

DUNKARD TOWNSHIP
ORDINANCE NO. 3 - 2016

AN ORDINANCE OF DUNKARD TOWNSHIP, GREENE COUNTY, PENNSYLVANIA, DEFINING AND PROHIBITING THE STORAGE OF MOTOR VEHICLE NUISANCES OR PARTS THEREOF IN THE OPEN ON PRIVATE PROPERTY AND PROVIDING FOR EXCEPTIONS; AUTHORIZING INSPECTIONS OF PREMISES, NOTICES OF COMPLIANCE; REQUIRING THE REMOVAL, REPAIR, OR ALTERATION OF THE CONDITIONS CONSTITUTING A NUISANCE OR DANGER TO THE CITIZENS; AND PRESCRIBING PENALTIES AND REMEDIES FOR VIOLATION.

The Board of Supervisors of Dunkard Township, Greene County, Pennsylvania, hereby ordains:

SECTION 1. Definitions. As used in this, ordinance, the following terms shall have the meaning indicated, unless a different meaning clearly appears from the context:

LESSEE - owner for the purpose of this ordinance when the lessor holds the lessee responsible for maintenance and repairs.

MOTOR VEHICLE - any type of mechanical device, propelled by a motor, in which persons or property may be transported upon public streets or highways, and including trailers or semi-trailers pulled thereby.

NUISANCE - any condition, structure, or improvement which shall constitute a danger potential danger to the health, safety, or welfare of the citizens of Dunkard Township.

OWNER - the actual owner, agent or custodian of the property on which motor vehicles are stored whether individual or partnership, association, or corporation.

PERSON - a natural person, firm, partnership, association, corporation, or other legal entity.

ENFORCEMENT, OFFICER/INSPECTOR -Dunkard Township Code Enforcement Officer as well as individuals or entities who shall, from time to time, be appointed by the Board of Supervisors.

In this ordinance, the singular shall include the plural; the plural shall include the singular and the masculine shall include the feminine and the neuter.

SECTION 2. Motor Vehicle Nuisances Prohibited.

- a. Unless approval is granted by the Township, it shall be unlawful for any person, owner, or lessee to maintain a motor vehicle nuisance upon the open private grounds of such person, owner or lessee within the Dunkard Township. A motor vehicle nuisance shall include any motor vehicle, which is unable to move under its own power and has any of the following physical defects:
1. Broken windshields, mirrors or other glass, with sharp edges.
 2. One or more flat or open tires or tubes which could permit vermin harborage.
 3. Missing doors, windows, hood, trunk or other body parts which could permit animal harborage.
 4. Any body parts with sharp edges including boles resulting from rust.
 5. Missing tires resulting in unsafe suspension of the motor vehicle.
 6. Upholstery which is torn or open which could permit animal and/or vermin harborage.
 7. Broken headlamps or tail lamps with sharp edges.
 8. Disassembled chassis parts apart from the motor vehicle stored in a disorderly fashion or loose in or on the vehicle.
 9. Protruding sharp objects from the chassis.
 10. Broken vehicle frame suspended from the ground in an unstable manner.
 11. Leaking or damaged oil pan or gas tank, which could cause fire or explosion.
 12. Exposed battery containing acid.
 13. Inoperable locking mechanism for doors or trunk.

14. Open or damaged floor boards including trunk and fire-wall.
15. Damaged bumpers pulled away from the perimeter of vehicle.
16. Broken grill with protruding edges.
17. Loose or damaged metal trim and clips.
18. Broken communication equipment antennae.
19. Suspended on unstable supports.
20. No current vehicle registration or valid current license plate issued by the Commonwealth of Pennsylvania.
21. Such other defects, which could threaten the health, safety and welfare of the citizen of Dunkard Township.

The Township may approve requirements and standards to be followed when approval for the storage of a motor vehicle will be permitted, by resolution or a majority vote of the Board of Supervisors, and establish a procedure for approval of the same.

b. Except as provided for herein, no inoperative or unlicensed motor vehicle shall be parked, kept or stored on any premises, and no vehicle shall, at any time, be in a state of major disassembly, disrepair or in the process of being stripped or dismantled. Painting of vehicles is prohibited unless conducted inside an approved spray booth. However, a vehicle is permitted to undergo major overhaul, including body work, provided that such work is performed inside a structure or similarly enclosed area designed and approved for such purposes.

SECTION 3. Storage of Motor Vehicle Nuisances Permitted.

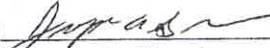
1. Motor Vehicle Nuisances may be stored upon private property of 1 (one) acre or more with the following requirements:
 - a. maximum of three (3) motor vehicles.
 - b. motor vehicles must be stored a minimum of 40 feet from any property line.
 - c. motor vehicles must be stored at a minimum of 50 feet from any public street, road or highway.
 - d. motor vehicles must be drained of all flammable liquids, except engine oils.
 - e. motor vehicles must be stored in such a way as to provide easy access to fire and emergency equipment.


SECTION 9. Severability. If any sentences, clause, section, or part of this ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts of this ordinance. It is hereby declared as the intent of the Dunkard Township Board of Supervisors that this ordinance would have been adopted had such unconstitutional, illegal or invalid sentences, clause, section or part thereof not been included herein.

SECTION 10. Effective Date. This ordinance shall become effective upon adoption.

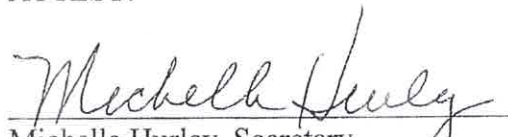
ORDAINED AND ENACTED into an Ordinance and passed by the Board of Supervisors of Dunkard Township, Greene County, Pennsylvania, in public session duly assembled, on this 28th day of November, 2016.

DUNKARD TOWNSHIP
BOARD OF SUPERVISORS

BY: 
Joseph A. Gacek


Mark E. Blaker

ATTEST:


Michelle Hurley, Secretary

George C. Chory

LAW OFFICES
HOOK AND HOOK

189 W HIGH STREET
POST OFFICE BOX 792
WAYNESBURG, PENNSYLVANIA 15370

J. WILLIAM HOOK
DAVID C. HOOK
GREGORY C. HOOK

E-mail Address:
jwh@hookandhook.com
hookdc@gmail.com
gch@hookandhook.com
PHONE: (724) 627-6146
FAX NO: (724) 852-1620

June 2, 2016

Dunkard Township Supervisors
P.O. Box 369
370 N. Moreland Street
Bobtown, PA 15315

RE: Municipal Waste Storage, Collection
and Transportation Ordinance

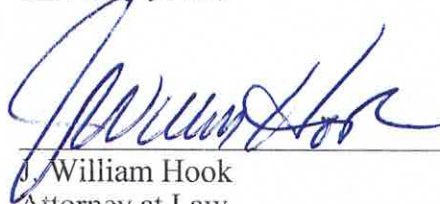
Gentlemen:

Please find enclosed (1) Public Notice which will appear in the Observer Reporter on May 31, 2016, as to Dunkard Township adopting an Ordinance regulating the storage, collection, and disposal of refuse; and (2) original and two copies of said Township Ordinance.

In compliance with the Second Class Township Code, please find enclosed letter to the Observer Reporter and Greene County Law Library with copies of the ordinance being provided to them.

Upon adoption of the Ordinance, please keep one signed copy for your records and return two signed copies to me. If you have any questions or comments, please feel free to contact me.

Sincerely yours,



J. William Hook
Attorney at Law

JWH:ksc

Enclosures

PUBLIC NOTICE

NOTICE is hereby given that the Board of Supervisors of Dunkard Township, Greene County, Pennsylvania, intend to adopt at a regular meeting of the Board to be held Thursday, June 9, 2016, at 6:00 P.M., at the Dunkard Township Municipal Building, 370 N. Moreland Street, Bobtown, Pennsylvania, an Ordinance providing for the health and welfare of the Township of Dunkard by regulating the storage, collection, and disposal of refuse; the licensing of refuse collector; and providing penalties for the violation thereof.

A copy of the full text thereof may be examined by any citizen at the office of the Secretary of the Township at the Township Building during normal working hours, the County Law Library, Court House, Waynesburg, Pennsylvania, and the Observer Reporter, 32 Church Street, Waynesburg, Pennsylvania, each day until adoption.

DUNKARD TOWNSHIP
BOARD OF SUPERVISORS

BY: Michelle Hurley, Secretary

J. William Hook, Solicitor

LAW OFFICES
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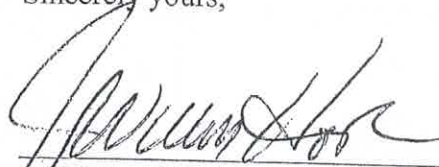
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William Hook
Attorney at Law

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Enclosures

COPY

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May 26, 2016

Greene County Law Library
Greene County Court House
Waynesburg, PA 15370

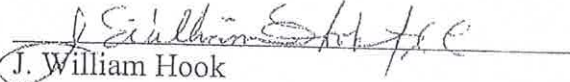
Observer Reporter
32 Church Street
Waynesburg, PA 15370

RE: Dunkard Township
Municipal Waste Storage, Collection and
Transportation Ordinance

Gentlemen:

Pursuant to the Second Class Township Code, please find enclosed attested copy of a Township Ordinance to be adopted by Dunkard Township, Greene County, Pennsylvania, on June 9, 2016, to be kept on file and have available for the public. If you have any questions, please feel free to contact me.

Sincerely yours,


J. William Hook
Attorney at Law

JWH:ksc
Enclosure
cc: Dunkard Township ✓