

OFFICIAL

BOROUGH OF AVALON

ORDINANCE NO. 1207

AN ORDINANCE OF THE BOROUGH OF AVALON, ALLEGHENY COUNTY, PENNSYLVANIA, AMENDING ORDINANCE NO. 1109, PERMITTING THE REMOVAL OF ILLEGALLY ABANDONED, PARKED, STORED, WRECKED, JUNKED OR STRIPPED AUTOMOBILES FROM BOTH PUBLIC AND PRIVATE PROPERTY; FIXING TOWAGE AND STORAGE CHARGES, FIXING NOTICE FOR REMOVAL AND IMPOUNDING; FIXING FINES AND PENALTIES FOR VIOLATION THEREOF.

BE IT ORDAINED AND ENACTED by the Council of the Borough of Avalon and it is hereby ordained and enacted by and with the authority of the same as follows:

SECTION 1: Article I, Section 1, Purpose shall be amended to read as follows:

The purpose of the ordinance is to protect the health, safety, morals and welfare of the citizens of the Borough by causing the removal of abandoned, illegally parked, stored, wrecked, junked and stripped vehicles from both public and private property and to abate public nuisance caused by the storage of, parking of and accumulation of such vehicles which are detrimental to the health, safety, morals and welfare of the citizens of the Borough and which constitute a peril to highway and traffic safety.

Vehicle is defined to include any automobile, truck, truck camper, trailer, boat, bus, recreational vehicle, motorcycle, motorized pedalcycle, and any device in, upon or by which any person or property is or may be transported or drawn upon a highway.

SECTION 2: Article III, Section 1, Abandoned Vehicles shall be amended to read as follows:

Abandoned vehicle is defined as follows:

- 1) The vehicle is physically inoperable and is left unattended on private property for more than 48 hours and/or
- 2) The vehicle does not bear all of the following:
  - a) A valid registration plate
  - b) A valid certificate of inspection
  - c) An ascertainable vehicle identification number

It shall be unlawful to park, store or leave any vehicle of any kind in a wrecked, junked, stripped or abandoned condition, or any vehicle whether occupied or not, in a place where its presence constitutes a hazard on private property, or for the owner of such vehicle, or the owner or occupant of any property to allow, permit or suffer the same to be left upon any privately owned property

unless the same be authorized in conjunction with a business properly operated, pursuant to the zoning laws, when adopted, and other laws of the Borough. Such business, however, shall not park, store or leave any kind of wrecked, junked, stripped or abandoned vehicle on any street, highway, alley or public property without being subject to the provisions of Article II of this Ordinance.

Abandoned or junked conditions include vehicles with holes in the body or floorboards, broken glass, windshields and lights, flat tires or missing wheels, garbage, debris or litter inside, or the vehicle is up on blocks or jacks for a period of time in excess of forty-eight (48) hours.

SECTION 3: Article VI, Section 1, Violations and Penalties shall be amended to read as follows:

Any person who shall violate any section of this Ordinance shall, upon conviction before a District Magistrate, pay a fine of not less than Fifty (\$50.00) Dollars, nor more than Three Hundred (\$300.00) Dollars or, in default thereof, be imprisoned for a period not exceeding ten (10) days. Each day's failure to comply with the order shall constitute a separate offense for each vehicle in violation thereof.

SECTION 4: Any Ordinance or part of Ordinance in conflict with this Ordinance shall be and is hereby repealed to the extent of conflict to give this Ordinance full force and effect.

ATTEST:

Jean A. Walsh  
Secretary

BOROUGH OF AVALON  
By Ray W. D'Amore  
President of Council

THIS ORDINANCE EXAMINED AND APPROVED  
BY ME THIS 17<sup>th</sup> DAY OF August, 1993.

Nicholas J. Grand  
Mayor