

## Chapter 247

### VEHICLES, JUNKED OR ABANDONED

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[HISTORY: Adopted by the Borough Council of the Borough of Linesville 3-2-1970 by Ord. No. 186. Amendments noted where applicable.]

#### GENERAL REFERENCES

Property maintenance — See Ch. 178.

Nuisances — See Ch. 150.

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#### § 247-1. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

**ABANDONED OR JUNKED VEHICLE — [Amended 10-2-1989 by Ord. No. 249]**

A. An abandoned or junked vehicle shall be deemed to be any vehicle or part thereof:

- (1) Which does not bear a current license or inspection sticker;
- (2) Which cannot be moved from its existing location under its own power, or in such other manner as it is normally moved because any part or parts thereof, including but not limited to a wheel or wheels, motor, transmission, differential, drive shaft, exhaust system, carburetor, radiator, starter, generator or alternator, has been removed therefrom, and has been in such condition for a period of 15 days or more; or
- (3) Which although capable of being moved, has not been moved under its own power or in the manner in which is customarily moved for a period of at least 90 days.

B. The term "vehicle" as used herein shall include, but not be limited to all automobiles, trucks, buses, tractors, semitrailers, motorcycles, trail bikes or other devices manufactured for use or intended to be used upon public highways and all component parts thereof.

**PERSON —** An individual, partnership, corporation, unincorporated association or other entity of any nature which may own real estate or vehicles.

**§ 247-2. Closed building required for storing more than 10 days.**

It shall be unlawful for any person to store any junked or abandoned motor vehicle as herein defined upon public or private grounds within the Borough of Linesville for a period of more than 10 days unless the same be stored within a closed building.

**§ 247-3. Responsibility of owner of real estate.**

It shall be unlawful for any person who is the owner of real estate in the Borough of Linesville to permit another to store an abandoned or junked motor vehicle on such real estate for a period of more than 10 days unless the same is stored within a closed building on said real estate.

**§ 247-4. Violations and penalties. [Amended 9-8-1970 by Ord. No. 189.]**

Any person who shall violate the provisions of this chapter shall, in a summary proceeding before a Magisterial District Judge and upon conviction thereof, be sentenced to pay a fine of not more than \$1,000, plus costs of prosecution, and, in default of payment of such fine and costs, to undergo imprisonment for not more than 30 days. Each day any such abandoned or junked vehicle is stored in violation of this ordinance shall be deemed a separate and distinct offense and be subject to the penalty herein imposed.

**§ 247-5. Notification; removal by Borough; costs.**

In addition to any other remedies or penalties herein provided, the Borough may give written notice by certified mail, return receipt requested, to the owner of any such abandoned or junked motor vehicle if such owner can be ascertained and/or to the owner of the property upon which said abandoned or junked motor vehicle is stored, to remove the same within 10 days of the receipt of such notice. In the event such notice cannot be served by mail, said notice may be served by posting the premises in the vicinity of the junked or abandoned motor vehicle. If said junked or abandoned motor vehicle is not removed within said ten-day period, the Borough shall have the right to remove the same to a proper place of storage and recover from the property owner or the abandoned or junked motor vehicle owner the cost of such removal and storage together with a penalty of 10% and the costs of collection; such recovery to be in addition to all other fines or penalties imposed hereunder. In addition, the Borough shall have the right to dispose of the abandoned or junked vehicle and apply the proceeds from such disposal, if any, to the sums due the Borough hereunder.

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1. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).