

ORDINANCE NO. 2005- 43  
OF  
BUFFALO TOWNSHIP,  
WASHINGTON COUNTY, PENNSYLVANIA

**ORDINANCE PROHIBITING THE STORAGE, ACCUMULATION  
AND JUNKING OF ABANDONED OR JUNKED AUTOMOBILES, BOATS AND  
TRAVEL TRAILERS UPON PUBLIC OR PRIVATE PROPERTY AND  
DECLARING JUNK YARDS OR SCRAP YARDS OR SALVAGE YARDS TO BE  
A NUISANCE AND AN OFFENSIVE BUSINESS AND PROHIBITING THE  
ESTABLISHMENT OR OPERATION OF THE SAME AND PROVIDING  
PENALTIES FOR VIOLATION OF THIS ORDINANCE**

NOW, THEREFORE, be it ordained and enacted by the Board of Supervisors of Buffalo Township, Washington County, PA and it is hereby ordained and enacted by the authority of the same, That:

**SECTION 1**

**FINDINGS**

The Township Board of Supervisors for Buffalo Township hereby finds, determines and declares that the keeping, storage or abandonment of any motor vehicle not currently used for transportation, or not licensed for operation in the current year, or displaying a current and valid registration, out of doors within the limits of the township is a nuisance and contrary to the public health, safety and welfare of the inhabitants of the township, in that such articles so abandoned or stored attract or may attract persons of tender years who may play in and about them and be injured in so doing and in that such vehicles so abandoned and stored out of doors exposed to the elements deteriorate and the exposure to view of such motor vehicle is unsightly and detrimental to the character and appearance of the township.

**DEFINITIONS**

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Abandoned motor vehicle* includes any motor vehicle, omnibus, road tractor, trailer, truck, truck tractor, boats, travel trailers or vehicle which:

- (1) Has remained on or about private property or public property without the consent of the owner or other person so in charge of the property for a continuing period of more than 48 hours;
- (2) Does not have current license plates or registration;
- (3) Is found to be partially dismantled, mechanically inoperative, wrecked, junked or discarded and is allowed to remain in such condition for a period of 48 hours;
- (4) Is found without one or more tires; or
- (5) Is so disabled as to constitute an obstruction to traffic and the driver or person owning or in charge thereof neglects or refuses to move the vehicle to a place where it shall not obstruct traffic.

This definition shall not be construed as prohibiting a vehicle owner from making repairs to one personal registered vehicle, on private property, with the property owner's consent, for a reasonable time not exceeding 30 days.

*Motor vehicle, omnibus, road tractor, trailer, truck, truck tractor, boat, travel trailer and vehicle* are intended to have the meanings stated and defined in the Law, Statutes and Codes adopted in the Commonwealth of Pennsylvania.

## **SECTION 2**

No person, firm or corporation shall store or accumulate junk automobiles or abandoned motor vehicles of any type as set forth herein upon any private or public property in Buffalo Township.

## **SECTION 3**

No owner of land within Buffalo Township shall store or accumulate junk automobiles or abandoned motor vehicles as defined herein of any type upon his land, nor shall such owner permit, acquiesce or allow any person, firm or corporation to store, accumulate or junk automobiles or motor vehicles as defined herein of any type upon his land.

It shall be unlawful for any person to store or abandon or suffer or permit the storage or abandonment of any motor vehicle as defined herein out of doors upon any public or private lands in any zone in the township; provided, however, that nothing contained in this section shall be deemed to prohibit the placing, keeping or storage of any such motor vehicle in a garage or other enclosed structure, and, in residential zones, one such vehicle may be placed, kept or stored, provided that the vehicle is fully and

completely covered with a tarp. For the purpose of this section, a tarp shall be defined as a plastic, canvas or other covering of suitable material designed to fully cover the entire vehicle. All tarps shall be maintained in good repair.

#### SECTION 4

Whenever the zoning officer of Buffalo Township finds any motor vehicle which has been abandoned, kept or stored contrary to the provisions of this article, the Zoning Officer may issue a citation and request the removal, or secure the removal of and impound the motor vehicle in accordance with the following procedures;

(1) *Vehicles on public property.* Whenever any abandoned motor vehicle is found on any public street, highway or public property, any member of the Pennsylvania State Police Department is authorized to issue a citation to any person deemed to be in violation of this article. In addition, an emergency condition is herewith declared to exist, and any member of the Pennsylvania State Police Department is hereby authorized to immediately remove, secure the removal of and impound such motor vehicle without the necessity of notice prior to the impoundment. After impoundment, the Pennsylvania State Police Department shall use diligent efforts to identify and locate the owner of the impounded motor vehicle which has been abandoned and notify the owner thereof.

(2) *Vehicles on private land.* Whenever any abandoned motor vehicle is found on any private land in violation of the provisions of this ordinance, any member of the Pennsylvania State Police Department or the Zoning Officer shall cause the owner of the motor vehicle, if the owner can be ascertained or located, or the owner or tenant of the private lands upon which the violation is occurring, to be given five days written notice that the violation exists. This notice shall be given by certified mail sent to the last known address of the owner of the motor vehicle, or the owner or tenant of the property, or both.

a. If at the expiration of five days a violation of the provisions of this article still exists and has not been rectified, a citation may issue and a penalty may be imposed against the owner of the vehicle, if known, or against the owner or tenant, as appropriate, of the private lands upon which the motor vehicle has been abandoned, for each and every day that the vehicle remains in violation of this article.

b. In the case of motor vehicles found abandoned on commercial or multifamily housing properties, all notices and citations authorized in this article shall be directed to the owners of such

properties whenever the vehicle owner cannot be ascertained or located as provided in this section.

**SECTION 5**

Any owner, person, firm or corporation violating the provisions of this ordinance shall for each and every violation be subject to a fine not less than \$ 25.00 /DAY and not more than \$ 500/DAY and the cost of prosecution and any other costs incurred for the removal of the nuisance. Failure of the owner of the vehicle, if known, or the owner or tenant of the private lands upon which the motor vehicle has been abandoned to pay any costs, fines or expenses attended hereto shall entitle the township to lien the property of the owner of said private lands and a municipal lien shall issue forthwith.

**SECTION 6**

This Ordinance is an amendment to and shall be read in conjunction with that Ordinance No. 6 and acted on December 10, 1959.

**SECTION 7**

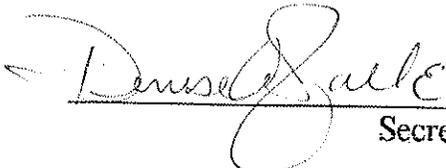
This Ordinance shall be effective twenty (20) days after passage.

**SECTION 8**

All Ordinances and parts of ordinances inconsistent herewith shall be and the same are hereby repealed.

**ORDAINED AND ENACTED** this 5th day of MAY, 2005.

ATTEST:

  
Secretary

BUFFALO TOWNSHIP

BY:   
Supervisor

BY:   
Supervisor

BY:   
Supervisor