

**ORDINANCE NO. 1243**

AN ORDINANCE OF THE BOROUGH OF TYRONE, A HOME RULE MUNICIPALITY, AMENDING ORDINANCE NO. 1218 KNOWN AS THE ABANDONED AND JUNK CAR ORDINANCE TO: CHANGE THE DEFINITION OF ABANDONED VEHICLE: TO REAFFIRM SAID ORDINANCE 1218, AS AMENDED; AND ESTABLISH AN EFFECTIVE DATE.

The Borough of Tyrone hereby ordains:

**SECTION 1. AMENDMENT TO ORDINANCE 1218.**

Ordinance 1218 known as the "Abandoned and Junk Car Ordinance", Section 1 "Definitions" is hereby amended to delete the language that has been ~~struck through~~ and add the underlined language for the definition of "Abandoned Vehicle" as hereinafter set forth:

Abandoned Vehicle - Any vehicle which is parked or permitted to stand on any public street or alley for a continuous period exceeding 48 hours unattended and not bearing ~~one~~ all of the following: a valid registration plate, a certificate of inspection and an ascertainable vehicle I.D. number: and - any vehicle which shall stand or be parked on a public street or alley for a period of 48 hours without the consent of the owner ~~of~~ or person in control.

**SECTION 2. REAFFIRMATION OF ORDINANCE 1218.**

It is hereby declared to be the intent of the Borough that Ordinance 1218, except as amended hereby, is reaffirmed in its entirety.

**SECTION 3. REPEALER.**

Any Ordinance or Resolution or parts thereof inconsistent with the terms of this Ordinance are hereby repealed.

**SECTION 4. SEVERABILITY.**

If any sentence, clause, section or part of this Ordinance is for any reason found to be

unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts of this Ordinance. It is hereby declared as the intent of the Borough Council of the Borough of Tyrone that this Ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein.

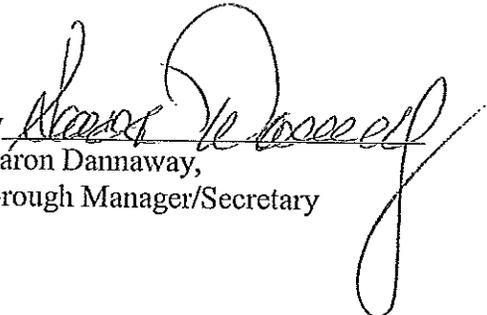
**SECTION 5. EFFECTIVE DATE.**

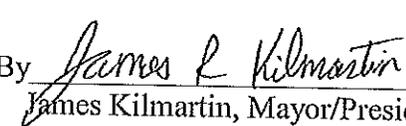
This Ordinance shall become effective upon the earliest date provided by law.

**ORDAINED AND ENACTED** as an Ordinance of the Borough of Tyrone by the Borough Council on this 8<sup>th</sup> day of May, 2006.

ATTEST:

BOROUGH OF TYRONE

By   
Sharon Dannaway,  
Borough Manager/Secretary

By   
James Kilmartin, Mayor/President

## ORDINANCE NO. 1218

AN ORDINANCE OF THE BOROUGH OF TYRONE, BLAIR COUNTY, PENNSYLVANIA, HOME RULE MUNICIPALITY REPEALING ORDINANCE NO. 1040, KNOWN AS THE "JUNK CAR ORDINANCE" AND REPLACING IT WITH THE FOLLOWING ORDINANCE PROHIBITING THE PARKING AND STORAGE OF AN AUTOMOBILE/MOTOR VEHICLE WITHOUT THE REQUIRED VALID REGISTRATION AND/OR CERTIFICATE OF INSPECTION ON PUBLIC OR PRIVATE PROPERTY WITHOUT OBTAINING A PERMIT. SAID ORDINANCE ALSO AUTHORIZES A FEE FOR ALL SUCH PERMITS AND ESTABLISHES AN EFFECTIVE DATE.

The Borough of Tyrone hereby ordains:

### Section 1. Definitions.

Abandoned Vehicle - Any vehicle which is parked or permitted to stand on any public street or alley for a continuous period exceeding 48 hours unattended and not bearing one of the following: a valid registration plate, a certificate of inspection and an ascertainable vehicle I.D. number; and - any vehicle which shall stand or be parked on a public street or alley for a period of 48 hours without the consent of the owner of person in control.

Junked Automobile.- Any vehicle which has no valid registration or certificate of inspection and/or has been stripped or partially disassembled so that it is inoperable or immovable and is parked or permitted to stand on a public street or alley for 48 hours and/or on an unenclosed location on private property for a continuous period in excess of 30 days.

### Section 2. Junked Vehicles.

It shall be unlawful for any person or persons, firm, company, partnership or corporation whether by principle of agent to park, store or permit to be parked or stored any junked vehicle on public property including, but not limited to, any streets and alleyways, within the Borough of Tyrone. Not more than one junked vehicle may be parked or stored on private property and any such junked vehicle shall be kept or stored only on the premises at which the owner of the junked vehicle resides providing the following conditions are met:

A. Permit Required. An owner having or permitting a junked vehicle on the owner's premises shall obtain, on a semi-annual basis, a permit (the cost of which shall be established by the Borough from time to time) from the Borough indicating whether said junked vehicle is being restored, or is a vehicle intended on for use off of public streets.

B. Junked Vehicle Cover Required. Any junked vehicle which is under permit for storage on private property must be constantly covered by an automobile/motor vehicle cover specifically sold for such purposes. If a cover is not manufactured for a certain type of automobile/motor vehicle, the Police

Department or the Code Enforcement Officer shall have the discretion to determine the appropriateness of the cover required for said vehicle. Plastic tarps, cloth tarps, and other like materials are not permitted to be used as automobile/motor vehicle covers unless approved as previously set forth.

### Section 3. Abandoned Vehicles.

It shall be unlawful for any person or persons, firm, company, partnership or corporation whether by principle of agent to park, store or permit to be parked or stored any abandoned vehicle on the public streets or alleys of the Borough of Tyrone and/or any other public property.

### Section 4. Enforcement.

Any police officer of the Borough of Tyrone Police Department and/or the Borough of Tyrone Code Enforcement Officer is hereby designated to complete and process the necessary documentation on forms prescribed by the Commonwealth of Pennsylvania on each vehicle declared abandoned pursuant to the Pennsylvania Vehicle Code. In compliance with the said Vehicle Code, the Borough Manager is hereby designated to hear objections as to whether a vehicle was abandoned.

### Section 5. Investigation and Penalties.

Upon the presence of abandoned or junked vehicles within the Borough, an investigation shall be made by the Borough regarding said vehicles. If the investigation reveals the presence of vehicles in violation of this Ordinance, the Borough shall immediately transmit written notice to the owner in person or by certified mail. Such written notice shall contain a description of the vehicle, its location, notice of violation of this Ordinance and directions to remove the vehicle from on the street or on private property within 10 days.

Any person or persons, firm, company, partnership, or corporation violating any of the provisions of this article shall upon conviction before the District Magistrate shall pay a fine of not less than \$50.00 and not more than \$600.00 for each offense and cost of prosecution, and when default in payment thereof shall be imprisoned in the county jail for a period not to exceed 30 days.

### Section 6. Continuation of Violation.

Each day that a violation is permitted to exist after notice in writing shall have been served shall constitute a separate offense.

### Section 7. Severability.

If any sentence, clause, section or part of this Ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts of this Ordinance. It is hereby declared as the intent of the Borough Council of the Borough of Tyrone that this Ordinance would have been adopted had such

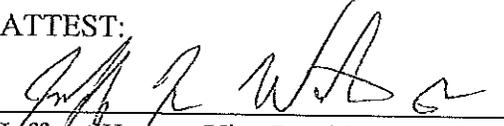
unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein.

Section 8. Repealer.

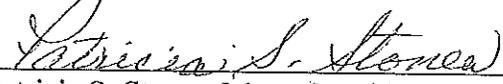
Any Ordinance or Resolution or parts thereof inconsistent with the terms of this Ordinance are hereby repealed. Ordinance No. 1040 is specifically rescinded and for that purpose is attached to this Ordinance.

**ORDAINED AND ENACTED** as an Ordinance of the Borough of Tyrone by the Borough Council on this 8th day of NOVEMBER, 2004.

ATTEST:

  
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Jeffrey Watson, Vice President

BOROUGH OF TYRONE

By   
\_\_\_\_\_  
Patricia S. Stoner, Mayor/President