

ORDINANCE NO. 2011-1

AN ORDINANCE 2011-1 OF SNYDERTOWN BOROUGH
NORTHUMBERLAND COUNTY, PENNSYLVANIA, REVISING THE EXISTING
ORDINANCE ON THE PROHIBITION OF THE STORAGE OF ABANDONED
AND JUNKED MOTOR VEHICLES ON PRIVATE AND PUBLIC PROPERTY
AS A NUISANCE AND LIMITING THE PARKING OF OVERSIZED
VEHICLES AND ON STREETS WITHIN THE BOROUGH

SECTION 1.

As used in this Ordinance, the following words, terms and phrases, unless the context clearly indicates otherwise, shall have the following meaning subscribed to them:

- (1). Person - Any individual, partnership, association, syndicate, company, firm, trust, corporation, department, bureau, agency, or other entity recognized by law as the subject of rights and duties.
- (2). Junked or Abandoned vehicle - Any vehicle designed for travel on the public highways which fails to bear a current inspection sticker or current registration plates and/or validating sticker, or any vehicle, which may or may not be moved under its own power and has any one (1) of the following physical defects:
 - (a). Broken windshields, mirrors or any other glass, with sharp edges;
 - (b). One (1) or more flat or opened tires or tubes which could permit vermin harborage;
 - (c). Missing doors, windows, hood, trunk, or other body parts which could permit animal harborage;
 - (d). Any body parts with sharp edges including holes resulting from rust;
 - (e). Missing tires resulting in unsafe suspension of the motor vehicle;
 - (f). Upholstery which is torn or open which could permit animal and/or vermin harborage;
 - (g). Broken head-lamps or tail-lamps with sharp edges;
 - (h). Disassembled chassis parts apart from the motor vehicle stored in a disorderly fashion or loose in or on the vehicle;

- (i). Protruding sharp objects from the chassis;
- (j). Broken vehicle frame suspended from the ground in an unstable manner;
- (k). Leaking or damaged oil pan or gas tank which could cause fire or explosion;
- (l). Exposed battery containing acid;
- (m). Inoperable locking mechanism for doors or trunk;
- (n). Open or damaged floor boards including trunk and fire-wall;
- (o). Damaged bumpers pulled away from the perimeter of vehicle;
- (p). Broken grill with protruding edges;
- (q). Loose or damaged metal trim and clips;
- (r). Broken communication equipment antennae;
- (s). Suspended on unstable supports; or
- (t). Such other defects which could threaten the health, safety and welfare of the citizens of Snyderstown Borough;
- (u). Excluded from the definition of Junked or Abandoned Vehicles as defined in this Ordinance are vehicles kept and/or maintained by the owner, tenant, or person in possession of a property consistent with, and in compliance with the provisions of SECTION 3.of this Ordinance.

An abandoned vehicle for the purpose of this Ordinance is also declared to be one which meets the definition of an abandoned vehicle pursuant to the terms of the Vehicle Code, 75 Pa. C.S.A. §101 et seq.

(3). Oversized Vehicle - Any motor vehicle exceeding a width of 8 (eight) feet overall, is hereby declared to be an oversized vehicle.

(4). Borough - Borough of Snyderstown, Northumberland County, Pennsylvania.

(5). Any term not defined herein shall have the same meaning prescribed to it generally or by the terms of the Vehicle Code, 75 Pa. C.S.A. § 101 et seq.

SECTION 2.

The Snyderdowntown Council finds that it is in the public interest and for the public welfare to prohibit the accumulation and the storage of abandoned or junked motor vehicles on private and public property within the Borough of Snyderdowntown so as to prevent the creation of a nuisance, and, in accordance with this interest, it is hereby forbidden to accumulate or store abandoned or junked motor vehicles on public and private property within the Borough of Snyderdowntown, with the exception of a duly licensed public or private dumping area or junk yard.

SECTION 3.

Any person, owner or lessee who has one (1) or more junked or abandoned motor vehicles as defined in Section 1(2) above may store such vehicle(s) in the Borough of Snyderdowntown only in strict compliance with the regulations provided herein. The junked or abandoned motor vehicles must be stored within a garage or other enclosed building or outside within a opaque fence at least six (6) feet high which is locked at all times when unattended.

With the special approval of the Snyderdowntown Borough Council junked or abandoned motor vehicles 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 to batteries, all gas and oil or other flammable liquid shall be removed from the junked or abandoned motor vehicles and it shall be kept free of vermin infestation while being stored. The total area of storage of junked or abandoned motor vehicles may not exceed 1,500 square feet. Nothing herein shall be construed to permit the storage of motor vehicles contrary to the provisions of the Borough of Snyderdowntown Nuisances Ordinance No. 96-4, and Snyderdowntown Borough Zoning Ordinance.

SECTION 4.

The owner, tenant or person in possession, shall first be given a ten (10) day written notice to remove said abandoned or junked motor vehicle from said premises. Notice may be done in person, verbal, mail or by physically posting the vehicle. Upon failure to remove said items from said premises, said owner, tenant or person in possession shall be cited for a violation of this Ordinance. A continuation of such violation for each successive day shall constitute a separate offense, and the person or persons allowing or permitting the continuance of the violation may be punished as set forth below for each separate offense.

After above-referenced notice the Borough may tow or have towed the subject vehicle to a licensed towing station, gas station, filling station, or salvage operation with all cost and or reclaim being the responsibility of the owner of the vehicle.

SECTION 5.

The Snyderdortown Borough Council, finds that it is in the public interest and for the public welfare to prohibit the parking of oversized vehicles on the public streets within the Borough of Snyderdortown, so as to prevent the creation of a nuisance and for the protection of the public health safety and welfare, and in accordance with this interest, it is hereby ordained that any person may not park an oversized vehicle, or cause the same to be parked on the public streets of the Borough of Snyderdortown, for a period in excess of 72 hours.

SECTION 6.

The Snyderdortown Borough Council finds that it is in the public interest and for the public welfare to prohibit the parking of certain unlicensed and uninspected vehicles on public property within the Borough so as to prevent the creation of a nuisance, and for the protection of the public health, safety and welfare, and in accordance with this interest, it is hereby ordained that no person shall park, stand or store on any street, alley, public thoroughfare, municipally-owned parking area or other public property a vehicle which does not bear a vehicle license evidencing that it has been currently registered under the provisions of the Vehicle Code, 75 Pa.C.S.A. § 101 et seq.

SECTION 7.

The owner, tenant, or person in possession shall be given twenty-four (24) hours written notice to remove an oversized vehicle, or unlicensed or uninspected vehicle which is parked on public property located in the Borough in violation of the aforesaid Section 5., and Section 6. Upon failure to remove said oversized vehicle, or unlicensed or uninspected vehicle from the public road, said owner, tenant or person in possession shall be cited for a violation of this Ordinance. A continuance of such violation for each successive day shall constitute a separate offense, and the person or persons allowing or permitting the continuance of the violation may be punished as set forth below for each separate offense.

SECTION 8.

Any person who shall violate or fail to comply with any of the provisions of this Ordinance shall upon conviction thereof, be punishable by a fine of not less than One Hundred (\$100.00) Dollars nor more than Six Hundred (\$600.00) Dollars for each offense hereunder, and shall also be assessed the cost of such proceedings. Failure to pay the fine and costs assessed shall result in imprisonment for a period not to exceed thirty (30) days in the Northumberland County Jail.

SECTION 9.

This Ordinance shall replace, and supercede the provisions set forth in the previously enacted Ordinance, which was passed on the 6th day of October, 1986. This Ordinance shall go

into effect 30 days after the below enactment date.

Ordained and enacted this 2nd day of May, 2011.

SNYDERTOWN BOROUGH COUNCIL

[Signature] 5-2-11
President Date

SNYDERTOWN BOROUGH COUNCIL

Attest: [Signature]
Secretary Date

APPROVED BY MAYOR

[Signature] 5-2-11
Henrietta Yarnall, Mayor Date