

**ORDINANCE NO. 1 OF 2019**

**AN ORDINANCE OF THE BOROUGH REGULATING THE MAINTENANCE OF JUNKED MOTOR VEHICLES AND ACCESSORIES WITHIN THE BOROUGH AND PROVIDING FOR PENALTIES FOR VIOLATIONS THEREOF.**

**WHEREAS**, the maintenance of junk vehicles can constitute a public hazard or nuisance, and regulations are deemed necessary for the preservation of the public health welfare and safety;

**THEREFORE, BE IT ORDAINED AND ENACTED and IT IS HEREBY ORDAINED AND ENACTED** by Borough Council as follows:

**SECTION 1. Purpose.** Borough Council recognizes and finds that the accumulation of junked vehicles creates a hazard or threat or potential threat to the health, safety or welfare of the Borough's citizens because such accumulation provides a breeding area for rodents and vermin and because such accumulation provides an attractive nuisance for children who are not aware of the dangers involved.

**SECTION 2. Definitions.** For purposes of this Ordinance the following definitions shall be applicable:

- a) Junked motor vehicle means a motor vehicle or trailer which is partially dismantled, unused, unusable or wrecked and which cannot safely or legally be operated on the streets or highways of this Borough or Commonwealth. Currently licensed, registered and inspected vehicles shall not be included within this definition.

hazard or threat or potential threat to the health, safety or welfare of the Borough's citizens to store or permit any such vehicle or accessories to remain in unsheltered storage on any private property within the Borough for a period of more than ten (10) days after the expiration of the ten-day period following receipt of a notice requiring such removal, and shall be further unlawful for any person owning any private property in the Borough or leasing any such property to store or to permit to remain any such vehicles or accessories on his property for more than a like period. A motor vehicle nuisance shall be any motor vehicle has any but not limited to any of the following defects: broken windshield, mirrors or other glass; one or more flat tires, missing doors, windows, hood, trunk or other body parts; missing tires, broken headlamps or tail lamps, leaking or damaged oil pan or gas tank, exposed battery, inoperable locking doors or trunk mechanism.

It shall further be unlawful for any person, after notification to remove any junked motor vehicle or motor vehicle accessories constituting a public nuisance hereunder from any private property has been given, to move the same to any other private property upon which such storage is not permitted or onto any public highway or other public property for purposes of storage.

**SECTION 4. Permitted storage.** The prohibitions Section 3 hereof shall not apply to a limit of one (1) junked motor vehicle or motor vehicle accessories stored within an enclosed building or in an area completely surrounded by a solid fence of a height not less than the height of the motor vehicle or motor vehicle accessories being stored, and the prohibitions of Section 3 hereof shall not apply to the premises of a business enterprise otherwise operated in a lawful place and manner when necessary to the operation of such business enterprise, in a storage place or

**SECTION 6. Notice of removal.** Whenever the building inspector, code enforcement officer or any member of his department, or a Borough Police Officer finds or is notified that any junked motor vehicle or motor vehicle accessories have been stored or permitted to remain on any private property or public street or highway within the Borough and in violation of the provisions of this Ordinance the building inspector or code enforcement officer, or police officer shall send by regular mail a notice to the owner of record or person having custody of such motor vehicle or accessories, if such owner can be ascertained by the exercise of reasonable diligence, and also to the owner of the private property, as shown on the tax assessment records of the Borough, on which the same is located, to remove the junked motor vehicle, trailer or motor vehicle accessories within ten (10) days. Such notice shall contain the following additional information:

- A. Nature of complaint;
- B. Description and location of the motor vehicle and/or motor vehicle accessories;
- C. Statement that the motor vehicle or motor vehicle accessories shall be removed from the premises no later than thirty (30) days from the date of notification;
- D. Statement that removal from the location specified in the notification to another location upon which such storage is not permitted is prohibited and shall subject the person to additional penalties;
- E. Statement that if removal is made within the time limits specified, notification thereof shall be given in writing to the building inspector or code enforcement officer; and;
- F. Statement of the penalties provided for noncompliance with such notice.

**SECTION 9. Penalties for Violation.** Any person violating any of the provisions of this Ordinance shall, upon conviction, be guilty of a summary offense and shall be sentenced to pay a fine of not less than Three Hundred (\$300.00) Dollars and not more than One Thousand (\$1,000.00) and/or to be committed to the county jail for a period not exceeding thirty (30) days, plus costs of prosecution, and each day that a violation is committed shall constitute a separate offense. In default of payment of the fine and costs may be sentenced to a term of imprisonment not to exceed thirty (30) days.

**SECTION 8. Repealer.** All ordinances or parts or provisions of such ordinances which are in conflict with the provisions hereof, shall be and the same are hereby expressly repealed.

**SECTION 9. Effective date.** This Ordinance shall become effective as provided for in § 3301.3 (b) of the Borough Code.

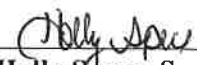
ENACTED AND ORDAINED this 11<sup>th</sup> day of June, 2019 at a Regular Meeting of the Plymouth Borough Council.

**BOROUGH OF PLYMOUTH**

By:

  
Frank Coughlin, President of Council

**ATTEST:**

  
Holly Spece, Secretary

## NOTICE

### ABANDONED

DATE AND TIME: \_\_\_\_\_ INCIDENT NO. \_\_\_\_\_

As per Plymouth Borough Ordinance No. 1 of 2019 relative to Health and safety, No owner or responsible person shall leave a parked vehicle upon a Borough Street, Highway or Alley, on Public or Private property for one or more of the following reasons:

- ☐ Registration Plate is Expired or not Displayed
- ☐ Inspection Sticker is Expired or not Displayed
- ☐ Not Capable of being Moved under its own power.
- ☐ Partially Disabled, Wrecked or Junked
- ☐ Broken Glass, Deflated Tires or Leaking Fluid

This vehicle must be removed within twenty-four (24) hours for violations occurring on Public Property. For violations occurring on Private Property, this vehicle must be removed within ten (10) days of this Notice. If it is not removed within the specified time, it will be towed by or at the direction of the Plymouth Borough Police Department and you will be charged the costs of removal and storage and will also be cited for violation of the aforesaid Borough Ordinance. Removal of this Notice without proper authorization will result in the immediate towing of this vehicle.

### PLYMOUTH BOROUGH POLICE DEPARTMENT

Authority: Plymouth Borough Ordinance No. 1 of 2019 and Section 3712, Pennsylvania Vehicle Code



# ABANDONDED VEHICLE NOTICE



DATE POSTED: \_\_\_\_\_ OFFICER: \_\_\_\_\_ DATE TO BE REMOVED BY: \_\_\_\_\_

As per Plymouth Borough Ordinance No. 1 of 2019 relative to Health and Safety, No owner or responsible person shall leave a parked vehicle upon a Borough Street, Highway or Alley, on Public or Private Property for one or more of the following reasons:

- ☐ Registration Plate is Expired or not Displayed
- ☐ Inspection Sticker is Expired or not Displayed
- ☐ Not Capable of being Moved under its own power
- ☐ Partially Disabled, Wrecked or Junked
- ☐ Broken Glass, Deflated Tire(s) or Leaking Fluid

This vehicle must be removed within seventy-two (72) hours for violations occurring on Public Property. For violations occurring on Private Property, this vehicle must be removed within ten (10) days of this Notice. If it is not removed within the specified time, it will be towed by or at the direction of the Plymouth Borough Police Department and you will be charged the costs of removal and storage and will also be cited for violation of the aforesaid Borough Ordinance. Removal of this Notice without proper authorization will result in the immediate towing of this vehicle.

## PLYMOUTH BOROUGH POLICE DEPARTMENT

**162 West Shawnee Ave Plymouth, PA 18651 (570) 779-2147**

Authority: Plymouth Borough Ordinance No. 1 of 2019 and Section 3712, Pennsylvania Vehicle Code