



**LAND USE APPLICATION
CONDITIONAL USE REQUEST**
Supplemental Information:
Automobile Wrecking and Junk Yards

Conditional Use: RSC, MG, CG

In addition to the general criteria and conditions set forth in Article 6.020 and 6.030 the following standards are required by the County and State:

An “*automobile wrecking yard*” is a premises used for the storage or sale of used automobile or truck parts or for the storage, dismantling or abandonment of junk, obsolete automobiles, trailers, trucks, machinery, or parts thereof. Outdoor storage of more than three unlicensed, inoperative vehicles shall be considered a wrecking yard. For purposes of the Morrow County Zoning Ordinance, more than three unlicensed vehicles may be stored within a fully enclosed building and not be considered a wrecking yard. The storage of farm equipment, vehicles, machinery and parts on land zoned exclusive farm use, if not visible from outside the property boundaries, shall not be considered a wrecking yard and shall be exempt from this definition.

Standards for automobile wrecking and junk yards required by the Morrow County Zoning Ordinance 6.050(B):

The Commission shall require that it be enclosed and screened from public view by a sight-obscuring fence not less than six feet in height. If applicable, the Commission shall be assured that the proposal is in conformance with applicable State regulations.

Standards for automobile wrecking and junk yards required by the Oregon Revised Statutes 822.100:

(1) A person commits the offense of conducting a wrecking business without a certificate if the person is not the holder of a valid, current wrecker certificate issued under ORS 822.110.

822.105 Exemption from wrecker certificate requirement.

In addition to exemptions from the vehicle code under ORS 801.026, ORS 822.100 does not apply to the following:

- (1) An insurance adjuster authorized to do business under ORS 744.505 or 744.515 who is disposing of vehicles for salvage;
- (2) Road rollers, farm tractors, trolleys or traction engines;
- (3) Implements of husbandry, well-drilling machinery, and invalid chairs;
- (4) Golf carts;
- (5) Manufactured dwellings.

822.110 Wrecker certificate; qualifications; fee; application; local government approvals; bond or letter of credit. The Department of Transportation shall issue a wrecker certificate to any person if the person meets all of the following requirements:

- (1) The person must establish that the area approved under the wrecker certificate for use in the wrecking business meets **one** of the following criteria:
 - (a) The area is more than 1,100 feet from the nearest edge of the right of way of any state highway.
 - (b) The business conducted within the area is hidden or adequately screened by the terrain or other natural objects or by plantings, fences or other appropriate means, so as not to be visible from the main traveled way of the highway, in accordance with rules adopted by the Director of Transportation.
 - (c) The area and the business thereon are located in an area zoned for industrial use under authority of the laws of this state.

- (2) The person must pay the fee required under ORS 822.700 for issuance of a wrecker certificate.
- (3) The person must complete the application for a wrecker certificate described under ORS 822.115.
- (4) The person must deliver to the department any approvals by local governments required under ORS 822.140.
- (5) The person must deliver to the department a bond or letter of credit that meets the requirements of ORS 822.120. [1983 c.338 §802; 1985 c.16 §401; 1991 c.331 §139; 1993 c.741 §88]

822.115 Application; contents. An application for a wrecker shall be in a form prescribed by the Department.

822.120 Bond or letter of credit requirement; A bond or letter of credit is required to qualify for a wrecker certificate.

822.130 Inspection of books, records, inventory and premises.

- (1) The Department of Transportation may inspect the books, records and inventory of and the premises used by any business issued a certificate under ORS 822.110 for the purpose of determining compliance with the laws.

822.140 Local government approval requirements

- (1) To meet the requirement for local government approval of a wrecker certificate, an applicant must comply with any regulations established by the county under this section and must obtain the approval of the governing body of the County, if the business is or will be carried on outside of any incorporated city.
- (2) A city or county governing body shall grant approval of a wrecker certificate or renewal when requested under this section if the governing body:
 - (a) Approves the applicant as being suitable to establish, maintain or operate a wrecker yard or business;
 - (b) Determines that the location or proposed location meets the requirements for location under ORS 822.110;
 - © Determines that the location does not violate any prohibition under ORS 822.135; and
 - (d) Approves the location and determines that the location complies with any regulations adopted by a city or county under this section.
- (3) The governing body of a city or county may regulate the expansion of premises or the establishment of premises at a new location under a wrecker certificate. An applicant must comply with the regulations before the Department of Transportation may issue a supplemental wrecker certificate. In adopting regulations under this subsection, a governing body:
 - (a) Shall consider the extent of development of surrounding property as a residential area;
 - (b) Shall consider the proximity of churches, schools, hospitals, public buildings or other places of public gathering;
 - (c) Shall consider the sufficiency in number of other wrecking businesses in the vicinity;
 - (d) Shall consider the health, safety and general welfare of the public;
 - (e) May establish zones in which wrecking businesses are permissible and other zones where they are prohibited; and
 - (f) May prescribe limitations on the dimensions of the premises on which wrecking businesses are conducted.