

ORDINANCE NO. 2020-03

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF WEBSTER COUNTY, IOWA, 2009 BY AMENDING ARTICLE 2: DEFINITIONS AND AMENDING ARTICLE 3: GENERAL REGULATIONS.

WHEREAS, it is deemed advisable and recommended by the Webster County Board of Supervisors to amend Article 2: Definitions; amend Article 3: General Regulations in an effort to modify the definitions of salvageable material and salvage yard and regulate junk/inoperable vehicles and salvageable materials in Webster County.

NOW THEREFORE IT BE ORDAINED by the Webster County Board of Supervisors;

1. MODIFY AND ADD NEW TEXT IN ARTICLE 2, SECTION 2.02. DEFINITIONS. The Webster County Zoning Ordinance is hereby amended by adding the following new definitions in Article 2, Section 2.02.

ARTICLE 2. Definitions.

Section 2.02. Definition of Terms

SALVAGEABLE MATERIAL shall mean old scrap, copper, brass, household appliances, wood, rope, rags, batteries, paper, trash, rubber debris, waste or junked dismantled, ~~wrecked or junk vehicles~~ or machinery, iron, steel, or other old or scrap ferrous or nonferrous material. Any item that no longer functions or is not usable for the original purpose it was made or its intended use.

SALVAGE YARD shall mean any site which is used for the storing, keeping, sorting, buying or selling junk for profit. The visible presence of ~~a two or more~~ junk vehicles on a parcel of land or the stockpiling of scrap metals, wood, plastic or other materials not attached to a farming operation shall constitute prima facie evidence of a salvage yard and shall be regulated as a salvage yard.

2. ADD NEW TEXT IN ARTICLE 3, SECTION 3.31. STORAGE OF JUNK VEHICLES. The Webster County Zoning Ordinance is hereby amended by adding new language to regulate junk/inoperable vehicles and salvageable materials in Webster County.

ARTICLE 3. General Regulations

Section 3.31 Storage of Junk Vehicles and Salvageable Materials.

With the exception of salvage yards, automotive wrecking yards, vehicle repair and maintenance facilities or shops, no junk/inoperable vehicles shall be stored in the open and shall be stored inside a completely enclosed building.

This Section shall apply to any vehicle meeting the definition of junk vehicles, junk, and inoperable vehicle in this Ordinance. Such vehicles include:

1. Automobiles,
2. Vans,
3. Trucks,
4. Semi-trailers,
5. Busses,
6. Hauling trailers (including homemade),
7. Motorcycles,
8. Motor and pull campers,
9. Flatbeds,
10. Equipment,
11. Machinery not a part of or on a farming operation,
12. Truck boxes,
13. Wagons,
14. Race cars,
15. Other types of recreational vehicles or modes of transportation,
16. Items which do not operate under their own power but were manufactured to do so,
17. Junk vehicles shall not be used as accessory uses or structures of any kind including sheds, farrowing houses, animal shelter, storage or workspace.
- ~~18. All junk vehicles shall be stored completely within an enclosed building with four walls, roof and doors.~~

Salvageable materials shall not be allowed in any district unless attached to a farming operation, a salvage yard, recycling facility or stored within an enclosed building.

3. REPEALER. All ordinances or parts of the previously adopted Webster County Zoning Ordinance in conflict with the provisions of this amendment are hereby repealed.
4. SEVERABILITY CLAUSE. If any section, provision or any part of this amendment is determined to be invalid or unconstitutional, such adjudication shall not affect the validity of the previously adopted Webster County Zoning Ordinance as a whole.
5. EFFECTIVE DATE. This amendment shall be in full force and effect from after passage and publication in a newspaper of general circulation.

ADOPTION

Passed and approved the first consideration on May 26, 2020

Passed and approved the second consideration Waived

Passed and approved the third and final consideration June 9, 2020

Adopted on June 9, 2020

Published on June 16, 2020



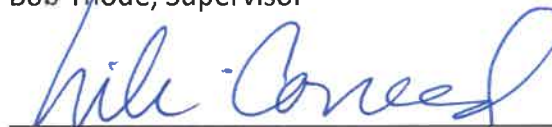
Mark Campbell, Chairperson



Keith Dencklau, Supervisor



Bob Thode, Supervisor



Niki Conrad, Supervisor



Nicholas Carlson, Supervisor

Attest:



Webster County Auditor