

761—116.3(306C) Screening or removal.

116.3(1) *Lawfully established junkyards that subsequently become nonconforming.* Any junkyard, except those junkyards which meet the requirements of rule 116.2(306C), that was lawfully in existence on July 1, 1972, and any junkyard that was lawfully established but subsequently becomes nonconforming due to changed conditions, such as a change in zoning or being located upon land adjacent to any highway or land made an interstate highway after July 1, 1972, shall be screened, if feasible, or removed by the department.

116.3(2) *Junkyards established after July 1, 1972.* Any junkyard established and any portion of any junkyard expanded after July 1, 1972, and any junkyard abandoned or discontinued, except those junkyards or any portion of any junkyard which meets the requirements of rule 116.2(306C), shall be screened or removed by the owner at no expense to the department. Required screening shall be maintained by the owner at the owner's expense so long as the junkyard remains subject to these rules.

This rule is intended to implement Iowa Code section 306C.3.