

MOTOR VEHICLE NUISANCE ORDINANCE 59

AN ORDINANCE OF THE TOWNSHIP OF ADAMS REGULATING THE STORAGE OF MOTOR VEHICLES OR PARTS THEREOF ON PRIVATE GROUNDS, REQUIRING THE REMOVAL, REPAIR, OR ALTERNATION OF THE CONDITIONS CONSTITUTING A NUISANCE OR DANGER TO THE PUBLIC AND PRESCRIBING PENALTIES FOR VIOLATION.

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:

MOTOR VEHICLE - Any type of mechanical device, propelled by a motor, in which persons or property may be transported on or off public streets or highways, and including trailers or other items primarily designed to be pulled by a motor vehicle, and including parts thereof.

NUISANCE - Any condition, structure, or improvement which shall constitute a threat to the health, safety or welfare of the citizens of the Township of Adams.

OWNER - The actual owner, agent, lessee, or custodian of the property on which motor vehicles are stored, whether individuals or partnership association or corporation.

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

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. No more than (1) currently unregistered and/or uninspected motor vehicle shall be parked on any property in a residential district and at no time shall said vehicle be in any state of major disassembly, disrepair or shall it be in the process of being stripped or dismantled outside of a building.

B. No more than two (2) currently unregistered and/or uninspected motor vehicles shall be permitted on any property in any business, commercial or industrial zone, and at no time shall said vehicle be in any state of major disassembly, or disrepair or shall it be in the process of being stripped or dismantled.

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

1. Broken windshield, mirrors or other glass, with sharp edges.
2. Missing doors, windows, hood, trunk or other body parts which could permit animal harborage.
3. Any body parts with sharp edges including holes resulting from rust.
4. Missing tires resulting in unsafe suspension of the motor vehicles as on a jack or blocking.
5. Broken headlamps or tail-lamps with sharp edges.
6. Protruding sharp objects from the chasis.

7. Broken vehicle frame and/or motor suspended from the ground in an unstable manner.
8. Leaking or damaged oil pan or gas tank which could cause fire or explosion.
9. Exposed battery containing acid.
10. Inoperable locking mechanism for doors or trunk.
11. Open or damaged floor boards including trunk and firewall.
12. Damaged bumpers pulled away from the perimeter of vehicle.
13. Broken grill with protruding edges.
14. Loose or damaged metal trim and clips.
15. Open trunk and open engine hood.
16. Unlocked doors or open windows which can allow children to enter the vehicle and then lock themselves inside.

D. It shall also be unlawful for any owner of a motor vehicle to place such vehicle(s) upon any open private grounds not his own as to constitute a motor vehicle nuisance as described in this ordinance.

SECTION 3 - EXCEPTIONS

This ordinance shall not apply with regard to any vehicle, (1) in an enclosed building or, (2) a vehicle on the premises of a junk yard operating pursuant to a special exception granted by the zoning hearing board, or (3) equipment actually used for farming purposes on a working farm.

SECTION 4 - ENFORCEMENT

The Adams Township Police Department is hereby charged with the duty of enforcing the regulations of this ordinance. Furthermore, Township Police are hereby empowered to inspect grounds on which motor vehicles are parked to determine if there is compliance with the provisions of this ordinance. If non-compliance with the provisions of this ordinance constitutes a nuisance, he shall issue a written notice to be served by personal service or by registered or certified mail upon the owner or lessee of said premises, or if the owner's whereabouts or identity be unknown, by posting the notice conspicuously upon the offending vehicle.

All owners or lessees shall take corrective action within ten (10) days of receiving of written notice or posting. Said notice shall specifically state the cause of the violation and the action necessary to correct the violation. Citations for violation of this ordinance may only be filed following the expiration of ten (10) days from the mailing, posting or delivery of such notice.

SECTION 5 - PENALTIES

Any person who shall violate any of the provisions of this ordinance shall, for every such violation, upon conviction thereof, be sentenced to pay a fine of not less than \$25.00 nor more than \$300.00 and costs of prosecution, and, in default of the payment of such fine and costs, to undergo imprisonment of not more than thirty

(30) days. Upon conviction, the person(s) must abate the stated

violation within seven (7) days. If such abatement is completed, the fine will be reduced by fifty percent (50%). If the violation is not abated within the seven (7) day period to the satisfaction of the Enforcing Officer or the Chief of Police, the person(s) shall be required to pay the full amount of said fine. Each day's continued violation after seven (7) days from the original abatement order shall constitute a separate offense.

SECTION 6 -SEVERABILITY

The provisions of this Ordinance shall be severable and if any of the provisions shall be held invalid, such decision shall not affect the validity of any of the remaining provisions of this ordinance.

SECTION 7

This ordinance shall become effective in ten (10) days.