

CHAPTER 12
MOTOR VEHICLES AND TRAFFIC
ARTICLE 1
ABANDONED VEHICLES

§12-101. Purpose

The purpose of this Article is to prohibit the storage of abandoned or junked automobile or other abandoned or junked automotive vehicles on private or public property, declaring the storage of abandoned or junked automobile or other abandoned or junked automotive vehicles on private or public property to be a nuisance, prescribe fines and penalties for the violation of this Article and the collection of costs of removal by the Township.

Ord. 8/29/52

§12-102. General

No person, firm or corporation shall store abandoned or junked automobiles or other abandoned or junked automotive vehicles on private or public property within Oakland Township, Butler County, Pennsylvania. The storage of abandoned or junked automobiles or other abandoned or junked automotive vehicles on private or public property within Oakland Township, Butler County, Pennsylvania is hereby declared to be a nuisance unless licensed as described in Chapter 11, Article I.

Ord. 8/29/52

§12-103. Regulations

Any person, firm or corporation storing abandoned or junked automobiles or other abandoned or junked automotive vehicles on private or public property within Oakland Township, Butler County, Pennsylvania in violation of the provisions of this Article shall, within five (5) days after notice to the owner to do so, remove such abandoned or junked automobiles or other abandoned or junked automotive vehicles hereby declared to be a nuisance and dispose of the same in such manner as not to be in violation of this Article and in default of removal, after notice to do so. The Township Supervisors are hereby empowered to remove such abandoned or junked automobiles or other abandoned or junked automotive vehicles and dispose of the same in such manner as not to be in violation of this Article.

Ord. 8/29/52

§12-104. Violations and Penalties

Any person, firm or corporation violating any of the provisions of this Article, shall, upon conviction thereof in a summary proceeding before a District Magistrate, pay for the use of Oakland Township, a fine of one hundred and no/100 (\$100.00) dollars and costs for each offense and in addition thereto shall pay to the Township Supervisors, for the use of Oakland Township, the cost of removal, and in default thereof to undergo imprisonment for a term not to exceed five (5) days.

Ord. 8/29/52

CHAPTER 12
ARTICLE 2
STORAGE OF MOTOR VEHICLES

§12-201. Purpose

The purpose of this Article is to regulate the storage of motor vehicles or parts thereof on private grounds, require the removal, repair or alteration of the conditions constituting a nuisance or danger to the citizens and prescribe penalties for the violation thereof.

Ord. No. 93-2, 3/1/93

§12-202. Definitions

As used in this Article, the following terms shall have the meanings indicated, unless a different meaning clearly appears from the context:

- A. **Lessee:** Owner for the purpose of this Article when the Lessor holds the Lessee responsible for maintenance and repairs.
- B. **Motor Vehicle:** Any type of mechanical device, propelled by a motor, in which persons or property may be transported upon public street or highways, and including trailers or semi-trailers pulled thereby.
- C. **Nuisance:** Any condition, structure or improvement which shall constitute a threat or potential threat to the health, safety or welfare of the citizens of the Township of Oakland.
- D. **Owner:** The actual owner, agent or custodian of the property on which motor vehicles are stored, whether individual or partnership, association or other legal entity.
- E. **Person:** A natural person, firm, partnership, association, corporation or other legal entity.

Ord. No. 93-2, 3/1/93

§12-203. Motor Vehicle Nuisances Prohibited

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 Township of Oakland. 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:

- A. Broken windshields, mirrors or other glass with sharp edges.
- B. One (1) or more flat or open tires or tubes which could permit vermin harborage.
- C. Missing doors, windows, hood, trunk or other body parts which would permit animal harborage.

- D. Any body parts with sharp edges including holes resulting from rust.
- E. Missing tires resulting in unsafe suspension of the motor vehicle.
- F. Upholstery which is torn or open which could permit animal and/or vermin harborage.
- G. Broken headlamps or tail lamps with sharp edges.
- H. Disassembled chassis parts apart from the motor vehicle stored in a disorderly fashion or loose in or on the vehicle.
- I. Protruding sharp objections from the chassis.
- J. Broken vehicle frame suspended from the ground in an unstable manner.
- K. Leaking or damaged oil pan or gas tank which could cause fire or explosion.
- L. Exposed battery containing acid.
- M. Inoperable locking mechanism for doors or trunk.
- N. Open or damaged floor boards including trunk and firewall.
- O. Damaged bumpers pulled away from the perimeter of vehicle.
- P. Broken grill with protruding edges.
- Q. Loose or damaged metal trim and clips.
- R. Broken communication equipment antennae.
- S. Suspended on unstable supports.
- T. Such other defects which could threaten the health, safety, and welfare of the citizens of the Township of Oakland.

Ord. No. 93-2, 3/1/93

§12-204. Storage of Motor Vehicle Nuisances Permitted

- A. Any person, owner or lessee who has one or more motor vehicle nuisances as defined in §203 above may store such vehicle(s) in the Township of Oakland only in strict compliance with the regulations provided herein. Such person, owner or lessee must first apply for a permit for either temporary or permanent storage and pay a fee to the Township of Oakland such as may be provided from time to time by resolution of the Board of Supervisors of Oakland Township. The motor vehicle nuisance(s) must be stored within a garage or other enclosed building or outside within an opaqued fence at least six feet (6') high which is locked at all times when unattended. With the special approval of the Township of Oakland, motor vehicle nuisances may also be stored outside in an area enclosed by a chain link fence, at least six feet

(6') high, screened by shrubbery around the perimeter to the height of the fence, with an unobstructed gate capable of admitting fire or emergency equipment. Such gate shall remain locked at all times when unattended. In addition, all gas and oil or other flammable liquid shall be removed from the motor vehicle and it shall be kept free of vermin infestation while being stored. The total area of storage of motor vehicle nuisances may not exceed one thousand two hundred (1,200) square feet.

- B. Nothing herein shall be construed to permit the storage of motor vehicle nuisances contrary to the provisions of any other regulation of the Township of Oakland.

Ord. No. 93-2, 3/1/93

§12-205. Inspection and Notice to Comply

- A. The Township of Oakland Inspector is hereby empowered to inspect grounds on which motor vehicles are stored to determine if there is compliance with the provisions of this Article. If noncompliance with the provisions of this Article constitutes a nuisance, or if any condition, structure or improvement poses a threat to the health, safety or welfare of the public, the Oakland Township Inspector shall issue a written notice to be served by registered or certified mail upon the owner of said premises or, if the owner's whereabouts or identify be unknown, by posting the notice conspicuously upon the offending premises.
- B. Said notice shall specify the condition or structure or improvement complained of and shall require the owner to commence to remove or otherwise rectify the condition or structure or improvement as set forth therein within ten (10) days of mailing or posting of said notice and thereafter to fully comply with the requirements of the notice within a reasonable time.

Ord. No. 93-2, 3/1/93

§12-206. Authority to Remedy Noncompliance

If the owner of the grounds on which motor vehicles are stored does not comply with the notice to abate the conditions within the time limit prescribed, the Board of Supervisors of Oakland Township shall have the authority to take measures to correct the conditions and collect the cost of such corrections plus ten percent (10%) of all costs. The Township of Oakland in such event and pursuant to its statutory or otherwise authorized police powers, shall have the right and power to enter upon the offending premises to accomplish the foregoing.

Ord. No. 93-2, 3/1/93

§12-207. Hearing

- A. Any person aggrieved by the decision of the Township of Oakland Inspector may request and shall then be granted a hearing before the

Board of Supervisors of Oakland Township; provided he files with the Board of Supervisors of Oakland Township within ten (10) days after notice of the Township of Oakland Inspector's decision, a written petition requesting such hearing and setting forth a brief statement of the grounds therefor. The hearing shall commence not later than thirty (30) days after the date on which the Petition was filed unless postponed for sufficient cause.

- B. After such hearing, the Board of Supervisors of Oakland Township shall sustain, modify or overrule the action of the Township of Oakland Inspector.

Ord. No. 93-2, 3/1/93

§12-208. Penalties

Any person who shall violate any provision of this Article shall, upon conviction thereof, be sentenced to pay a fine of not more than three hundred dollars (\$300.00) and/or to undergo imprisonment for a term not to exceed ninety (90) days. Each day that a violation of this Article continues shall constitute a separate offense.

Ord. No. 93-2, 3/1/93

§12-209. Remedies Not Mutually Exclusive

The remedies provided herein for the enforcement of this Article or any remedy provided by law, shall not be deemed mutually exclusive, rather they may be employed simultaneously or consecutively at the option of the Board of Supervisors of Oakland Township.

Ord. No. 93-2, 3/1/93