

## Chapter 83

### VEHICLES, JUNKED

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[HISTORY: Adopted by the Board of Supervisors of the Township of Haines 6-5-1973 by Ord. No. 9. Amendments noted where applicable.]

#### GENERAL REFERENCES

Solid waste — See Ch. 67.

Vehicles and traffic — See Ch. 80.

Streets and sidewalks — See Ch. 71.

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#### § 83-1. Definitions; word usage.

- A. The following words and phrases shall be construed throughout this chapter to have the meanings herein indicated:

**BOARD** — The Board of Supervisors of Haines Township, Centre County, Pennsylvania.

**JUNK** —

- (1) Any abandoned, junked or scrapped or scrapable motor vehicles which cannot be demonstrably operated for useful purposes and which do not bear a current registration or current inspection as required by the Motor Vehicle Code, excluding therefrom what are commonly classified as "antique cars," as designated by the Pennsylvania Vehicle Code for the registration of antique cars.
- (2) Also excluded therefrom shall be:
  - (a) Any vehicle or machine housed in a garage or barn and where it cannot be observed or be visible from a public road.
  - (b) Vehicles or machinery, either originally intended for or subsequently modified for use in agricultural pursuits, provided that it is operable and owned by a person engaged in agricultural pursuits.
  - (c) Any vehicle having up-to-date registration with the Department of Motor Vehicles.

**PERSON** — Includes a natural person, association, partnership, firm or corporation.

**TOWNSHIP** — Haines Township, Centre County, Pennsylvania.

- B. The singular shall include the plural and the masculine shall include the feminine and the neuter.

**§ 83-2. Title.**

This chapter may be cited and shall be known as the "Haines Township Junked Car Ordinance."

**§ 83-3. Compliance required.**

From and after the effective date of this chapter it shall be unlawful for any person, firm or corporation to keep or maintain any junked vehicles on its premises in the Township of Haines in violation of the provisions of this chapter or the regulations of the Supervisors adopted pursuant hereto.

**§ 83-4. Time limit and requirements for exceptions.**

Anything to the contrary herein notwithstanding, a person shall be permitted to maintain on his property, one unlicensed vehicle not having a current inspection for a period not to exceed 30 consecutive days; provided, however, that a person desiring to retain one unlicensed vehicle not bearing a current inspection for such period of time as permitted shall notify the Township Supervisors at their place of business the period of time and the reason for maintaining such unlicensed and uninspected vehicle; provided, further, that during the time such unlicensed vehicle is permitted to be maintained, it must remain intact and none of the major parts, such as wheels, windows, hood, etc., may be removed.

**§ 83-5. Procedures for enforcement.**

In order to carry out the intent and purpose of the Second Class Township Code and the provisions of this chapter, the Supervisors hereby adopt the following regulations, which regulations every citizen and landowner is enjoined to observe.

- A. Whenever junk vehicles in violation of this chapter shall be found on a property, the property owner shall be tendered written notice, by certified mail, by the Board allowing 30 days after tender for removal of the offending material. The notice shall contain:
- (1) Name of the reputed owner.
  - (2) Description of the offending material.
  - (3) Due date for removal and reexamination of property to determine compliance.
  - (4) Penalty for noncompliance.
  - (5) Authority with quotation from this chapter.
  - (6) Signature of person authorized by the Board.

- B. Upon due date, the Board or its duly appointed representatives shall view the property to ascertain compliance. Any noncompliance shall be occasion to start the penalty procedure, and the Board shall notify the offender within one week after the due date, by certified mail, of the start of the penalty period, identification of the offending material, fine and rate and further penalties.
- C. If the offending material is not removed, the Board, at its next meeting, shall notify its solicitor to start proceedings in any court against the offender and/or legal owner or person responsible for the property for which the violation is cited.
- D. Records of all proceedings involving offenses shall be kept by the Board and shall be public records, except that records where the condition has been alleviated need not be kept.

**§ 83-6. Examiner; alleviation of condition; appeals.**

- A. The Board may employ a representative to examine properties for compliance, and said representative shall be identified by public notice, either in this chapter or separately. He shall be empowered to enter upon private property for inspection.
- B. Said examiner shall identify as offending material anything defined as "junk" in § 83-1.
- C. The property owner may alleviate the condition and request re-examination to stop proceedings by the Board at any time.
- D. Appeal from decisions by the Board shall be made to the Court of Quarter Sessions upon proper notification to the Board.

**§ 83-7. Violations and penalties. [Amended 2-17-1998 by Ord. No. 98-01]**

This chapter shall be enforced by action brought before a District Justice in the same manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure. Any person who violates or permits the violation of this chapter shall, upon conviction in a summary proceeding, be punishable by a fine of not more than \$1,000 or by imprisonment for a term not exceeding 90 days. Each day or portion thereof that such violation continues, or is permitted to continue, shall constitute a separate offense. Each section of this chapter that is violated shall also constitute a separate offense.