

CHAPTER 10

HEALTH AND SAFETY

PART 1

REGULATING VEGETATION

- §10-101. Vegetative Growth a Nuisance Under Certain Conditions**
- §10-102. Responsibility for Removing, Cutting or Trimming**
- §10-103. Notice to Remove, Trim or Cut; Township May Do Work and Collect Cost and Additional Amount**
- §10-104. Penalties**

PART 2

PROHIBITING THE STORAGE OF MOTOR VEHICLE NUISANCES

- §10-201. Definitions**
- §10-202. Motor Vehicles Nuisances Prohibited**
- §10-203. Storage of Motor Vehicle Nuisances Permitted**
- §10-204. Inspection of Premises; Notice to Comply**
- §10-205. Authority to Remedy Noncompliance**
- §10-206. Penalties**

PART 1

REGULATING VEGETATION

§10-101. Vegetative Growth a Nuisance Under Certain Conditions.

No person, firm or corporation, owning or occupying any property within the Township, shall permit any grass or weeds or any vegetation whatsoever, not edible or planted for some useful or ornamental purpose, to grow or remain upon such premises so as to exceed a height of 24 inches; nor shall any noxious weeds prohibited by the Noxious Weed Control Law (3 P.S., §255.8) or by regulations of the Department of Agriculture be permitted to be grown within the Township including:

- A. Marijuana.
- B. Chicory, Succory or Blue Daisy.
- C. Canadian Thistle.
- D. Multiflora Rose.
- E. Johnson Grass.

Any grass, weeds or other vegetation growing upon any premises in the Township in violation of any of the provisions of this Section is hereby declared to be a nuisance and detrimental to the health, safety, cleanliness and comfort of the inhabitants of the Township.

(A.O.)

§10-102. Responsibility for Removing, Cutting or Trimming.

The owner of any premises, or the occupant of premises occupied by other than the owner, shall remove, trim or cut all grass, weeds or other vegetation growing or remaining upon such premises in violation of the provisions of §10-101.

(A.O.)

§10-103. Notice to Remove, Trim or Cut; Township May Do Work and Collect Cost and Additional Amount.

The Board of Supervisors, or any officer or employee of the Township designated thereby for this purpose, is hereby authorized to give notice, by personal service or by United States mail, to the owner or occupant, as the case may be, of any premises whereon grass, weeds or other vegetation is growing or requiring such occupant to re-

HEALTH AND SAFETY

move, trim or cut such grass, weeds or vegetation so as to conform to the requirements of this Part, within ten days after issuance of such notice. Whenever, in the judgment of the enforcement officer it shall appear to be impracticable to give notice as above provided, either because the owner or occupant cannot readily be found or because a search for the owner or occupant would entail unreasonable delay, the Board of Supervisors, or any officer or employee of the Township designated thereby for that purpose, may give notice by posting conspicuously on the property where such nuisance exists, a notice or order directing and requiring that such nuisance be abated within ten days. In case any person, firm or corporation shall neglect, fail or refuse to comply with such notice within the period of time stated therein, the Board of Supervisors may order the removal, trimming or cutting of such grass, weeds or vegetation; and the cost thereof, plus a penalty of 10% of the cost shall be collected by the Township from such person, firm or corporation, in the manner provided by law.

(A.O.)

§10-104. 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 \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 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.

(A.O.)

PART 2

PROHIBITING THE STORAGE OF MOTOR VEHICLE NUISANCES

§10-201. Definitions.

As used in this Part, the following terms shall have the meaning 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 street 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 Sandy Township.

OWNER — the actual owner, agent or custodian of the property on which motor vehicles are stored, whether individual or partnership, associations 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.

(Ord. 1993-5, 7/21/1993, §1)

§10-202. Motor Vehicle Nuisances Prohibited.

It shall be unlawful for any person, owner or lessee to maintain a motor vehicle nuisance upon the open private grounds of such a person, owner or lessee within Sandy Township. 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:

- A. Broken windshields, mirrors or other glass, with sharp edges.
- B. One or more flat or open tires or tubes which could permit vermin harborage.
- C. Missing doors, windows, hood, trunk or other motor vehicle body parts which could permit animal harborage.

HEALTH AND SAFETY

- D. Any motor vehicle body parts with sharp edges including holes resulting from rust.
- E. Missing tires resulting in unsafe suspension of the motor vehicle.
- F. Motor vehicle upholstery which is torn or open which could permit animal and/or vermin harborage.
- G. Broken head-lamps or tail-lamps with sharp edges.
- H. Disassembled chassis parts apart from the motor vehicle stored in a disorderly fashion or loose in or on the vehicle.
- I. Protruding sharp objects from the chassis.
- J. Broken motor vehicle frame suspended from the ground in an unstable manner.
- K. Leaking or damaged oil pan or gas tank which could cause fire or explosion.
- L. Exposed battery containing acid.
- M. Inoperable locking mechanism for doors or trunk.
- N. Open or damaged floor boards, including trunk and firewall.
- O. Damaged bumpers pulled away from the perimeter of vehicle.
- P. Broken grill with protruding edges.
- Q. Loose or damaged metal trim and clips.
- R. Broken communication equipment antennae.
- S. Suspended or unstable supports.
- T. Does not possess a current license plate.
- U. Does not possess a current inspection sticker.
- V. Such other defects which could threaten the health, safety and welfare of the citizens of Sandy Township.

(1993-5, 7/21/1993, §2)

§10-203. Storage of Motor Vehicle Nuisances Permitted.

1. Any person, owner or lessee who has one or more motor vehicle nuisances as defined in §10- 202 above may store such vehicles in Sandy Township only in strict compliance with the regulations provided herein. Such person, owner or lessee must first apply for a permit for either temporary or permanent storage and pay a fee to Sandy Township pursuant to a resolution of the Sandy Township Supervisors. The motor vehicle nuisance must be stored within a garage or other enclosed building or outside within an opaque fence at least six feet high which is locked at all times when unattended.
2. Nothing herein shall be construed to permit the storage of motor vehicle nuisances contrary to the provisions of the Sandy Township Zoning Ordinance [Chapter 27].

(Ord. 1993-5, 7/21/1993, §3)

§10-204. Inspection of Premises; Notice to Comply.

1. The Zoning Office 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 conditions, structure or improvements 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 owners whereabouts or identity be unknown, by posting the notice conspicuously upon the offending premises.
2. Said notice shall specify the conditions or structure or improvement complained of and shall require the owner to commence to remove or otherwise rectify the condition or structure or improvements as set forth therein within ten days of mailing or posting of said notice and thereafter to fully comply with the requirements of the notice within a reasonable time.

(Ord. 1993-5, 7/21/1993, §4)

§10-205. Authority to Remedy Noncompliance.

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

(Ord. 1993-5, 7/21/1993, §5)

§10-206. 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 \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 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. 1993-5, 7/21/1993, §§1-6; as amended by Ord. 1996-6, 8/21/1996, §1; by Ord. 1997-1, 2/5/1997, §1; by Ord. 1997-2, 4/2/1997, §1; and by A.O.