

**ORDER REGULATING JUNKYARDS AND  
AUTOMOTIVE WRECKING AND SALVAGE YARDS**

In order to protect the public health, safety, and welfare of citizens of Brewster County, Texas, that live outside of the incorporated areas within the county, the Commissioners Court of Brewster County, Texas, enacts this order pursuant to Chapter 396 of the Transportation Code of the State of Texas. This order does not apply to junkyard or automotive wrecking and salvage yards in operation before June 1, 1987 or entirely in a municipality and subject to regulation by the municipality.

**I. Definitions**

- A. "Automotive wrecking and salvage yard" means an outdoor place where a person stores three or more wrecked vehicles for the purpose of dismantling or wrecking the vehicles to remove parts for sale or for use in an automotive repair or rebuilding business.
- B. "Junk" means copper, brass, iron, steel, rope, rags, batteries, tires, or other material that has been discarded or sold at a nominal price by a previous owner of the material. The term does not include a wrecked vehicle.
- C. "Junkyard" means a place where a business that owns junk, and is operated to store, buy, or sell junk keeps all or part of the junk outdoors until the business disposes of the junk.

**II. License**

- A. A person or entity who operates an automotive wrecking and salvage yard or junkyard in Brewster County, Texas must obtain a license. The initial fee for the license is \$25.00 and must be renewed annually at a fee of \$25.00.
- B. The license is conditioned on the operation of the junkyard or automotive wrecking and salvage yard only at a location approved by the Commissioners Court.
- C. The Commissioners Court may suspend or revoke a license if the junkyard or automotive wrecking and salvage yard is not screened in compliance with this order.

**III. Screening Requirements**

- A. A person who operates a junkyard or automotive wrecking and salvage yard shall screen the junkyard or automotive wrecking and salvage yard with a barrier to be approved by the Commissioners Court. The screening must be located so that it will not interfere in any way with traffic or traffic signs along any highway or roadway. Screening may be accomplished by means of:

- 1) Earthen berms,
- 2) Plants,
- 3) Fences,
- 4) Walls, or
- 5) Other durable materials.

The screening shall be designed or landscaped so that the barrier is a least six (6) feet high and effectively blocks the view of the junkyard or automotive wrecking and salvage yard from the motoring public. Barriers other than plants must be a natural earth tone color. A barrier may not have any sign appear on its surface other than one sign covering no more than forty-eight (48) square feet indicating the business name.

- B. A person or entity may not accumulate or stack materials associated with a junkyard or an automotive wrecking and salvage yard higher than six (6) feet above ground level.

#### IV. Location of Yard

- A. A junkyard or an automotive wrecking and salvage yard may not be located within 50 feet of the right-of-way of a public street, state highway, or residence.

#### V. Penalty

- A. A person or entity commits an offense if the person violates this order.
- B. An offense under this section is a misdemeanor punishable by a fine of not less than \$100 and not more than \$500.
- C. Each day a violation continues is a separate offense.

#### VI. Date Order Takes Effect

- A. This order takes effect ninety (90) days after it is enacted.

ENACTED this 26<sup>th</sup> day of March, 2002.

Val Clark Best  
COUNTY JUDGE

**ATTEST:**

Brita Ross Martiney  
BREWSTER COUNTY CLERK