

State Junkyard Identification Criteria

MnDOT monitors state and interstate highways to identify junkyards regulated under MN Statute 161.242. Junkyards are identified and classified by type as specified in state law. MnDOT maintains records for properties identified as a junkyard under state law.

Definition

State law requires MnDOT staff to identify junkyards based on a standard definition. All four of the following conditions must be satisfied to qualify a property as a junkyard: purpose, use, size and location.

- **Purpose:**
An establishment or place of storage or deposit
- **Use:**
Storing, keeping, buying, or selling old or scrap copper, brass, rope, rags, batteries, paper, or junked, dismantled or wrecked automobiles, farm machinery or construction machinery, or parts thereof, or garbage dumps and sanitary landfills not regulated by the Minnesota Pollution Control Agency
- **Size (Volume):**
The bulk must be equivalent to five or more vehicle hulks (average-sized cars)
- **Location:**
Wholly or partially within one-half mile of any state or interstate highway right of way and is wholly or partially visible from that highway.

This definition includes farm implements, storage yards for construction material and debris, and business or non-business collections of qualifying materials.

Junkyard Classification Criteria

When a property is identified, by state definition, to be a junkyard, it must be classified as legal non-conforming, illegal or legal junkyard. MnDOT maintains location and classification records for these junkyards. Classification descriptions are:

Legal Non-Conforming Junkyard

A legal non-conforming junkyard must meet the junkyard identification criteria and cannot be located in a zoned or unzoned industrial area. The junkyard is "grandfathered" into the junkyard program if the owner can prove that it was in continuous existence since July 1, 1971. If there is documentation supporting continuous existence of the junkyard at that location, the junkyard is eligible for state or federal funding to clean up, relocate on-site or screen to bring the property in to compliance with state law. Once the legal non-conforming junkyard is cleaned up, relocated on-site, or screened, it becomes legal. MnDOT shall send, by certified mail, a letter of conformance to the land owner when the property is in compliance with state law. District staff should retain in the project file a copy for the conformance letter along with the confirmation of delivery receipt. If junk becomes visible after compliance actions are taken by the state, the junkyard will be classified illegal and subject to prosecution by the local unit of government.

Illegal Junkyard

An illegal junkyard must meet the junkyard identification criteria, be located outside a zoned or unzoned industrial area, and have come into existence after July 1, 1971. Owners of illegal junkyards are required by state law to clean up, relocate or screen junk that is currently visible from a state or interstate highway. Illegal junkyards are not eligible for state or federal funding programs. District Junkyard Coordinator must contact the junkyard owner about the violation. If the junkyard owner removes or screens the junk, it becomes legal and the land owner will receive a conformance letter. If the junk is not removed or screened, MnDOT will send a formal notice of violation of MN Statute 161.242 and work with the local unit of government to correct the violation or prosecute the junkyard owner for violating state law.

Legal Junkyards

A legal junkyard must meet the junkyard identification criteria and be located in a zoned or unzoned industrial area. Screening requirements in zoned and unzoned areas are determined by local units of government. MnDOT is not required to take any actions against legal junkyards. However, it is encouraged that local units of government adopt zoning or programs to improve the visual quality of these properties.