

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.

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)

§308. Remedies Not Mutually Exclusive. The remedies provided herein for the enforcement of this Part, or any remedy provided by law, shall not be deemed mutually exclusive; rather they may be employed simultaneously or consecutively, at the option of the Board of Supervisors. (Ord. 1985-2, 8/12/1985)