

DUNKARD TOWNSHIP

ORDINANCE NO. 3 - 2016

AN ORDINANCE OF DUNKARD TOWNSHIP, GREENE COUNTY, PENNSYLVANIA, DEFINING AND PROHIBITING THE STORAGE OF MOTOR VEHICLE NUISANCES OR PARTS THEREOF IN THE OPEN ON PRIVATE PROPERTY AND PROVIDING FOR EXCEPTIONS; AUTHORIZING INSPECTIONS OF PREMISES, NOTICES OF COMPLIANCE; REQUIRING THE REMOVAL, REPAIR, OR ALTERATION OF THE CONDITIONS CONSTITUTING A NUISANCE OR DANGER TO THE CITIZENS; AND PRESCRIBING PENALTIES AND REMEDIES FOR VIOLATION.

The Board of Supervisors of Dunkard Township, Greene County, Pennsylvania, hereby ordains:

SECTION 1. Definitions. As used in this, ordinance, the following terms shall have the meaning indicated, unless a different meaning clearly appears from the context:

LESSEE - owner for the purpose of this ordinance 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 streets or highways, and including trailers or semi-trailers pulled thereby.

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

OWNER - the actual owner, agent or custodian of the property on which motor vehicles we store whether individual or partnership, association, or corporation.

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

ENFORCEMENT, OFFICER/INSPECTOR -Dunkard Township Code Enforcement Officer as well as individuals or entities who shall, from time to time, be appointed by the Board of Supervisors.

In this ordinance, the singular shall include the plural; the plural shall include the singular and the masculine shall include the feminine and the neuter.

SECTION 2. Motor Vehicle Nuisances Prohibited.

- a. Unless approval is granted by the Township, 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 Dunkard 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 bores 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 fire-wall.
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. No current vehicle registration or valid current license plate issued by the Commonwealth of Pennsylvania.
21. Such other defects, which could threaten the health, safety and welfare of the citizen of Dunkard Township.

The Township may approve requirements and standards to be followed when approval for the storage of a motor vehicle will be permitted, by resolution or a majority vote of the Board of Supervisors, and establish a procedure for approval of the same.

b. Except as provided for herein, no inoperative or unlicensed motor vehicle shall be parked, kept or stored on any premises, and no vehicle shall, at any time, be in a state of major disassembly, disrepair or in the process of being stripped or dismantled. Painting of vehicles is prohibited unless conducted inside an approved spray booth. However, a vehicle is permitted to undergo major overhaul, including body work, provided that such work is performed inside a structure or similarly enclosed area designed and approved for such purposes.

SECTION 3. Storage of Motor Vehicle Nuisances Permitted.

1. Motor Vehicle Nuisances may be stored upon private property of 1 (one) acre or more with the following requirements:


- a. maximum of three (3) motor vehicles.
- b. motor vehicles must be stored a minimum of 40 feet from any property line.
- c. motor vehicles must be stored at a minimum of 50 feet from any public street, road or highway.
- d. motor vehicles must be drained of all flammable liquids, except engine oils.
- e. motor vehicles must be stored in such a way as to provide easy access to fire and emergency equipment.

SECTION 9. Severability. If any sentences, clause, section, or part of this ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts of this ordinance. It is hereby declared as the intent of the Dunkard Township Board of Supervisors that this ordinance would have been adopted had such unconstitutional, illegal or invalid sentences, clause, section or part thereof not been included herein.

SECTION 10. Effective Date. This ordinance shall become effective upon adoption.

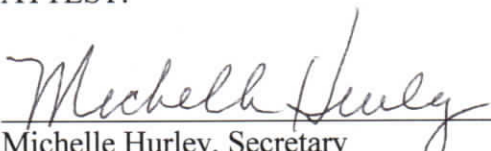
ORDAINED AND ENACTED into an Ordinance and passed by the Board of Supervisors of Dunkard Township, Greene County, Pennsylvania, in public session duly assembled, on this 28th day of November, 2016.

DUNKARD TOWNSHIP
BOARD OF SUPERVISORS

BY: 
Joseph A. Gacek


Mark E. Blaker

ATTEST:


Michelle Hurley, Secretary

George C. Chory