**Town of Wales ~ Planning Board**

**Application for Special Permit- Car Dealer**

**Name of Applicant\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Telephone\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**Applicant’s Address\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**Location of Special Permit Use:**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**License Type: ⃝ Class I ⃝ Class II ⃝ Class III**

Brief description of intended use to include:

• Number of car

•Hours of operation

•Insurance provider

•Signage (number of signs and size)

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-------------------------------------------------**Below to be completed by Planning Board**-------------------------------------------------

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| --- | --- |
| DATE FILED: | PUBLIC HEARING DATE: |
|  | (within 65 days of filing) |
| COPY TO TOWN CLERK: | DECISION DATE: |
|  | (within 90 days of hearing) |
| PERMIT FEE PAID: | HEARING FEE’S PAID: |
|  | (advertising, abutter notices) |
|  |  |

M.G.L. Chapter 140 Section 58: Classes

Section 58.

(a) Licenses granted under sections 59 and 59A shall be classified in accordance with subsections (b) to (d), inclusive.

b) **Class 1**. Any person who is a recognized agent of a motor vehicle manufacturer or a seller of motor vehicles made by such manufacturer whose authority to sell the same is created by a written contract with such manufacturer or with some person authorized in writing by such manufacturer to enter into such contract, and whose principal business is the sale of new motor vehicles, the purchase and sale of second hand motor vehicles being incidental or secondary thereto, may be granted an agent's or a seller's license; provided, that with respect to second hand motor vehicles purchased for the purpose of sale or exchange and not taken in trade for new motor vehicles, such dealer shall be subject to all provisions of this chapter applicable to holders of licenses of Class 2, except subsection (c), and to rules and regulations made under those provisions; and provided further, that such dealer maintains or demonstrates access to repair facilities sufficient to enable him to satisfy the warranty repair obligations imposed by section 7N 1/4 of chapter 90, and shall remain liable for all warranty repairs made and other obligations imposed by said section 7N 1/4 of said chapter 90.

c) **Class 2**. A person whose principal business is the buying or selling of second hand motor vehicles, a person who purchases and displays second hand motor vehicles for resale in retail transactions, and any other person who displays second hand motor vehicles not owned by him pursuant to an agreement in which he receives compensation, whether solely for displaying the vehicles, upon the sale of each vehicle, or otherwise, may be granted a used car dealer's license and shall be subject to the following conditions:

(1) The person shall obtain a bond, or equivalent proof of financial responsibility as described in paragraph (5), and continue in effect a surety bond or other equivalent proof of financial responsibility satisfactory to the municipal licensing authority in the amount of $25,000 executed by a surety company authorized by the insurance department to transact business in the commonwealth. (d)

**Class 3**. A person whose principal business is the buying of second hand motor vehicles for the purpose of remodeling, taking apart or rebuilding and selling the same, or the buying or selling of parts of second hand motor vehicles or tires, or the assembling of second hand motor vehicle parts may be granted a motor vehicle junk license.

(e) The registrar of motor vehicles, after consulting the office of consumer affairs and business regulation, shall adopt rules and regulations defining sufficient repair facilities for the purposes of subsection (b) and paragraph (8) of subsection (c).

**Wales Zoning**

**7.4 UNREGISTERED MOTOR VEHICLES**

(Originally voted 3/16/77)

**7.4.0 General Requirements**

No more than one unregistered motor vehicle, assembled or disassembled, shall be kept, stored, or allowed to remain on a parcel of land except by a person duly licensed under M.G.L. Chapter 140, Section 59 and except as provided in Section 4.0 of this bylaw or as allowed by Special Permit pursuant to Section 8.4 below.

**7.4.1 Special Permit Requirements.**

7.4.1.0 For purposes of this Section the Board of Selectmen shall be the SPGA.

7.4.1.1 Each permit granted by the Board of Selectmen under this section shall:

a. specify the maximum number of such vehicles that may be kept, stored, or allowed to remain on such parcel;

b. be limited to a reasonable period of time; and

c. be a personal privilege of the applicant and not a grant attached to and running with the land.

7.4.1.2 This bylaw shall not apply to vehicles which are:

a. Stored within an enclosed building; or

b. Designed and used as vehicles for farming, agriculture, or construction purposes.

7.4.1.3 A-maximum often (10) unregistered vehicles may be kept on a parcel of land if said vehicles are not visible from the road or abutting properties and do not pose an environmental hazard.