

MD 19-2018

ORDINANCE NO. 1 of 2018

AN ORDINANCE OF PORT ROYAL BOROUGH ESTABLISHING PENALTIES FOR THE ACCUMULATION OR STORAGE OF CERTAIN PERSONAL PROPERTY AT REAL PROPERTY SITUATE WITHIN THE BOROUGH OF PORT ROYAL FOR WHICH SUCH ACCUMULATION AND/OR STORAGE CREATES A HAZARD AND/OR A DANGER TO THE HEALTH AND WELFARE OF THE CITIZENS OF THE BOROUGH.

The Borough Council of Port Royal Borough, Juniata County, Pennsylvania, enacts and ordains as follows:

Section 1. The Borough Council of Port Royal, Juniata County, Pennsylvania hereby adopts the following Ordinance:

Junked, Abandoned or Discarded Articles

§101. Findings. The Borough finds that:

- 1. the accumulation or storage of junked, abandoned or discarded vehicles, trailers, boats, appliances and household furnishings creates a hazard and danger to the health and welfare of the citizens of the Borough;
- 2. the accumulation or storage of junked, abandoned or discarded vehicles, trailers, boats, appliances or household furnishings provides a breeding area for rodents and other unhealthful animals;
- 3. the accumulation or storage of junked, abandoned or discarded vehicles, trailers, boats, appliances or household furnishings creates an attractive nuisance for children who are not aware of the danger involved therein;
- 4. the accumulation or storage of junked, abandoned or discarded vehicles, trailers, boats, appliances or household furnishings violates all concepts of ecological and environmental principles;

and therefore that it is necessary to make such accumulations unlawful.

§102. Definitions. As used in this Part 4, the following words and terms shall have the meanings ascribed to them in this section:

ABANDONED - any item resting for ninety-six (96) hours or more and which is inoperable, without current registration plates, certificate, or inspection, or in such a condition as to be unusable.

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APPLIANCE - a stove, refrigerator, television, furnace, water heater, water softener, washer, dryer or mangle, household articles used to perform any of the necessary work in a household, and articles used in business to increase production or to speed, ease or eliminate work;

BOAT - any vessel capable of transporting a person on any river, stream, creek, lake or ocean.

DISCARDED - any item resting for ninety-six (96) hours or more with no known or apparent owner;

HOUSEHOLD FURNISHING - any item normally found and used in a home.

JUNKED - items sold or to be sold for scrap, being stripped or being used or sold for parts.

TRAILER - a wheeled device used as a means of carrying, hauling or conveying any vehicle, person, animal, object or boat;

VEHICLE - an automobile, motorcycle, motorbike, minibike, bicycle, go cart, truck or other wheeled means of conveyance, motorized or self-propelled.

§103. Unlawful to Accumulate or Store Certain Junked, Abandoned or Discarded Articles. It shall be unlawful for any person to accumulate or store any junked, abandoned or discarded vehicle, trailer, boat, appliance or household furnishing on private or public property within the Borough.

§104. Penalties. For the first such offense under this Part, offender shall pay a fine of fifty dollars (\$50.00) and/or be imprisoned for not more than fifteen (15) days; for a second offense which occurs within one year of the date of the first offense designated herein, the maximum fine imposed shall be one hundred dollars (\$100.00) and/or imprisonment for not more than thirty (30) days. For the third and all subsequent offenses occurring within one year from the date of the initial offense designated in this Part, the fine imposed shall be three hundred dollars (\$300.00) and/or imprisonment for not more than thirty (30) days.

§105. Prosecution of Violators. All prosecutions of violators of this Part shall be brought in the name of the Borough before a district justice and shall be commenced by information and warrant citations or complaint and summons and shall be directed to and be served by a constable or other proper person. Warrants shall be returnable forthwith and upon such return like proceedings shall be had as in case of summary convictions.

§105. Effective Date. This Ordinance shall become effective as of Feb. 17th, 2018.

ENACTED AND ORDAINED THIS 12th day of Feb., 2018.

Attest:

Paula J. Lawer
Secretary

PORT ROYAL BOROUGH

BY:

Ronald A. Woth
President

[Signature]
Member

Stephen L. Bargo
Member

[Signature]
Member

John Torday
Member

Janita D. Gray
Member

Joseph S. Knapp
Member

Member