

IN THE MATTER OF THE SCREENING OR REMOVAL OF  
AUTOMOBILE OR ABANDONED APPLIANCE JUNKYARDS  
WITHIN VIEW OF PUBLIC ROADS AND HIGHWAYS

The Board of Supervisors of Pike County, Mississippi considered the matter of a policy and procedure for screening of automobile and appliance junkyards within view of any highway or public roadway in the unincorporated area of the County. It was determined that such a policy is necessary in order to prevent unsightly distractions of operators of motor vehicles; attract tourists, and promote the prosperity, economic well-being, and general welfare of the County; promote the safety, recreational value, and enjoyment of travel on public highways and public roads within the County; and preserve and enhance the natural scenic beauty of the highways, roads, and adjacent areas. It is the stated intention of the Board of Supervisors to provide a basis for regulation of automobile and abandoned appliance junkyards in unincorporated areas of the County consistent with public policy declared by the Congress of the United States and the Legislature of the State of Mississippi, and provide penalties for violations thereof.

DEFINITIONS

JUNKYARD: A parcel of property on which is maintained, located, or used for storing, keeping, or selling:

- (a) five (5) or more junked, dismantled or wrecked automobiles or parts thereof,
- (b) five (5) or more junked, discarded, inoperable, or dismantled appliances, including, but not limited to refrigerators, freezers, washers, dryers, stoves, or dishwashers, and
- (c) any combination of five (5) or more junked, dismantled, or wrecked automobiles or parts thereof or junked, discarded, inoperable, or dismantled appliances.

HIGHWAYS OR ROADS: Any portion of the National System of Interstate Highway,

as officially designated by the Highway Department, and that portion of public highways and roads, in unincorporated areas, as officially designated by the Board of Supervisors of Pike County, Mississippi on its official register and map of roads.

I. Any junkyard found to have been located, established, or otherwise placed in whole or in part within five hundred (500) feet of the nearest edge of the right-of-way of a public highway or roadway in unincorporated areas within Pike County, Mississippi after the effective date of this ordinance, is declared to be illegal, except: those which are screened by natural objects, plantings, fences or other appropriate means, so that the automobiles or abandoned appliances are not visible from the main traveled way, or are otherwise removed from sight. The use of used tin, plywood or cardboard as a fencing material is not acceptable or allowed as a screening material under this ordinance.

The effective date of this ordinance is declared to be July 1, 2002, it being the intention of the Board of Supervisors to create a grace period of approximately six (6) months from and after passage, within which grace period owners of junkyards, as herein defined, are given a time within which to comply with the screening requirement of the ordinance, or remove their junkyard to a site located more than five hundred (500) feet to the nearest edge of the right-of-way of a public highway.

II. After the effective date, July 1, 2002, upon finding a junkyard, which has not been screened or relocated as provided, the solid waste enforcement officer of Pike County, Mississippi or his designee is directed to:

- (a) ascertain the owners of the junkyard;
- (b) ascertain the owners of the property upon which the junkyard is located;
- (c) contact the owner of the junkyard, in person or by telephone, and advise the

owner that the facility is illegal, and request that the violation be remedied; and

- (d) following such contact, provide written notification to the owner, restating the facts as to why the facility is illegal, and giving the owner thirty (30) days to remedy the violation. This letter will be sent by certified mail, returned receipt requested.

If, at the expiration of the thirty (30) day period, the owner has not remedied the violation or made satisfactory arrangements to comply with this ordinance, the solid waste enforcement officer will forward to (1) the sheriff of Pike County, Mississippi, and (2) the county prosecuting attorney, the following:

- (a) the names and addresses of the owners and operators of the junkyard;
- (b) the name and address of the owner of the property upon which the junkyard is located;
- (c) a copy of the notice letter to the owners.

The sheriff will review the data submitted for adequacy and completeness, and will refer his findings to the Pike County Prosecuting Attorney for filing charges, requesting that the prosecuting attorney file affidavits against the owners, when and as deemed necessary.

#### PENALTIES

Any person or corporation found to be in violation of this ordinance shall, upon conviction, be guilty of a misdemeanor and be required to pay a fine for the first offense, in the amount of \$500.00, or for a second or any subsequent offense, in the amount of \$1,000.00.

The Clerk of this Board is hereby authorized and directed to publish this Ordinance one (1) time, in a local newspaper.

The above and foregoing Ordinance, after having been first reduced to writing, and

discussed and considered by the Board, was moved for adoption by Supervisor Tazwell Bowsky, seconded by Supervisor Aubrey Matthews. Thereupon, the matter was put to a roll call vote with a result as follows:

TAZWELL BOWSKY	VOTED - <i>For</i>
LEXIE ELMORE	VOTED - <i>For</i>
AUBREY MATTHEWS	VOTED - <i>For</i>
VENTON RAY ADAMS	VOTED - <i>For</i>
CARROLL FORTENBERRY	VOTED - <i>Against</i>

WHEREUPON, the President of the Board declared the Motion carried and the Ordinance so adopted on this the 20<sup>th</sup> day of November, 2001.

*Lexie Elmore*  
LEXIE ELMORE, PRESIDENT  
BOARD OF SUPERVISORS

ATTEST:

DOUG TOUCHSTONE, CHANCERY CLERK  
PIKE COUNTY, MISSISSIPPI  
CLERK OF THE BOARD

*Doug Touchstone*