

AN ORDINANCE OF THE BOROUGH OF SANDY LAKE REGULATING UNINSPECTABLE VALUELESS EXCEPT FOR SALVAGE JUNKED MOTOR VEHICLES, ESTABLISHING AN ENFORCEMENT OFFICER, AND SETTING PENALTIES FOR VIOLATIONS.

Section 1. Definitions. As used in this ordinance (this Part), the following terms shall have the meaning indicated unless a different meaning clearly appears from the context. The singular shall include the plural, and the masculine shall include the feminine and the neuter.

1. Lessee - the owner for the purpose of this ordinance (this Part) when the lessor holds the lessee responsible for maintenance and repairs. The lessee may be any person, firm, or corporation, association, club, co-partnership, society, or any other legal entity.

2. Motor Vehicle - any type of mechanical device, propelled by a motor, in which persons or property may be legally transported upon a public street or highway. Included in this definition of motor vehicles are farm machinery and farm implements.

3. Nuisance - any condition, structure, or improvement which shall constitute a threat to the health, safety, or welfare of the citizens of the Borough of Sandy Lake.

4. Occupant - any person, firm, or corporation, association, club, co-partnership, society, or any other legal entity that has actual possession of real property.

5. Owner - the owner or owners of real property: a mortgagee or venter in possessions, assignee of rents, receiver, executor, trustee of his authorized representative. The owner may be any person, firm, or corporation, association, club, co-partnership, society, or any other legal entity.

Section 2. Motor Vehicle Nuisances Prohibited. It shall be unlawful for any owner, lessee, or occupant to maintain a motor vehicle nuisance upon the open private grounds of such owner or lessee within the Borough of Sandy Lake. A motor vehicle nuisance shall include any motor vehicle which is unable to move under its own power and/or has any of the following physical defects:

1. Broken windshields, 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 vehicle as on a jack or blocking.
5. Broken headlamps or tail-lamps with sharp edges.
6. Protruding sharp objects from the chassis.
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 trunks.
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 lids and open engine hood.
16. Unlocked doors or open windows which can allow children to enter the vehicle and then lock themselves inside.
17. Any other physical defect or condition that, in the determination of enforcement officer, constitutes a nuisance within the framework of this ordinance.
18. Any vehicle that is uninspectable and unlicensed.

Furthermore, all such stored motor vehicles shall be at least twenty-five feet (25') from any structure so as not to obstruct any firefighting equipment or emergency vehicle.

Should the violation not be corrected within 30 days, the violation becomes a summary offense.

Section 3. Storage of Motor Vehicle Nuisances Permitted. Any person, owner or lessee who has one or more motor vehicle nuisances as defined in Section 2 (2) above may store such vehicle (s) in the Borough only in strict compliance with the regulations provided herein. The motor vehicle nuisance (s) must be stored within a garage or other enclosed building which is locked at all times when unattended. Nothing herein shall be construed to permit the storage of motor vehicles nuisances contrary to the provisions of the Sandy Lake Zoning Ordinance.

Section 4. Responsibility for Providing Proper Storage. The owner, lessee, or occupant of any property on which a motor vehicle nuisance is illegally stored shall upon notice, as provided herein, remove said motor vehicle from the property, or take the necessary corrective action to comply with this ordinance (this Part).

Section 5. Enforcement and Notification.

1. The Chief of Police and officers are hereby charged with the duty of enforcing the regulations of the chapter. Furthermore, the Chief of Police or his/her authorized representative (include Zoning Officer) is hereby empowered to inspect grounds, on which motor vehicles are stored to determine if there is compliance with the provisions of this ordinance (this Part). If noncompliance with the provisions of this ordinance (this Part) constitutes a nuisance, or if any condition, structure, or improvement poses a threat to the health, safety, or welfare of the public, he shall issue a written notice to be served by registered or certified mail upon the owner, lessee, or occupants of said premises, or if the owner's whereabouts or identity be unknown, by posting the notice conspicuously upon the offending premises.

2. All owners, lessees or occupants shall take corrective action within thirty (30) days of receiving a written notice. Said notice shall specifically state the cause of the violation and the action necessary to correct the violation.

Section 6. Penalties. After notice of the summary citation, there will be a minimum fine of twenty-five dollars (\$25.00) and court costs. If there is no correction within thirty (30) days of the decision of guilt or innocence, the fine will accumulate at the rate of ten dollars (\$10.00) per day for not more than thirty (30) days.

Provided further, the borough may if fines and costs are not paid, and removal not completed, file liens against the property in the amount of the fines and removal.

Section 7. Severability. The provisions of this ordinance (this Part) 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.

THIS ORDINANCE shall go into effect 30 days from enactment.

ENACTED AND ORDAINED BY THE COUNCIL OF THE BOROUGH OF SANDY LAKE this 2nd day of May, 1996.

BOROUGH OF SANDY LAKE COUNCIL

BY Matthew Saaler
President of Council

ATTEST:

Beverly Vorhees
Secretary

Approved by me this 2nd day of May, 1996.

BY Edmond M. Meehan
Mayor

Approved by me this 6th day of May, 1996