

State Enforcement Procedures

The Commissioner of Transportation is responsible for enforcement of state statute 161.242, which protects the public's interests and enforces the Junkyard Act. The act is designed to improve public safety, visual appearance and public investment in state highways and the interstate.

MnDOT monitors the various types of junkyards and takes enforcement actions for junkyards that are not in compliance with state law.

MnDOT Policy and Program Guidelines

Apply Uniform Enforcement Standards Statewide

The Commissioner of Transportation has assigned administrative responsibilities for this program to each MnDOT district. MnDOT has established guidelines for uniform control of junkyards statewide.

Inventory each Trunk Highway Primary and Federal Interstate

Enforce state law and protect the investment of public funds by continued monitoring of state highways and the interstate for junkyards. MnDOT district staff monitors each roadway under its jurisdiction and maintains inventory data.

Investigate Public Complaints or Inquiries about Junkyard Status

District staff investigates public inquiries and complaints about possible illegal junkyards, evaluating classification and status of a location and clarifying that with the inquirer. If a violation is identified, district staff will take action as appropriate. If a problem exists that is related to pollution, tires, abandoned vehicles or local zoning, district staff will refer the inquirer to the appropriate state or local agency.

Enforce State Junkyard Laws Immediately

MnDOT district staff shall process all junkyard violations in accordance with state law and MnDOT guidelines as soon as the violation is identified. Staff will:

- Check zoning status of site
- Contact land owner
- Inform land owner of state law requirements
- Check back in 15 days to see if the land owner has complied
- Send a violation notice if land owner has not complied
- Photograph site from roadway
- Visit the site 45 days after the violation notice was sent to see if the land owner has complied
- If no action or minimal action to comply has occurred at the end of 60 days, send a copy of the violation notice to the local zoning administrator and a formal letter from the MnDOT District Engineer requesting the local unit of government to prosecute the violation as a public nuisance.
- When the site is in compliance, send the land owner a certified letter stating the land is in conformance with state law.

- District staff will retain keep a copy of the conformance letter with certification of receipt in the district files.

Forms:

- Notice of violation (PDF)
- Letter of Conformance (PDF)

Protect State Investment in the Junkyard Control Program

Since 1965 the state and Federal Highway Administration have invested a significant amount of staff time and public funds to bring legal non-conforming and illegal junkyards into compliance with state and federal law.

Maintain Accurate Records

District staffs identify and maintain an inventory of all legal non-conforming junkyards that have had junk removed, relocated, or screened. Districts should maintain a project file for each of these sites to document all actions taken to bring junkyards into compliance. The project file should include a copy of the conformance letter and certification of receipt.

Accurate records streamline enforcement and prevent an illegal junkyard from starting on a cleared site and claiming it was in existence prior to July 1, 1971.

Monitor Junkyard Sites that had Junk Removed, Relocated On-Site, or Screened

Monitor sites that have had junk removed, relocated, or screened through the Junkyard Control Program. Junkyards become legal after clean up or screening. If junk returns to the site or junk is visible in front, above, or beyond a constructed screen at an amount making the land no longer in compliance with state law, the land is classified as an illegal junkyard. If violations are found, contact the land owner to bring the site into compliance.

Inform and Educate the Public and Local Units of Government

Inform Local Units of Government

Ensure that all junkyard activity is documented and the public and affected local units of government are well informed. Send copies of the illegal junkyard inventory to the affected zoning administrator, the county attorney's office, and county solid waste manager's office, prior to any MnDOT request for legal action by the counties. Ask for their cooperation in the monitoring and control activities of illegal junkyards.

Educational Web Site

Inform the public and local units of government of the different classifications of junkyards by sharing the web address and making them aware of the new website and resource tools. This educational website is a tool to explain state laws to junkyard owners, the public and other governmental bodies. This also will help cities and counties make informed decisions regarding zoning in their areas.