

CHAPTER 10

HEALTH AND SAFETY

PART 1

STORAGE OF VEHICLES AND OTHER NUISANCES ON PRIVATE PROPERTY

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PART 1

STORAGE OF VEHICLES AND OTHER NUISANCES ON PRIVATE PROPERTY

§101. DEFINITIONS.

The following words and phases shall be construed throughout this Part to have the meanings herein indicated:

TOWNSHIP - Liberty Township, Centre County, Pennsylvania.

BOARD - the Board of Supervisors of Liberty Township, Centre County, Pennsylvania.

PERSON - a natural person, association, partnership, firm or corporation. The singular shall include the plural and the masculine shall include the feminine and the neuter.

JUNK - any discharged material or article and shall include but not be limited to abandoned, junked or scrapped and scrappable motor vehicles, machinery, paper, containers and structures, scrap material and other waste material and rubbish, but shall specifically exclude garbage or refuse kept by a person on his own property in a proper container for the purpose of immediate disposal, and manure piles on an operating farm.

SCRAPPABLE MOTOR VEHICLES AND MACHINERY -

(1) Any vehicle or machine which:

- (a) Cannot be demonstrably operated for useful purpose and would in normal use be registered with the Department of Transportation, but is not so registered. [Ord. 10/7/1997]
- (b) Cannot be demonstrably operated for useful purpose and would not normally be registered.
- (c) Is not currently inspected by official Department of Transportation Inspection Station. [Ord. 10/7/1997]

(2) Excluded shall be:

- (a) Vehicles or machinery housed in a garage or barn or where said machinery is not normally visible in any part from a public road.
- (b) Vehicles or machinery either originally intended or subsequently modified for use in agricultural or forestry pursuits; provided, said machinery is demonstrably operable and owned by a person engaged in agricultural or forestry pursuits.

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- (c) Any vehicle having up-to-date registration with the Department of Transportation. [Ord. 10/7/1997]

(Ord. 2, 5/2/1965, §1; as amended by Ord. 10/7/1997)

§102. SHORT TITLE.

This Part may be cited and shall be known as the "Liberty Township Junk and Rubbish Ordinance."

(Ord. 2, 5/2/1965, §2)

§103. PROCEDURE.

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

- A. Whenever junk shall be found on the property, the property owner shall be tendered written notice by certified mail by the Board allowing fifteen days after tender for the removal of the offending material. The notice shall contain: [Ord. 10/7/1997]
 - (1) Name of reputed owner.
 - (2) Description of offending material.
 - (3) Due date for removal and re-examination of property to determine compliance.
 - (4) Penalty for noncompliance.
 - (5) Authority with quotation from this Part.
 - (6) Signatures of Board members.
- B. Upon due date, the Board of 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 (1) week after the due date by registered mail of start of penalty period, identification of offending material, fine rate and further penalties.
- C. If offending material is not removed, the Board at its next regular meeting shall notify its Solicitor to start proceedings in court of equity against offender.

- D. Records of all proceedings involving offenses shall be kept by the Board and shall be public records, except that records where condition has been alleviated need not be kept.

(Ord. 2, 5/2/1965, §3; as amended by Ord. 4/7/1975; and by Ord. 10/7/1997)

§104. ADMINISTRATION.

1. The Board may employ a representative to examine properties for compliance and said representative shall be identified by public notice either in this Part or separately. He shall be empowered to enter upon private property for inspection.
2. Said examiner shall identify as offending material anything defined as junk in §101.
3. Property owner may alleviate condition and request re-examination to stop proceedings by the Board at any time.
4. Appeal from decisions by the Board shall be made to the court of common pleas upon proper notification to the Board.

(Ord. 2, 5/2/1965, §4)

§105. PENALTIES.

Any person, firm or corporation who shall violate any provision of this Part, upon conviction thereof in an action brought before a district justice in the manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure, shall be sentenced to pay a fine of not more than one thousand dollars (\$1,000.00) plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed ninety (90) days. Each day that a violation of this Part continues or each Section of this Part which shall be found to have been violated shall constitute a separate offense.

(Ord. 2, 5/2/1965, §5; as amended by Ord. 2-1, 4/22/1985, §1; and by Ord. 10/7/1997)

