

## PART 1

## STORAGE OF MOTOR VEHICLE NUISANCES

**§ 10-101. Definitions. [Ord. 287, 12/30/1991]**

As used in this Part, the following terms shall have the meanings indicated, unless a different meaning clearly 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 or semi-trailers pulled thereby.

**NUISANCE** — Any condition, structure, or improvement which shall constitute a danger or potential danger to the health, safety or welfare of the citizens of the Borough.

**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.

**§ 10-102. Motor Vehicle Nuisances Prohibited. [Ord. 287, 12/30/1991]**

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. 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 holes 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.

stored. The total area of storage of motor vehicle nuisances may not exceed 400 square feet.

3. Nothing herein shall be construed to permit the storage of motor vehicle nuisances contrary to the provisions of any other Borough ordinances.

**§ 10-104. Inspection of Premises; Notice to Comply. [Ord. 287, 12/30/1991]**

1. A police officer or other designated official 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 noncompliance 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 registered or certified mail upon the owner of said premises, or, if the owner's whereabouts or identity be unknown, by posting the notice conspicuously upon the offending premises.
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 structure or improvement as set forth therein within 10 days of mailing or posting of said notice, and thereafter, to fully comply with the requirements of the notice within a reasonable time.

**§ 10-105. Authority to Remedy Noncompliance. [Ord. 287, 12/30/1991]**

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 shall have the authority to take measures to correct the conditions and collect the cost of such corrections plus 10% of all costs. The Borough, 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.

**§ 10-106. Hearing. [Ord. 287, 12/30/1991]**

1. Any person aggrieved by the decision of a police officer or other designated official may request and shall then be granted a hearing before the Borough Council, providing he files with the Borough Council, within 10 days after notice of the police officer's or other designated official'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 30 days after the date on which the petition was filed unless postponed for sufficient cause.
2. After such hearing, the Borough Council shall sustain, modify or overrule the action of the police officer or other designated official.