

HEALTH AND SANITATION

Chapter 128

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§ 128-1. Prohibited acts.

§ 128-2. Junkyards.

[HISTORY: Adopted by the Board of Trustees of the Village of Barker 10-22-1947 by ordinance. Amendments noted where applicable.]

GENERAL REFERENCES

Unsafe buildings — See Ch. 91.

Solid waste — See Ch. 171.

Streets and sidewalks — See Ch. 176.

§ 128-1. Prohibited acts.

- A. No person shall place, allow to be placed, or permit to run, or to fall on or drip, the contents of, or any substance from, any sink, privy, or cesspool, or any manure, ashes, garbage, rubbish, dirt, or any foul liquid or obnoxious substance whatsoever, into or upon any street, gutter, sidewalk, or public place within the village, or allow the same or any part thereof to remain in such place.
- B. Any person, firm or corporation violating any of the provisions of this section shall be guilty of a violation and, upon conviction thereof, shall be fined in an

amount not to exceed \$250 or imprisoned for not more than 15 days, or both.<sup>1</sup>

**§ 128-2. Junkyards.**

- A. No person, firm or corporation shall maintain a junkyard fronting on any street or public thoroughfare within the Village of Barker, New York, unless there shall be erected on all sides a board fence at least six feet in height, which fence shall be painted some light color. Such person, firm or corporation shall also apply for and be issued a license by the Village Board before conducting the business of a junk dealer and before the erecting or maintaining of a junkyard.
- B. Definition as applied to this section. Except as otherwise provided herein, the term "junkyard" as used in this section shall include any lot, whether improved or unimproved, within the Village of Barker, New York, used for the storage of junk, rubbish or other articles of like value, whether kept for sale, resale or stored. It shall not include any place of storage or deposit, where two or more unregistered, old or secondhand motor vehicles or parts such as defined in § 136, Subdivision 2, of the General Municipal Law are held or where such vehicles or parts are held, used, reclaimed or disposed of for any purpose such as defined in § 136, Subdivision 2, of the General Municipal Law, and shall not apply to any premises or uses which come within the provisions of § 136, Subdivision 2, of the General Municipal Law; however, such premises and uses shall be governed in all respects by and shall comply in all respects with all of the provisions of § 136 of the General Municipal Law.

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<sup>1</sup> Editor's Note: Added at time of adoption of Code (see Ch. 1, General Provisions, Art. D).

It is intended hereby that such premises and uses such as fall within the provisions of § 136 shall be licensed in accordance with and be governed exclusively by the provisions of the General Municipal Law. [Amended 2-7-1966]

- C. Penalty. Any person, firm or corporation violating any of the provisions of this section shall be guilty of a violation and, upon conviction thereof, shall be fined in an amount not to exceed \$250 or imprisoned for not more than 15 days, or both. Each and every week or portion thereof that a violation of this section exists shall constitute a separate offense. Further remedies may be pursued under the Village and General Municipal Laws of the State of New York.<sup>2</sup>

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<sup>2</sup> Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. D).

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