

Chapter 300: Land Use

ARTICLE XII Recycling Operations and Junkyards

§ 300-236. Definitions.

The following definitions pertain to licensed recycling or junkyard operations. As used in this article, the following terms shall have the meanings indicated:

JUNK — Any scrap, waste, reclaimable material or debris, whether or not stored or used in conjunction with dismantling, processing, salvage, storage, baling, disposal or other use or disposition.

JUNKYARD — Any area, lot, land, parcel, building or structure or part thereof used for the storage, collection, processing, purchase, sale or abandonment of wastepaper, rags, scrap metal or other scrap or discarded goods, materials or machinery, or three or more unregistered/uninspected, inoperable vehicles or other type of junk.

RECYCLING — The process by which waste products are reduced to raw materials and transformed into new and often different products.

§ 300-237. Purpose.

The purpose of this article is to provide standards for the regulation and licensing of junkyards and recycling operations.

§ 300-238. Statutory authority.

This article is enacted by authority of N.J.S.A. 40:52-1 et seq., governing licenses, and N.J.S.A. 40:55D-1 et seq., more specifically N.J.S.A. 40:55D-67.

§ 300-239. Administration.

The licensing provisions of this article shall be under the jurisdiction of the City Council and the Department of Licenses and Inspections; the development reviews and approval shall be under Planning Board authority.

§ 300-240. Number of licenses limited. [Amended 9-9-1986 by Ord. No. 86-51; 6-25-1996 by Ord. No. 96-49; 12-23-1997 by Ord. No. 97-91]

The number of licenses to operate junkyards and recycling facilities within the City of Vineland is hereby limited to eight.

§ 300-241. Zone restriction. [Amended 1-23-1996 by Ord. No. 96-4]

Junkyards and recycling facilities are prohibited in all zones of the City of Vineland except the I-3 and I-4 Zones.

§ 300-242. Inspections.

Junkyards and recycling facilities shall be subject to inspection at any time by authorized state, county and municipal representatives.

§ 300-243. Standards.

- A. Land.
 - (1) The minimum area shall be three acres.
 - (2) The minimum frontage shall be 165 feet.
- B. Fencing. The entire tract shall be enclosed by a solid wall or fence at least 10 feet in height, including inward projected barbed wire or screen extension, to prevent windblown debris from escaping over the wall or fence. Construction along the base line of the fence shall be fully enclosed to prevent debris from escaping below the fence or at grade level. No fence shall be placed closer than 15 feet to the front property line, and no signs or pennants shall be affixed to the fence.
- C. Front buffer. A front buffer at least 15 feet wide shall be maintained along the street frontage. Said buffer area shall be provided with natural ground cover and shall not be paved except where driveways cross it for access to the property.
- D. Storage prohibition. No scrap or waste of any kind or reclaimable material or debris shall be stored in the front yard nor shall any recycling operation take place therein.
- E. Parking prohibition. No motor vehicle shall be parked on the sidewalk or elsewhere within the street right-of-way nor shall any vehicle be parked within the front buffer area.
- F. Burning of materials. It shall be unlawful to burn any scrap, waste, debris, material or parts without first making application to the City of Vineland Fire Department. The Director shall approve or disapprove the application in writing and, if approved, shall designate the time for such burning and the person authorized to supervise it.
- G. Fire and health hazard. No motor vehicle or part thereof or any material to be junked or processed shall be stocked or piled in such manner as to create a fire hazard or a place to harbor rats or other pests. The maintenance of high standards of safety and sanitation shall be the responsibility of the owner.
- H. Removal of flammables. Gasoline shall be removed from any vehicle to be junked within one hour, and all flammables shall be safely secured and stored.
- I. Rainwater collection. No vehicle or part thereof shall be kept in such manner that rainwater collects and remains therein or on the premises for longer than 48 hours.
- J. Noise control. It shall be unlawful to hammer or pound any metals between the hours of 7:00 p.m. and 7:00 a.m. on weekdays or at any time on Sundays.
- K. Construction standards. The provisions of Article VII, as they affect the particular site, shall apply regarding drainage, side and rear buffer areas, shade trees, parking and access standards, street improvements and easements, signs, paving and, where required, sidewalks and off-tract improvements.
- L. Prohibited in flood hazard areas. No recycling operations or junkyards shall be permitted in the floodplain areas delineated by the Federal Insurance Administration.
- M. Pollution and erosion controls. Recycling operations and junkyards shall be subject to pollution and erosion control regulations and shall operate within environmentally sound practices.

§ 300-244. Conceptual presentations.

See Article VI, § 300-58, Conceptual plans.

§ 300-245. Site plan details.

- A. The site plan data specified under Article VI, § 300-61B, shall apply.
- B. In addition, a report of soils analyses and percolation tests shall be submitted.

§ 300-246. Improvements.

- A. On-site improvements listed under Article VI, § 300-62B, C and D, shall apply.
- B. Off-tract improvements, if required, shall be in accordance with the provisions of § 300-47 of Article VI.

§ 300-247. Submission of preliminary plan.

- A. A complete site plan application for a recycling or junkyard operation shall consist of the following:
 - (1) A copy of the license approved by the City Council.
 - (2) Six copies of the plan showing data required, plus four if the application must go to the County Planning Board.
 - (3) A description of restrictions and easements, if any.
 - (4) A soils analysis and percolation test report.
 - (5) A completed application form signed by the owner.
 - (6) The development review fee. For the specified fee, see § 300-5 of Article I.
- B. The procedure cited under § 300-65 and 300-66 of Article VI shall apply.

§ 300-248. Exceptions, variances and public hearings.

- A. For provisions regarding exceptions, see Article VI, Subdivision and Site Plan Review and Approval, § 300-50.
- B. For provisions regarding variances, see specific standards for recycling operations or junkyards, Sheet 2, Conditional Use Specific Standards (§ 300-324 of Article XVI, Zoning). **[Amended 1-23-1996 by Ord. No. 96-4]**
- C. For provisions regarding public hearings, see Article I, General Provisions, § 300-9 et seq.

§ 300-249. Effect of preliminary site plan approval.

See Article VI, § 300-68.

§ 300-250. Submission of final site plan.

See Article VI, § 300-69.

§ 300-251. Performance guaranties; surety for improvements.

See Article VI, § 300-52.

§ 300-252. Effect of final site plan approval.

- A. See Article VI, § 300-70.
- B. NOTE: Final approval grants the applicant the right to make application to the construction officials for the necessary permits.

§ 300-253. License required; contents of application.

- A. No person, partnership or corporation shall establish, operate, maintain or expand a recycling business or junkyard of any kind unless a license has been granted therefor by the City Council.
- B. Applications shall be filed with the Department of Licenses and Inspections by signed, written request and shall give the following information:
 - (1) The name and address of the applicant or corporation officers and partners or registered agents.
 - (2) The length of time the applicant has resided within the City of Vineland, his place of employment and details of criminal record, if any.
 - (3) All details pertaining to the business proposed to be conducted.
 - (4) The block and lot numbers, as carried by the Assessor, of the land on which the business is proposed.
 - (5) The metes and bounds description of the land as it appears in the deed.
 - (6) A copy of the site plan, showing existing and proposed conditions of the development.
 - (7) The names and addresses of all property owners located within 1,000 feet of the boundaries of the land on which the business is or will be conducted.

§ 300-254. License fees; refunds.

- A. The license fee shall be \$200, paid annually, and shall run from January 1 through December 31 of each year.
- B. No refunds shall be made to licensee upon surrender or revocation of a license.

§ 300-255. Display of license.

The holder of an authorized license shall keep the license posted on the premises in a conspicuous place at all times.

§ 300-256. Compliance agreement.

By accepting a license under the provisions of this article, the licensee agrees to comply with all said provisions and other regulations which may be established by the City Council.

§ 300-257. Transfer of license restricted; operational premises limited.

- A. No license shall be reassigned or transferred without the approval of the City Council.
- B. No license shall entitle the licensee to operate in any building or premises other than those specified by the authorized license.

§ 300-258. Renewals. [Amended 12-23-1986 by Ord. No. 86-84; 7-23-2002 by Ord. No. 2002-49]

Only the eight licenses currently issued may be renewed each year. This limitation does not prevent renewals of person-to-person transfers of the authorized licenses.

§ 300-259. Enforcement; violations and penalties.

- A. The Zoning Officer shall cite any violations of any provisions of this article and notify the licensee in writing. He shall order that the violations be corrected within 30 days of the date of the written notice.

- B. If, after such notice, corrections have not been made within the given time, the licensee shall be subject to a fine not to exceed \$500 for each offense, and each day a violation is permitted to exist shall constitute a separate offense and shall be punishable as such.
- C. The Municipal Court shall also have the power to suspend the license of a violator pending the elimination of the violation.
- D. The penalties herein are in addition to any other lawful penalties which may be imposed.