ORDINANCE ON MOTOR VEHICLES

Part 3, Motor Vehicle Nuisances

§301. Definitions.

As used in this Part, the following terms shall have the meanings indicated, unless a different meaning clearly appears from the context:

LESSEE – owner for the purpose of this Part when the lessor holds the lessee responsible for maintenance and repairs.

MOTOR VEHICLE – any type of mechanical device, propelled by a motor, in which persons or property may be transported upon public street or highways, and including trailers or semi-trailers pulled thereby.

NUISANCE – any condition, structure, or improvement which shall constitute a threat or potential threat to the health, safety, or welfare of the citizens of the Township.

OWNER – the actual owner, agent or custodian of the property on which motor vehicles are stored, whether individual or partnership, association, or corporation.

PERSON – a natural person, firm, partnership, association, corporation, or other legal entity.

In this Part, the singular shall include the plural; the plural shall include the singular; and the masculine shall include the feminine and the neuter.
(Ord. 1985-2, 8/12/1985)

§302. Motor Vehicle Nuisances Prohibited.

It shall be unlawful for any person, owner or lessee to maintain a motor vehicle nuisance upon the open private grounds of such person, owner or lessee within the Township. A motor vehicle nuisance shall include any motor vehicle which is unable to move under its own power and has any of the following physical defects:

1. Broken windshields, mirrors or other glass, with sharp edges.
2. One or more flat or open tires or tubes which could permit vermin harborage.
3. Missing doors, windows, hood, trunk or other body parts which could permit animal harborage.
4. Any body parts with sharp edges including holes resulting from rust.
5. Missing tires resulting in unsafe suspension of the motor vehicle.
6. Upholstery which is torn or open which could permit animal and/or vermin harborage.
7. Broken headlamps or tail-lamps with sharp edges.
8. Disassembled chassis parts apart from the motor vehicle stored in a disorderly fashion or loose in or on the vehicle.
9. Protruding sharp objects from the chassis.
10. Broken vehicle frame suspended from the ground in an unstable manner.
11. Leaking or damaged oil pan or gas tank which could cause fire or explosion.
12. Exposed battery containing acid.
13. Inoperable locking mechanism for doors or trunk.
14. Open or damaged floor boards including trunk and firewall.
15. Damaged bumpers pulled away from the perimeter of vehicle.
16. Broken grill with protruding edges.
17. Loose or damaged metal trim and clips.

18. Broken communication equipment antennae.
19. Suspended on unstable supports.

20. Vehicles without current license or registration from a State agency. [Ord. 2000-4]
21. Such other defects which could threaten the health, safety and welfare of the citizens of the Township.
(Ord. 1985-2, 8/12/1985; as amended by Ord. 2000-4, 7/24/2000, §4)

§303. Storage of Motor Vehicle Nuisances Permitted.
Any person, owner or lessee who has one or more motor vehicle nuisances defined in §302 above may store such vehicle(s) in the Township only in strict compliance with the regulations provided herein. Such person, owner or lessee must, first, apply for a permit for either temporary or permanent storage and pay a fee to the Township such as may be provided from time to time by resolution of the Board of Supervisors. The motor vehicle nuisance(s) must be stored within a garage or other enclosed building or, outside within a opaqued fence at least six (6) feet high which is locked at all times when unattended. With the special approval of the Board of Supervisors motor vehicle nuisances may also be stored outside in an area enclosed by a chain link fence, at least six (6) feet high, screened by shrubbery around the perimeter to the height of the fence, with an unobstructed gate capable of admitting fire or emergency equipment. Such gate shall remain locked at all times when unattended. In addition all gas and oil or other flammable liquid shall be removed from the motor vehicle and it shall be kept free of vermin infestation while being stored. The total area of storage of motor vehicle nuisances may not exceed one hundred fifty (150) square feet.
Nothing herein shall be construed to permit the storage of motor vehicle nuisances contrary to the provisions of the Township Zoning Ordinance.
(Ord. 1985-2, 8/12/1985)

§304. Inspection; Notice to Comply.
1. The Enforcement Officer/Inspector is hereby empowered to inspect grounds on which motor vehicles are stored to determine if there is compliance with the provisions of this Part. If noncompliance with the provisions of this Part constitutes a nuisance, or if any condition, structure or improvement poses a threat to the health, safety or welfare of the public, he shall issue a written notice to be served by registered or certified mail upon the owner of said premises, or, if the owner's whereabouts or identity be unknown, by posting the notice conspicuously upon the offending premises.

2. Said notice shall specify the condition or structure or improvement complained of, and shall require the owner to commence to remove or otherwise rectify the condition or structure or improvement as set forth therein within ten (10) days of mailing or posting of said notice, and thereafter, to fully comply with the requirements of the notice within a reasonable time.
(Ord. 1985-2, 8/12/1985)

§305. Authority to Remedy Noncompliance.
If the owner of grounds on which motor vehicles are stored does not comply with the notice to abate the conditions, within the time limit prescribed, the Township shall have the authority to take measures to correct the conditions and collect the cost of such corrections plus ten (10) percent of all costs. The Township, in such event and pursuant to its statutory or otherwise authorized police powers, shall have the right and power to enter upon the offending premises to accomplish the foregoing. (Ord. 1985-2, 8/12/1985)

§306. Hearing.

1. Any person aggrieved by the decision of the Enforcement Officer/Inspector may request and shall then be granted a hearing before the Board of Supervisors; provided, he files with the Board of Supervisors within ten (10) days after notice of the Enforcement Officer's/Inspector's decision, a written petition requesting such hearing and setting forth a brief statement of the grounds therefor. The hearing shall commence not later than thirty (30) days after the date on which the petition was filed unless postponed for sufficient cause.

2. After such hearing, the Board of Supervisors shall sustain, modify or overrule the action of the Enforcement Officer/Inspector. (Ord. 1985-2, 8/12/1985)

§307. Penalties.

Any person, firm or corporation who shall violate any provision of this Part, upon conviction thereof in an action brought before a district justice in the manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure, shall be sentenced to pay a fine of not more than one thousand dollars ($1,000.00) plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed ninety (90) days. Each day that a violation of this Part continues or each Section of this Part which shall be found to have been violated shall constitute a separate offense. (Ord. 1985-2, 8/12/1985; as amended by Ord. 97-5, 11/19/1997)