

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, Pennsylvania 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 person 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 phrase, when used in the 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, boats, travel trailer and vehicle are intended to have the meanings stated and defined 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 of 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.

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 be issued 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

Exterior Storage of Motor Vehicles

The exterior storage of not more than one motor vehicle which does not have a current inspection sticker shall be considered an accessory use, but two or more shall constitute an auto salvage business and shall not be permitted as an accessory use. However, any stored vehicle must not be in such a condition as to pose a threat to public safety with special consideration to the safety of children. The trunk, doors and hood must be closed and locked so as to eliminate the possibility that a child could enter and become entrapped or injured. No vehicle may be store upon blocks, but must have tires and rims installed. No vehicle may be used to store other items and in the case of trucks, no items may be stored in the bed. No vehicle may be used to house animals. Any vehicle found to harbor rodents shall be immediate removed.

Any vehicle that in the estimation of the Zoning Officer or other Township Official constitutes a hazard to the safety and welfare of the inhabitants of the township shall be removed in accordance with the provision of this Ordinance.

SECTION 6

The maintaining or operating of a junk yard and or scrap yard and/or salvage yard is hereby declared to be a nuisance and offensive business, and from and after the effective date of this Ordinance. It shall be unlawful for any person, firm, corporation or owner to engage in the operation of a junk yard and/or scrap yard and/or salvage yard on any public or private property.

SECTION 7

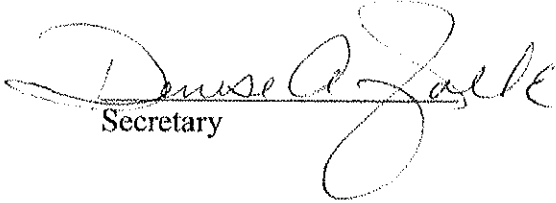
Any owner, person firm or corporation violating the provisions of this ordinance shall for each and every violation be subject to a fine not less that \$25.00 / day and not more than \$500/day and the cost of prosecution and any other costs incurred for the removal of the nuisance. Failure of the owner 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 8

With the adoption of this ordinance the Township of Buffalo, Washington County is hereby repealing Ordinance No. 6 of 1959 and No.43 of 2005.

ORDAINED AND ENACTED THIS 6th DAY OF Dec. 2006.

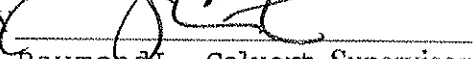
ATTEST:


Secretary

BUFFALO TOWNSHIP

BY: 
Richard A. Folle Supervisor

BY: 
Lloyd Swiger Supervisor

BY: 
Raymond L. Calvert Supervisor