

**AN ORDINANCE LICENSING JUNKYARDS AND AUTOMOTIVE WRECKING
AND SALVAGE YARDS LOCATED IN UNINCORPORATED AREAS OF
TARRANT COUNTY, TEXAS**

To protect the public health, safety and welfare of the citizens of Tarrant County, Texas, the Commissioners Court of Tarrant County, Texas, hereby adopts the following ordinance and fees affecting junkyards and automotive wrecking and salvage yards located in the unincorporated areas of Tarrant County, Texas under the authority of sections 396.041-396.045 of the Texas Transportation Code and section 234 of the Local Government Code:

I. DEFINITIONS

The following definitions, per Local Government Code 234.001, shall apply for the purposes of this ordinance:

- A. "Automotive wrecking and salvage yard" means an outdoor place where a person stores three or more vehicles for the purpose of dismantling or wrecking the vehicles to remove parts for sale or for the use in automotive repair rebuilding, as determined by the county.
- B. "Junk" means copper, brass, iron, steel, rope, rags, batteries, tires, or other material that has been discarded or sold at a nominal price by a previous owner of the material. The term does not include a wrecked vehicle.
- C. "Junkyard" means a business that owns junk, and is operated to store, buy, or sell junk, that keeps-all or part of the junk outdoors until the business disposes of the junk, as determined by the county.
- D. "Recycling business" means a business primarily engaged in the business of:
 - 1. converting metal or other material into raw material products that have:
 - i. prepared grades; and
 - ii. an existing or potential economic value;
 - 2. using raw material products described by Paragraph (1) in the production of new products; or
 - 3. obtaining or storing metal or other material for a purpose described by Paragraph (1) or (2).
- E. "Wrecked vehicle" means a discarded, junked, damaged, or worn-out automotive vehicle that is not in a condition to be lawfully operated on a public road.
- F. "The Department" means the responsible Tarrant County department authorized to administer this Ordinance.

II. LOCATION OF YARD

- A. A junkyard or an automotive wrecking and salvage yard may not be located:
 - 1. within 50 feet of the right-of-way of a public street or state highway; or
 - 2. within 50 feet of the nearest property line of a residence.

III. SCREENING REQUIREMENTS

- A. A person who operates a junkyard or an automotive wrecking and salvage yard must screen it with a solid barrier fence at least eight feet high. The fence must be painted a natural earth tone color and may not have any sign appear on its surface other than a sign indicating the business name.
- B. Materials associated with a junkyard or an automotive wrecking or salvage yard may not accumulate or be stacked higher than eight (8) feet above ground level.

IV. LICENSES AND RENEWALS

- A. A junkyard or an automotive wrecking and a salvage yard subject to this ordinance must be licensed by the Commissioners Court of Tarrant County, Texas.
- B. The license of a junkyard or an automotive wrecking and salvage yard is conditioned upon the operation of the junkyard or automotive wrecking and salvage yard only at the location listed on the application approved by the Commissioners Court.
- C. The Commissioners Court shall impose a fee of \$150.00 for the issuance of a license to operate a junkyard. The Commissioners Court shall impose a fee of \$150.00 for the issuance of a license to operate an automotive wrecking and salvage yard.
- D. The Commissioners Court shall impose a fee of \$150.00 for the renewal of each license issued under the authority of this ordinance. Each license is valid for one (1) year.
- E. The license fee shall be deposited into the general fund of Tarrant County, Texas.
- F. Applications for a license may be obtained from the Transportation Department (Department) of Tarrant County. All applications for licenses must be completely filled out. Incomplete applications will not be considered and will be returned to the applicant.
- G. The location of the junkyard or automotive wrecking and salvage yard must be described by mailing address, by legal description, and by any other description sufficient to apprise the Commissioners Court of the exact location of the proposed junkyard or automotive wrecking and salvage yard. Additionally, all applications must have a map of the site of the junkyard or automotive wrecking and salvage yard showing the existence of screening on all sides.

V. EXCEPTIONS TO LICENSING

The licensing requirements of this ordinance do not apply to:

- A. a recycling business;
- B. a junkyard or automotive wrecking and salvage yard located entirely in a municipality and subject to regulation by the municipality; or
- C. a junkyard or automotive wrecking and salvage yard in operation before October 18, 2022.

VI. GROUNDS FOR DENIAL OF LICENSE OR RENEWAL

Any of the following grounds are reasons for denial for the license or renewal of the license for a junkyard or automotive wrecking and salvage yard:

- A. Material misstatements or misrepresentations in the application for license, the accompanying documents, or at the hearing before the Commissioners Court.
- B. Insufficient screening as described in *Section III Screening Requirements*.

VII. GROUNDS FOR REVOCATION OF LICENSE

The owner or operator of a junkyard or automotive wrecking and salvage yard shall have 120 days from the date of a notice that the location is not in compliance with this ordinance's screening requirement to rectify the situation. Failure to rectify the screening violation will subject the junkyard or automotive wrecking and salvage yard owner to a hearing before the Commissioners Court, at which time the license for said yard may be revoked for noncompliance with this ordinance.

VIII. OFFENSES

- A. It shall be an offense and violation of this ordinance to operate a junkyard as defined in this ordinance without a valid license issued by the Department of Tarrant County, Texas, and approved by the Commissioners Court.
- B. It shall be an offense and violation of this ordinance to operate an automotive wrecking and salvage yard as defined in this ordinance without a valid license issued by the Transportation Services Department of Tarrant County, Texas, and approved by the Commissioners Court.
- C. It shall be an offense and violation of this ordinance to operate a junkyard as defined in this ordinance at a location not approved by the Commissioners Court of Tarrant County, Texas.
- D. It shall be an offense and violation of this ordinance to operate an automotive wrecking and salvage yard as defined in this ordinance at a location not approved by the Commissioners Court of Tarrant County, Texas.

IX. CRIMINAL PENALTY

- A. Any person or business operating a junkyard or automotive wrecking and salvage yard, or any person employed by such person or business, commits an offense if he or she intentionally or knowingly violates any provision of this ordinance.
- B. The penalty may not exceed \$50 each day for the first 10 days of the violation, \$100 each day for the next 10 days, \$250 each day for the next 10 days, and \$1,000 for each

day thereafter. In determining the amount of the penalty, the Commissioners Court shall consider the seriousness of the violation.

- C. A penalty recovered under this section shall be deposited in the general fund of the county.

X. SEVERABILITY CLAUSE

If any part, portion, or provision of this ordinance is held to be invalid under the law, the remaining provisions of this ordinance shall remain in full force.

ADOPTED, ORDERED, AND ENTERED OF RECORD in the minutes of the Commissioners Court of Tarrant County, Texas on this the 5th of September 2023.

**APPLICATION FOR TARRANT COUNTY JUNKYARD or
AUTOMOTIVE WRECKING & SALVAGE YARD LICENSE**

Date: _____

APPLICANT INFORMATION

Applicant's Name: _____

Mailing Address: _____

Telephone Number: _____

E-mail Address: _____

Is the applicant the same as the owner

OWNER INFORMATION

If the Applicant is not the Owner of the location for the proposed facility, then a notarized statement from the Owner indicating the Owner's permission for the applicant to operate the facility is required for this application to be considered complete.

Owner's Name: _____

Mailing Address: _____

Telephone Number: _____

E-mail Address: _____

PROPERTY AND USE INFORMATION

*Location of Property: _____

For this application to be complete, Applicant must attach or submit with this application a **legal description of the property and **map depicting in scale** the entire location of the proposed facility, as well as the location of any existing or proposed buildings, perimeter screening, and car storage locations.*

- Junkyard
- Automotive Wrecking and Salvage Yard

Type of material that will be processed:

OWNER/APPLICANT'S ACKNOWLEDGMENT AND CERTIFICATION:

By my signature below, I acknowledge that I have read and understand the requirements for applying for and receiving a license to operate a junkyard or automotive wrecking and salvage yard contained in the attached ordinance. I acknowledge and understand that:

1. No Junkyard or Automotive Wrecking and Salvage Yard may begin operation until a license is issued by Tarrant County.
2. This Application is incomplete until I make payment to Tarrant County of the non-refundable \$150 application fee.
3. Once granted, the license may be revoked if any false statements are made in this Application or its attachments.
4. If the license expires or is revoked for any reason, I must cease operation of the facility until a new license is issued. In that event I will be required to submit a new Application with accompanying fees and receive approval before any operations may continue.
5. I may use, occupy, or permit the use or occupancy of any building, development, or premises, or any part thereof, hereafter created, erected, changed, converted, altered, or enlarged **ONLY IF** the development **COMPLIES WITH** applicable Tarrant County regulations.

I hereby certify to the following:

1. I have carefully read the complete Application and all its attachments and certify that all documents submitted are true and correct.
2. The Owner of the location of the proposed or existing facility, if different from the Applicant, has authorized the submittal of this Application as demonstrated by the Owner's notarized statement accompanying this Application.
3. As the Owner of the Subject Property or a duly authorized Applicant, I hereby grant permission to representatives of Tarrant County to enter the premises and make all necessary inspections and to take all other actions necessary to review and act upon this Application.
4. The property on which the junkyard or automotive wrecking and salvage yard is to be operated complies, to the extent applicable, with applicable Tarrant County regulations.

Signature: _____

Printed Name: _____

Date: _____