

ORDINANCE NO. 10

AN ORDINANCE OF THE TOWNSHIP OF SOUTH BEAVER, BEAVER COUNTY, PENNSYLVANIA, PROHIBITING THE STORAGE OF ABANDONED OR JUNKED AUTOMOBILES; AND PROHIBITING UNDER CERTAIN EXPRESS CIRCUMSTANCES THE ESTABLISHMENT OR MAINTENANCE OF JUNK OR SALVAGE YARDS AND OTHER PLACES USED AND MAINTAINED FOR THE COLLECTION, STORAGE AND DISPOSAL OF USED OR SECOND-HAND GOODS AND MATERIALS; AND PROVIDING FINES AND PENALTIES FOR THE VIOLATION THEREOF.

BE IT ENACTED AND ORDAINED by the Supervisors of the Township of South Beaver under and by virtue of the authority contained in the Second Class Township Code, and it is hereby enacted and ordained by the authority of the same as follows:---

SECTION I
Definitions

(a) Abandoned, or junked automobiles, shall mean any motor vehicle which does not bear or have affixed thereto a current owner's license plate (but shall not be interpreted as to include camping or house trailers); or which does not bear a current state inspection sticker, or does not have wheels and tires in good operating condition thereon and which is not in the process of immediate repair. Also, it shall not include a single motor vehicle situate on property of the owner providing said vehicle is capable of operating on its own power and is in the process of immediate repair, even though it does not have thereon a current license plate or inspection sticker.

(b) Junk yards and salvage yards shall mean any place where any junk or salvage, as herein defined, is stored and allowed to remain, disposed of or accumulated.

(c) Junk and salvage shall mean any discarded used material or second-hand goods and shall include, but not be limited to, scrap metal scrap, abandoned or junked motor vehicles, motor vehicle parts, machinery, machinery parts, equipment, paper, glass, containers, used and second-hand discarded materials or items, and abandoned, dilapidated or partially dismantled structures. It shall also include a partially dismantled motor vehicle not bearing current registration license plates and which is not in the process of immediate repair but shall not include a single automobile situate on property of the owner providing said vehicle is capable of operating on its own power and is in the process of immediate repair, even though it does not bear a current registration license plate or state inspection sticker, nor it shall not include refuse or garbage kept in a proper container for the purpose of prompt disposal.

SECTION II

From and after the adoption of this Ordinance, it shall be unlawful for any firm, person or corporation to store or let stand on any property, whether it be public or private property, any abandoned or junked automobile as hereinabove defined.

SECTION III

From and after the adoption of this Ordinance, it shall be unlawful for any firm, person or corporation to establish or maintain within the Township a junk yard, salvage yard, or other place used and maintained for the collection, storage and disposal of used or second-hand goods and materials unless said firm, corporation or person has

fully complied with the terms, conditions and license requirements and regulations set forth in Ordinance No. 6 of the Township of South Beaver duly enacted on March 7, 1964.

SECTION IV

Whenever it shall appear that any firm, person or corporation is in violation of the above terms and provisions of this Ordinance, notice thereof shall be given to the owner of the items, if known, and the property owner on which the items are located or maintained, which notice may be given by the Secretary of the Township or any Police Officer of the Township, notifying said owner to remove said vehicle or item, or to put the property in a specified condition so as to comply with the terms of this Ordinance. If the property owner fails to comply with the notice hereby given within thirty (30) days, the owner of the property upon which the automobile or other items are situate and the owner of the automobile or items themselves shall be considered as having violated the terms and provisions of this Ordinance and shall be subject to the fines and penalties herein provided for the violation thereof.

SECTION V. Violations

After the elapse of the thirty-day period for notice above provided herein, each and every day of continued failure to comply with the terms and provisions of this Ordinance shall be considered as a separate violation hereof, and for each violation the firm, person or corporation guilty thereof shall be subject to a fine and penalty of not less than Ten (\$10.00) Dollars nor more than One Hundred (\$100.00)

Dollars for each such separate offense to be enforced by arrest and prosecution in the same manner as summary offenses as provided by law.

SECTION VI

In addition to the remedies provided in Section V. above, any continued violations of this Ordinance which shall constitute a nuisance in fact or which shall in the opinion of the Board of Supervisors constitute a nuisance may be abated by proceedings against the violator in a Court of Equity to restrain, correct or abate the violation of the thirty-day notice and of this Ordinance.

SECTION VII

If any section, clause or sentence or part of this Ordinance is for any reason found to be unconstitutional, illegal or invalid such unconstitutionality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses or sections or parts of this Ordinance. It is hereby declared as the intent of South Beaver Township that this Ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein.

SECTION VIII

Any ordinance or part of any ordinance conflicting with this Ordinance is hereby repealed insofar as the same affects this Ordinance.

SECTION IX

This Ordinance shall become effective upon the publication

thereof and adoption as required by law.

ENACTED AND ORDAINED this 5th day of December,
1966, by the Board of Supervisors of the Township of South Beaver,
Beaver County, Pennsylvania.

BOARD OF SUPERVISORS
TOWNSHIP OF SOUTH BEAVER

By Michael Titik
Chairman
George R. Pipe
James King

ATTEST:

Marion J. Goehring
Secretary