are desirable. The fence is to be kept in a constant state of good repair and no sign or other advertising matter may be placed on the fence. Junk, scrap metal or other materials shall not be piled or staked to a height greater than ten (10) feet and shall be less than the height of the fence or wall. Junk, scrap metal or other materials shall not be placed in front of the fence or wall. No vehicle containing junk, scrap metal, etc., shall be parked in front of the fence or wall.
4. No junk yard shall be located within one thousand (1,000) feet of an existing residence, structure or other building on adjacent property.

5. Front building lines and fence lines shall conform to the average building lines established in the area, including that of any residences in the area, and adjacent properties, but in all cases, the front building line and fence line shall be set back at least 50 feet from the margin of the road bed (asphalt or gravel).
6. All boundaries of the junk yard and any required fence lines shall begin at least 25 feet from adjacent property lines but at least 1,000 feet from any existing residence, structure or other building on adjacent property unless the adjoining land owners grant permission in writing and a variance is obtained from the Parish Planning Commission. The boundaries of the junk yard shall be disclosed by the applicant in the business plan.
7. Exits and entrances shall provide for clear sight distance and safe access to public roadways.
8. Major drainage channels shall be designed with sufficient culverts and rights-of-way to provide for natural water flow and maintenance of drainage and shall be in compliance with State and Parish regulations.
9. Disposal of waste and sewerage shall meet all appropriate state and parish ordinances and regulations.
10. Hours of operation of a junk yard shall be between dawn and 30 minutes after dusk excluding towing services delivering vehicles damaged by recent accidents.
11. A person, company, corporation or other entity violating this section shall be given 48 hours notice to cure or correct the violation or otherwise cease operations by authority of the Director of Public Works, the President or a designee of either. If the violation continues after 48 hours, the violator shall be subject to fines and penalties contained herein.
12. Failure to comply with the above requirements prior to beginning operation of a junk yard or failure to continue in compliance shall be punishable by a fine of Five Hundred and 00/100 Dollars (\$500.00) per day of violation.
13. Each 24-hour period that the violation continues shall be considered a separate violation and subject to the above fine of Five Hundred and 00/100 Dollars (\$500.00) per day.
14. Operations cannot resume until the Director of Public Works issues a certificate of compliance with this ordinance.
15. The provisions of this ordinance shall apply prospectively from the date of enactment except that existing junk yards shall have ninety (90) days after the publication of this ordinance or ninety (90) days after notification by certified mail by the Washington Parish Government or personal delivery by the Director of Public Works or his designee or by overnight delivery by the United States Postal Service or a private carrier to be in compliance unless an extension is obtained from the Planning Commission. In addition, the provisions of this ordinance are subject to variances which may be granted by the Planning Commission for facilities existing at the time of adoption of this ordinance.

The above and foregoing having been submitted to a vote, the vote thereupon resulted as follows:

YEAS: (7) Posey, Wheat, Fussell, Nassauer, Johnson, Thomas and Route

NAYS: (0)

ABSENT: (0)

The ordinance was declared adopted on the 28th day of November, 2011.

WASHINGTON PARISH COUNCIL

By: Aubrey Posey
Aubrey Posey, Chairman

Delivered to the Parish President on the 29th day of November, 2011.

WASHINGTON PARISH GOVERNMENT

By: Richard N. Thomas, Jr.
Richard N. Thomas, Jr., President

Returned to the Clerk of the Parish Council on the 29th day of November, 2011.

ATTEST:

Sharon Lyons
Sharon Lyons, Clerk of the Parish Council