

PERMIT TO ESTABLISH, EXPAND AND/OR MAINTAIN A JUNKYARD

FOR MDOT USE ONLY	
INVENTORY NUMBER	
PERMIT NUMBER	
APPLICATION DATE	
PERMIT FEE	
DATE OF ISSUANCE	

*This information is required by MDOT in accordance with P.A. 219 of 1966 and P.A. 132 of 1972. Penalty for failure to provide information will result in **NO** issuance of permit.*

PRINT IN INK OR TYPE

NAME		APPLICATION DATE
APPLICANT'S NAME (Property Owner, Corp., City, Company, etc.)		PERMIT FEE
APPLICANT'S MAILING ADDRESS	PHONE	DATE OF ISSUANCE

I HEREBY MAKE APPLICATION TO (Check appropriate box(es):

Establish Expand, and/or

Maintain an establishment pursuant to the provisions of P.A. 219 of 1966/P.A. 132 of 1972 within the control zone of: **Please specify below.**

TRUNKLINE NUMBER	CITY/VILLAGE	TOWNSHIP	COUNTY
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The exact location is as follows. A sketch of location and screening must be attached.

TRUNKLINE: Distance to the nearest crossroad, section, town and range, if available.

FACILITY IS WITHIN JUNKYARD CONTROL ZONE	DISTANCE FROM NEAREST EDGE OF RIGHT OF WAY
YES NO	
TYPE OF ESTABLISHMENT	DATE FACILITY ESTABLISHED

I hereby certify that I have read and understand all the General Conditions prior to signing this application for permit and I accept these General Conditions. I further certify that failure to object within ten (10) days to the permit as issued by the Michigan Department of Transportation constitutes approval of the permit as issued.

APPLICANT SIGNATURE	DATE	I hereby certify that I am acting as authorized agent on behalf of the named applicant.	
		AUTHORIZED AGENT SIGNATURE	DATE

GENERAL CONDITIONS

This permit is issued subject to the following conditions:

1. The permittee will comply with the requirements set forth in Act 219, P.A. of 1966 as amended by Act 132, P.A. of 1972.
2. Expansion of any establishment subject to the control of the above acts shall provide for adequate screening of all expanded storage areas at the expense of the owner or operator. Screening shall be of a nature compatible with the intent of the acts to enhance the appearance of lands bordering public highways. Screening of such expanded operations is subject to the control of the Michigan Department of Transportation and the permittee will be required to secure a permit prior to the expansion of the facility covered by this permit.
3. The permittee shall save harmless from liability and indemnify the Transportation Commission, the department, and all of its agents, representatives, and employees against any and all claims for property damages or bodily injury arising from operations conducted under or carried out pursuant to this permit.
4. This permit grants to the permittee only those rights specifically stated and no others. Any work within state trunkline right of way including construction and alteration of driveways, fencing, and any and all operations within trunkline right of way will require a separate permit from the department.
5. Issuance of this permit does not relieve the permittee from meeting any and all requirements of law or other public bodies or agencies. The permittee shall be responsible for securing and shall secure any other permits or permission necessary as required by law from villages, cities, townships, corporations, or individuals for the activities hereby permitted.
6. Issuance of this permit by the department is pursuant to the authority set forth, in Act 219, P.A. of 1966 as amended by Act 132, P.A. of 1972, and the department assumes no obligation with respect to the operations of the facility for which this permit is issued.
7. Failure to comply with the conditions of this permit and the statutory requirements for said Act 219, P.A. of 1966 as amended by Act 132, P.A. of 1972, may result in revocation of this permit.
8. See reverse side for definitions and legal authority.

RECOMMENDED FOR ISSUANCE (County or Municipality)	DATE	REVIEWED BY	APPR.	DISAPPR.	APPROVED FOR MICHIGAN DEPARTMENT OF TRANSPORTATION BY: (Lansing Utilities & Permits Engineer or Region Utilities & Permits Engineer)
		DESIGN			
REGION UTILITIES & PERMITS ENGINEER	DATE	REGION			

MICHIGAN DEPARTMENT OF TRANSPORTATION

JUNKYARD PERMITS

All permit and application fees are **NONREFUNDABLE** based upon Act No. 561 of Public Acts 2002.

MDOT Forms at: <http://www.mdot.state.mi.us/webforms>

Instructions and Requirements for Securing a Permit to Establish, Expand, and/or Maintain a Junkyard

General Information

1. Act 219, P.A. of 1966 as amended. by Act 132, P.A. of 1972, and the rules promulgated thereunder, establish the statutory authority for the administration of junkyard control and permit requirements.
2. Sites not subject to the act are:
 - a. Facilities which are not an establishment or place of business but merely a non-functioning repository.
 - b. Facilities located greater than 1,000 feet from the right of way.
 - c. Facilities in areas zoned industrial.
 - d. Facilities not visible from the main traveled way of an interstate, primary or secondary highway.
3. New facilities which do not meet the exceptions cited above and conform to the definitions of junk, automobile graveyard and junkyard shall be required to secure a permit from the Department of Transportation prior to the establishment of the facility.
4. Failure to apply and secure a permit may result in injunctive action by the department to enforce compliance with the act.
5. Facilities presently existing which meet the requirements of the act may, upon application, be issued a permit. Existing junkyards which do not meet the requirements of the act are subject to legal action to enforce compliance.
6. Existing junkyards which are proposed to be expanded are required to obtain a permit prior to such expansion.
7. Screening standards for new junkyards or the expansion of existing junkyards subject to the act may be obtained from the Department of Transportation.
8. A permit fee is required to accompany all applications. Fees shall not be charged for the contiguous expansion of yards previously permitted.

Permit Data Required

1. The applicant shall identify the name of the establishment as well as the applicant's name, address and phone number.
2. The applicant shall specify the applicable purpose of the permit, i.e. to establish, expand, or maintain the particular facility.
3. The exact location shall be described in sufficient detail to locate the facility by identifying the trunkline, the nearest crossroads to the nearest foot, as well as section, town, and range in which the facility is located.
4. A sketch of the site and the proposed method of screening shall be attached. Any drainage or other considerations shall be addressed within the request for permit. If the site requires an approach onto the trunkline or other construction within the trunkline right of way, the applicant shall submit a separate permit form 2205, for permission to use and occupy the state trunkline right of way. Only a single permit fee shall be charged where a dual pen-nit is required.
5. The type of establishment shall be identified as junk (storing, keeping, buying or selling), garbage dump, or sanitary landfill.
6. The date of establishment of the facility shall be given.

Any questions regarding the requirements for the permit or other access type permits are to be addressed to the Region office in which the site will be located. Upon compliance with all of the requirements, a permit shall be processed as expeditiously as possible.

ADDITIONAL CONDITIONS

DEFINITIONS:

1. "JUNK" means old or scrap copper, brass, rope, rags, batteries, paper, trash, rubber debris, waste or junked, dismantled, or wrecked automobiles, or parts of automobiles, iron, steel, and other old or scrap ferrous or non-ferrous material.
2. "JUNKYARD" means any establishment or place of business which is maintained, operated or used for storing, keeping, buying, or selling junk, or for the maintenance or operations of an automobile graveyard, including garbage dumps and sanitary fills.
3. "AUTOMOBILE GRAVEYARD" means any establishment or place of business which is maintained, used, or operated for storing, keeping, buying or selling wrecked, scrapped, ruined or dismantled motor vehicles, or motor vehicles parts. Ten or more wrecked or partially dismantled automobiles will constitute an automobile graveyard.
4. "JUNKYARD CONTROL ZONE" means the area measured from the nearest edge of the right of way of an interstate, primary or secondary highway and extending horizontally along a line normal or perpendicular to the center line of the highway 1,000 feet.

LEGAL AUTHORITY:

Act 219, Public Act of 1966 (This covers those junkyards established, maintained, or expanded prior to July 11, 1973.)

Section 3

Except as provided by Section 4, no person shall establish, expand, or maintain a junkyard, any portion of which is within 1,000 feet of the nearest edge of the right of way of any interstate or primary highway except the following:

- (a) Those which are screened by natural objects, plantings, fences, or other appropriate means so as not to be visible from the main traveled way of the highway, or otherwise removed from sight, in accordance with rules and regulations of the Michigan Department of Transportation.
- (b) Those located within areas which are zoned for industrial use under authority of law.
- (c) Those which are not visible from the main traveled way of an interstate or primary highway.

Section 4

Any junkyard lawfully in existence on the effective date of this act which does not conform to the requirements for exception in Section 3 and any other junkyard along any highway hereafter designated as an interstate or primary highway and which does not conform to the requirements for exception in Section 3, shall be screened or removed by the Michigan Department of Transportation as a cost of constructing state trunkline highways. Nonconforming junkyards existing on the effective date of this act shall be removed or screened by July 1, 1970.

Section 8

If a junkyard is established, expanded, or maintained after the effective date of this act but not in conformity with the provisions of Section 3, the Michigan Department of Transportation may apply to the court of proper jurisdiction for an injunction to compel conformity with this act.

Act 132, Public Act of 1972 (This covers those junkyards established, maintained, or expanded after January 1, 1973.)

Section 3

After January 1, 1973, a person shall not establish, expand, or maintain a junkyard, any portion of which is within 1,000 feet of the nearest edge of the right of way of any interstate or primary or secondary highway, except the following:

- (a) Those which are screened by natural objects, plantings, fences, or other appropriate means from the main traveled way of the highway, or otherwise removed from sight, in accordance with rules of the Michigan Department of Transportation.
- (b) Those located within areas which are zoned for industrial use under authority of law.
- (c) Those which are not visible from the main traveled way of interstate, primary or secondary highways.

Section 8

If a junkyard is not established, expanded or maintained in conformity with the provisions of Section 3, the Michigan Department of Transportation may apply to the court of proper jurisdiction for an injunction to compel conformity with this act.

Non-Conforming Junkyards (Act 132, P.A. 1972)

Section 4a

A junkyard which is lawfully in existence on the effective date of this act (January 1, 1973) which does not conform to subsections (a) or (b) of Section 3 and is located along a secondary highway, shall be screened at a cost to the owner. However, screening of such a junkyard shall not be required in excess of an eight (8) foot fence. A junkyard which is established after the effective date of this act (January 1, 1973) and is located along a secondary highway shall be adequately screened or removed in accordance with Section 3 of this act at a cost to the owner.