

ORDINANCE NO. 388

AN ORDINANCE PROHIBITING THE STORAGE OF JUNK VEHICLES IN THE
BOROUGH OF KOPPEL AND PROVIDING PENALTIES.

Section no. 1

Definitions

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

LESSEE - owner for the purpose of this Part 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 and semi-trailers pulled thereby.

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

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.

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

Section No. 2

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 Borough of Koppel. A motor vehicle nuisance shall include any motor vehicle which is unable to move under its own power and has the following defects:

- A. Broken windshield, mirrors or other glass, with sharp edges.
- B. One (1) or more flat tires or tubes which could permit vermin harborage.
- C. Missing doors, windows, hood, trunk or other body parts which could permit animal harborage.
- D. Any body parts with sharp edges including holes resulting from rust.
- E. Missing tires resulting from unsafe suspension of motor vehicle.

- F. Upholstery which is torn or open which could permit animal and/or vermin harborage
- G. Broken head lamp or tail lamps with sharp edges.
- H. Disassembled chassis parts apart from the motor vehicle stored in a disorderly fashion or loose in the vehicle.
- I. Protruding sharp objects 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 on doors or trunk.
- N. Open or damaged floor boards including trunk or fire-wall.
- 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 or unstable supports.
- T. Expired inspection sticker.
- U. Expired and/or suspended registration plate.
- V. Such other defects which could threaten the health, safety and welfare of the citizens of the Borough of Koppel.

Section No. 3

Storage of Motor Vehicle Nuisance Permitted

1. Any person, owner or lessee who has one or more motor vehicle nuisances as defined in Section 2, above, may store such vehicle(s) in the Borough of Koppel only in strict compliance with the regulations described herein. Such person, owner or lessee must, first, apply for a permit for either temporary or permanent storage and pay a fee in the amount as established, time to time, by the Council of Koppel Borough. The motor vehicle nuisance(s) must be stored within a garage or other enclosed building or outside within an opaque fence that is at least six (6) feet high which is locked at all times when unattended.

2. With a special approval of the Borough Council, motor vehicle nuisances may also be stored outside in an area enclosed by chain link fence, at least six (6) feet high, with an unobstructed gate capable of admitting fire or other emergency equipment. Such gate will remain locked when unattended. In addition all gas and oil or other flammable liquid shall be removed from the motor vehicle nuisance and it shall be kept free from vermin infestation while being stored.

3. Nothing herein shall be construed to permit the storage of motor vehicle nuisances contrary to the provisions of the Zoning Ordinance of the Borough of Koppel.

Section No. 4

Inspection of Premises; Notice to Comply

1. The Police Department of the Borough of Koppel is hereby empowered to inspect private property on which motor vehicles are stored to determine if there is compliance with the provisions of this Part. If non-compliance with the provisions of this part constitutes a nuisance, or if any condition, structure, or improvement poses a threat to the health safety or welfare of the public, he shall issue a written notice to be served by certified mail upon the owner of said premises, or, by posting the notice conspicuously upon the offending premises/motor vehicle nuisance.

2. 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 the structure or improvement as set fourth therein, within seventy-two (72) hours of mailing or posting of said notice, and thereafter, to fully comply with the requirements of the notice wihtin a reasonable time.

Section No. 5

Authority to Remedy Noncompliance

If the owner of grounds on which motor vehicles are stored does not comply with the notice to abate the nuisance within the time limit prescribed, the Borough of Koppel shall have the authority to take measurec to correct the conditions and collect all of the costs plus ten (10) percent of all costs. The Borough of Koppel, in such an event and pursuant to its statutory or otherwise authorized police powers, shall have the right and power to enter upon the offending premises to acomplish the foregoing.

Section No. 6

Penalties

Any person who shall violate any provisions of this Ordinance shall, upon conviction pay a fine not less then one-hundred (\$100.00) dollars and not to exceede five-hundred (\$500.00) dollars, and costs, and in default of fines and costs, to imprisonment for a term not to exceed thirty (30) days. Each day that a violation of this Ordinance shall continue shall constitute a seperate offence.

BE IT ENACTED AND ORDAINED this 15 day of OCTOBER 1996, by Koppel Borough Council, Beaver County Pennsylvania.

Patricia Maguire
Borough Secretary

Panda C. Robinson
President of Council
Dennis Pietrandrea
MAYOR OF KOPPEL