

Miki City Ordinance on Regulation of Yards

(Miki City Ordinance on Regulation of the Storage,
Etc. of Specified Automobile Parts in Yards)

There have been cases of oil or other substances being discharged (leaked) into the surrounding environment from automobile parts stored in yards and of automobile parts that have been illegally acquired, being stored in yards. Therefore, in order to safeguard the living environment of citizens and ensure their tranquil and clean lives, Miki City Government enacted the ordinance on Regulation of Yards (to go into effect on July 1, 2016)

In addition to regulation stipulated in related laws and ordinances, operators of yards must abide by the rules in this new ordinance. Providers of yards and suppliers of land for this purpose are also requested to follow these rules.

- ◆ Miki City Ordinance on Regulation of Yards will go into effect on July 1, 2016.
- ◆ Yards that are already used for business are also subject to these regulations.
- ◆ The “yards” subject to the regulations of this ordinance are facilities that provide spaces for the storage and separation of motorcycles, construction machines, generators or outboard motors for boats, engines and also propeller shafts and axles. If the facility is even partly surrounded by a fence, a wall and a container, etc., it is subject to the regulations.

Miki City

What are “yards” ?

The “yards” subject to the regulation of this ordinance are facilities that provide spaces for the storage or separation of automobile parts, such as motorcycles, construction machines, generators, or outboard motors for boats, engines, propeller-shafts, and axles.

Notes

- Facilities are subject to the regulations if they are partly surrounded by a fence, a wall, and a container etc.
- The regulations do not apply to the yards that are not engaged in business and measure less than 300 m². If the yards are engaged in business and used on regular basis, however, the regulations apply regardless of the size of area.
- The regulations of this ordinance will be applied to the storage of half-cut vehicles as well.
- The regulation of this ordinance will be applied to a motorcycle with a displacement of over 250cc which doesn't have a license [number] plate, a construction machine which is a large custom-made vehicle with a caterpillar, a portable generator which has a capacity of over 10kws and an outboard engine whose propulsion system is completely attached out-board but which has been removed out of the ship.
- In principle, this ordinance does not apply to automobile disassembly and maintenance operators that have received certification under the Road Transport Vehicle Act.

Obligation of notification (3rd section)

When an operator intends to store or separate specified vehicles such as motorcycles and construction machines etc. or specified automobile parts in the yard, the operator must notify the mayor of commencing these operations in advance after completing the prior consultation meeting based on Miki City Environment Conservation Ordinance.

Operators that are already engaged in these operation at the time of the ordinance's enforcement must also notify the mayor (by September 30, 2016)

Notes

- In principle this obligation does not apply to operators who have received permission to engage in disassembly under the Automobile Recycling Act.
- Two copies of the notification form must be submitted. The information to be provided includes the yard's address, area, equipment, and measures to prevent the leakage of oil into the ground etc. Attachments must include a sketch of the yard and documents giving evidence of the rights to use the yard.
- The mayor must also be notified in the case of changes after notification and/or temporary stoppage or closure.
- Operators who have submitted notification must show the notification number at each yard.

Obligation of taking measures to prevent leakage of oil, etc.

The operator must take measures in the yard, such as the installation of reinforced concrete in the floor, to prevent the leakage underground of oil etc., used in Specified Automobile Parts.

The operator must take measures, such as the installation of roof or a cover, so that oil, rain water etc. do not flow out of the yard.

When the operator is already engaged in the storage or separation of specified vehicles or specified automobile parts in the yard at the time of enforcement of this ordinance, the operator must take these measures by September 30, 2016.

Notes

- In principle this obligation does not apply to operators who have received permission to engage in disassembly under the Automobile Recycling Act. But obligations based on the Automobile Recycling Act must be executed.

Obligations in trading engines/motors

When receiving an engine/motor, the operator must check the other party's name, address etc.

If the operator suspects that the article might be stolen when receiving an engine/motor, the operator must notify the police office immediately.

The operator must make a record of the engine/motor transaction, and preserve it for three years.

Notes

- Regarding articles overlapping with the Secondhand Articles Dealer Act and the Scrap Metal Dealer Act by Hyogo Prefecture, these obligations shall not apply to secondhand article dealers and scrap metal dealers who have received permission to engage in business under the Act, but obligations based on the Secondhand Articles Dealer Act and the Scrap Metal Dealer Act must be executed.
- Confirmation of the other party to the transaction should be conducted, and the record of the engine/motor transaction must be kept in accordance with the regulations.

Requests to land owners and yard providers

In case of leasing or selling lands or yards, you need to check if they will be used illegally against rules.

In case of finding any suspicious information of illegal usage, you need to make contact with related authorities.

Penalty for violations

On-site inspection of yards and questioning will be carried out if necessary. In the event of violation of obligations under this ordinance, there shall be a penalty of up to one year's imprisonment.

Notes

- On-site inspections may be accompanied by police officers.

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