

AN ORDINANCE OF THE TOWNSHIP SUPERVISORS OF WESTFALL TOWNSHIP, PIKE COUNTY, PENNSYLVANIA, PROHIBITING THE STORAGE OF ABANDONED OR JUNKED AUTOMOBILES ON PUBLIC OR PRIVATE PROPERTY WITHIN THE TOWNSHIP AND PRESCRIBING PENALTIES FOR THE VIOLATION OF THE PROVISIONS THEREOF:

Be it enacted and ordained by the Board of Township Supervisors of Westfall Township, Pike County, Pennsylvania, and it is hereby enacted and ordained by the authority of the same that the storage of abandoned or junked automobiles on public or private property within the Township is hereby declared a nuisance and prohibited as is hereinafter provided.

Section 1. Short Title. This ordinance shall be known and may be cited as "Township of Westfall Abandoned and Junked Automobile Ordinance."

Section 2. Definitions. The following words and phrases, when used in this Ordinance, shall have the meanings ascribed to them in this section, except in those instances where the context clearly indicates a different meaning.

(a) "Association" - Any partnership, limited partnership, or any other form of unincorporated enterprise owned or conducted by two or more persons.

(b) "Corporation" - A corporation or joint-stock association, organized under the laws of this Commonwealth, the United States, or any other state, territory, or foreign country or dependency.

(c) "Person" - Every natural person, association or corporation. Whenever used in any clause prescribing or imposing a penalty, or both, the term "person" as applied to associations, shall mean the part applied to corporations, the officers thereof.

(d) "Constable" - Any duly elected and acting constable of the Township of Westfall, Pike County, Pennsylvania.

(e) "Justice of the Peace" - Any duly elected and acting Justice of the Peace of the Township of Westfall, Pike County, Pennsylvania.

(f) "Junked Automobile" - Any automobile outside of a fully enclosed building not in full and complete working order, and without current registration plates or any automobile stored for resale as junk metal or any automobile outside of a fully enclosed building stored for selling parts therefrom.

(g) "Calendar Day" - A period of twenty-four (24) hours measured from midnight to midnight of any calendar day.

Section 3. It shall be unlawful for any person to store any abandoned or junked automobile on private or public property within the geographical boundaries of the Township of Westfall, Pike County, Pennsylvania, for any portion of a calendar day. The storage of any automobile as hereinabove prohibited in this Section for more than one calendar day shall constitute a separate and distinct unlawful act for any portion of each calendar day.

Section 4. Any person upon summary conviction before a Justice of the Peace of violating any of the provisions of Section 3 of this Ordinance shall be sentenced to pay a fine of Ten Dollars (\$10.00) and costs of prosecution, and in default of payment thereof shall undergo imprisonment for a period not exceeding five (5) days in the Pike County jail; all fines shall be paid over to the Township Treasurer.

Section 5. All prosecutions shall be brought in the name of "Westfall Township" before any Justice of the Peace and shall be commenced by information and warrant and shall be directed to and be served by a constable. Warrants shall be returnable forthwith and upon such return like proceedings shall be had, as in case of summary conviction.

Section 6. The provisions of this Ordinance are severable and if any section, clause, sentence, part or provision thereof shall be held illegal, invalid or unconstitutional, the decision of the Court shall not affect or impair any of the remaining sections, clauses, sentences, parts, or provisions of this Ordinance. It is hereby declared to be the intent of the Board of Township Supervisors of the Township of Westfall that this Ordinance would have been adopted if such illegal, invalid or unconstitutional section, clause, sentence, part, or provisions had not been included therein.

Section 7. This Ordinance shall become effective on the first day of August, 1955.

Ordained and enacted into an Ordinance this 5th day of July, A. D. 1955.

Merlin J. Strait
Merlin C. Smith,
Chairman

ATTEST:

Kenneth H. LaRosa
Kenneth H. LaRosa,
Secretary