TOWNSHIP OF OHIO

ORDINANCE NO. 123

AN ORDINANCE OF THE TOWNSHIP OF OHIO, COUNTY OF ALLEGHENY AND COMMONWEALTH OF PENNSYLVANIA, PROHIBITING THE STORAGE OR KEEPING OF ABANDONED OR JUNKED VEHICLES ON PUBLIC OR PRIVATE PROPERTY WITHIN THE TOWNSHIP OF OHIO, COUNTY OF ALLEGHENY AND PRESCRIBING PENALTIES FOR THE VIOLATION THEREOF.

WHEREAS, it has come to the attention of the Board of Supervisors of the Township of Ohio, County of Allegheny that in many instances, residents of the Township and other persons are maintaining, storing, or keeping abandoned or junked vehicles both on public property and on private property in the Township; and

WHEREAS, the Board of Supervisors of the Township of Ohio, County of Allegheny, is of the opinion that such activity is detrimental to the health, safety, general welfare, cleanliness, beauty, convenience and comfort of the Township of Ohio, County of Allegheny and the inhabitants thereof, because the presence of abandoned or junked vehicles on the public streets adds to traffic congestion and is dangerous to vehicular traffic, and, further, that the presence of such vehicles on private property leads to conditions which attract insects and rodents creating habitat wherein they increase and multiply, and also attract small children under circumstances and conditions where their health, safety and welfare are adversely affected.

NOW, THEREFORE, be it ordained and enacted by the Board of Supervisors of the Township of Ohio, County of Allegheny and it is hereby ordained and enacted by and with the authority of the same:

SECTION I. That on and after the effective date of this Ordinance, it shall be unlawful for any person, as herein defined, to store, maintain, accumulate, junk or keep any abandoned or junked vehicle on private or public property within the limits of the Township of Ohio, County of Allegheny, nor shall such owner permit,

acquiesce, or allow any person, firm or corporation to store, maintain, accumulate, junk or keep any abandoned or junked vehicle upon his land.

SECTION II. Definitions.

A. Abandoned or Junked Vehicle. A motor vehicle of any kind:

1. without a current license plate and/or current state inspection;

2. not in operable condition;

3. which is dismantled or partially dismantled;

4. having a door missing, or a window missing or windows broken, or hood or deck lid missing;

5. damaged beyond repair;

6. which has a flat tire or tires or weeds growing up and around said vehicle;

on private or public property for a period of time in excess of thirty (30) days other than in a completely enclosed building.

B. Junk yard. Shall include any place where abandoned or junked vehicles as herein defined are stored or accumulated. Any premises having two or more abandoned or junked vehicles stored thereon shall in any event be deemed a junk yard.

C. Person. A natural person, partnership, association, firm or corporation whenever used in the clause imposing a fine or imprisonment; the term "person" as applied to a partnership, firm or association shall mean any member thereof and as applied to a corporation shall mean the chief executive officer or secretary thereof.

SECTION III. No person shall engage in a business as a junk dealer, or maintain a junk yard without first having obtained a license from the Board of Supervisors of the Township of Ohio, a fee for which is hereby set at One Hundred ($100.00) Dollars.

SECTION IV. Any person violating Subsections I, II or III hereof is guilty of a summary offense and shall, upon conviction, be sentenced to pay a fine of not more than $300.00 and may be

sentenced to imprisonment for a term which shall be fixed by the Court at not more than 90 days.

SECTION V. Each and every violation of the within Ordinance shall be a separate violation and the penalty set forth in Section IV hereof shall be applicable to each separate violation.

SECTION VI. In addition to or in lieu of the remedies provided in Section IV above, any continued violations of this Ordinance, which shall constitute a nuisance in fact or which shall in the opinion of the Board of Supervisors of Ohio Township constitute a nuisance, may be abated by proceeding against the violator in a court of equity for injunctive relief.

SECTION VII. The within Ordinance shall be administered by the Police Department of the Township of Ohio.

SECTION VIII. Any Ordinance or part of Ordinance conflicting with the provisions of this Ordinance be and the same are hereby repealed to the extent of such conflict.

ORDAINED AND ENACTED into law this 12TH day of September, 1983.

ATTEST:

Joseph J. Start
Secretary

TOWNSHIP OF OHIO

Chairman, Board of Supervisors