

CHAPTER 6.09 SCRAP METAL DEALERS

6.09.010 Definitions

As used in this article:

- 1) Scrap: means used or old metal cable or wire; cordage; iron, copper, brass, lead, zinc, steel, aluminum and similar metals; glass; plastic; inoperable motor vehicles; motor vehicle parts, supplies and accessories; inoperable machinery; machine parts, supplies and accessories; paper products, including but not limited to, newspapers and magazines; cardboard; rags or other fibrous material; lumber or other building materials; or any other used or old articles whose value is derived primarily from reclamation of its constituent parts or materials.
- 2) Scrap dealer: means a person who engages in the business of purchasing, selling, exchanging, trading, recycling and/or storing scrap.
- 3) Scrapyard: means a parcel of land or a portion thereof where scrap is purchased, sold, exchanged, traded, disassembled, recycled, stored, maintained or kept.
 - a) Exception: If the activities listed in subsection (C)(1) of this section are conducted entirely within a completely enclosed building, the building shall not be considered a scrapyard. (Ord. 732 §2(17)--(19), 1992).

6.09.020 License required

No person shall engage in the business of a scrap dealer without first obtaining a license issued by the city. (Ord. 732 §2(20), 1992).

6.09.030 Application

Applications for scrap dealer's licenses shall be made on a form provided by the city clerk. The application shall state the applicant's name, residential address, business name, address of place of business, type of license applied for and a general description of the goods and/or materials to be purchased, sold, exchanged, traded, recycled or stored. The relevant license fee shall accompany the application. (Ord. 732 §2(21), 1992).

6.09.040 Approval and issuance conditions

Applications for licenses required under this article shall be forwarded by the city clerk to the city council for its review and approval or denial. The city council shall have authority to approve or deny any issuance of licenses required by this article. Upon approval of an application, the city clerk shall issue the license. If a license application is denied by the city council, the license fee shall be refunded to the applicant. (Ord. 732 §2(22), 1992).

6.09.050 License fees

Fees for licenses issued under this article shall be those set forth in the city's business license ordinance. These fees are set forth in Appendix 1. (Ord. 732 §2(23), 1992).

6.09.060 Records to be kept – Contents

All scrap dealers shall keep all records required to be kept under Idaho Code, Section 54-2702. (Ord. 732 §2(24), 1992).

6.09.070 Records – Open for inspection

All records required to be kept under this article shall be made available for inspection by any police officer of the city during normal business hours. No scrap dealer or any of its agents or employees shall refuse to permit any police officer of the city to inspect or copy such records. (Ord. 732 §2(25), 1992).

6.09.080 Records – Retention – Time

All records required to be kept under this article shall be kept for not less than three years. (Ord. 732 §2(26), 1992).

6.09.090 Property holding period before resale

No person licensed under this article shall sell, trade, rent, recycle, destroy otherwise dispose of any scrap valued in excess of five hundred dollars, acquired for the purpose of resale or other conveyance and marked with a manufacturer's identification or serial number, for a period of fifteen days from the date of receiving the property. (Ord. 732 §2(27), 1992).

6.09.100 Storage of scrap – Exceptions

- 1) Storage Requirements. Scrap dealers shall store all scrap in their possession only in a completely enclosed building or in a scrapyard. If scrap is stored in a scrapyard, the scrapyard shall be separated from anything abutting public street or public sidewalk by an opaque fence or masonry wall. Scrap stored in a scrapyard shall not be stored or stacked to a height exceeding the height of the opaque fence or masonry wall.
- 2) Exceptions. An opaque fence or masonry wall as described in subsection A of this section shall not be required if all scrap stored in a scrapyard is stored in fully enclosed and operable semi-trailers as defined under the Idaho Code or where the scrap consists only of the following materials:
 - a) Securely baled newspapers, magazines or similar paper products;
 - b) Securely baled, crushed cardboard containers or similar cardboard products;
 - c) Crushed and containerized aluminum cans or similar aluminum products;
 - d) Containerized glass bottles or jars or similar glass products; or
 - e) Crushed and containerized plastic bottles or similar plastic products. (Ord. 732 §2(28), 1992).

6.09.110 Compliance with the law

Persons licensed under this article shall conduct their business in compliance with all applicable federal, state and city laws, ordinances and regulations. (Ord. 732 §2(29), 1992).

6.09.120 Severability

The sections and subsections of this ordinance are severable. The invalidity of any section or subsection shall not affect the validity of the remaining sections or subsections. (Ord. 732 §4, 1992).