

ORDINANCE NO. 68

AN ORDINANCE RELATING TO MOTOR VEHICLE WRECKING BUSINESSES, PROVIDING PENALTIES AND DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE TOWN OF TROUTDALE:

SECTION 1. As used herein the term "auto wrecking business" is defined as the business of buying, selling, or dealing in vehicles of a type required to be licensed by the laws of this state for the purpose of wrecking, dismantling, disassembling, or substantially altering the form of such vehicle.

SECTION 2. Every person, firm, or corporation, before engaging in the auto wrecking business and before changing the location, or opening any additional place of business of such business, shall file an application therefor with the Recorder for approval by the Common Council of Troutdale, as required by O.R.S. 481.350. Such application may consist of a duly executed and completed copy of the application being made by the applicant to the Oregon State Department of Motor Vehicles under O.R.S. 481.345. Such application shall be accompanied by a map showing the location of the proposed place of business, the type of occupancy of the surrounding properties, the location of any proposed improvements or fences, and any other relevant matter.

SECTION 3. The Council shall consider any such application, taking into account the extent of development of surrounding property as a residential area, the proximity of churches, schools, public buildings, the sufficiency in number of other such businesses in the vicinity, the health, safety and general welfare of the public, and the suitability of the applicant to establish, maintain or operate such business and to receive a license therefor. Upon full and due consideration, the Council shall make its written recommendation for or against said application to the Oregon State Department of Motor Vehicles.

SECTION 4. The Council may conduct or direct an independent investigation in determining the qualifications of any such applicant, but any findings shall be made known at the hearing on the application.

SECTION 5. Any person, firm, or corporation carrying on or conducting in whole or in part any such business shall confine such business entirely within buildings or fenced enclosure. In the case of a fenced enclosure, such fence shall be substantially constructed on all open sides and ends of the premises to a height of at least seven (7) feet and without openings or apertures, except necessary gateways and doors for ingress and egress. Such gates and doors shall be kept closed when not in use and shall contain no unnecessary openings or apertures and shall be at least seven (7) feet in height.

SECTION 6. Any person, firm, or corporation violating Section 4 of this Ordinance shall upon conviction be punished by a fine of not more than \$200.00 or by imprisonment for not more than ten (10) days, or by both such fine and imprisonment.

SECTION 7. It is hereby adjudged and declared that existing conditions are such that this Ordinance is necessary for the immediate preservation of the public peace, health and safety of the Town, and therefore an emergency is declared to exist and this Ordinance shall take effect and be in full force and effect when signed by the Mayor.

Passed by the Common Council of the Town of Troutdale this 10 day of October, 1961.

YEAS: 5
NAYS: 0

Signed by the Mayor this 10 day of October, 1961.

ATTEST:

J. Stanley Zupfer
RECORDER

Vernon Rathman
MAYOR

Ordinance No. 68 Pro Tem