

## Chapter 194

### VEHICLES AND TRAILERS, ABANDONED

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**[HISTORY: Adopted by the Borough Council of the Borough of Edgewood 12-1-2003 by Ord. No. 984. Amendments noted where applicable.]**

#### GENERAL REFERENCES

Nuisances — See Ch. 142.  
Streets and sidewalks — See Ch. 177.

Vehicles and traffic — See Ch. 193.

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#### § 194-1. Title.

This chapter entitled "Regulation of Abandoned Motor Vehicles" is hereby adopted to read as follows.

#### § 194-2. Definitions.

For the purpose of this chapter, certain words and terms are defined as herein indicated:

ABANDONED MOTOR VEHICLE — One that:

- A. Is left upon a public street or highway within the Borough in violation of a law or ordinance prohibiting parking;
- B. Is in such a state of disrepair as to be incapable of being moved under its own power;
- C. Is missing one or more tires or wheels;
- D. Is in a dismantled or partially dismantled condition;
- E. Does not have a current license plate affixed;
- F. If applicable, does not have a current inspection sticker affixed; or
- G. Is left on private property within the Borough without the consent of the owner, occupant or lessee thereof, for longer than two hours.

**ABANDONED MOTOR VEHICLE TRAILER** — One that is designed for attachment to motor vehicles for the purpose of transporting persons or goods:

- A. Is left upon a public street or highway within the Borough in violation of a law or ordinance prohibiting parking;
- B. Is in such a state of disrepair as to be incapable of being moved;
- C. Is missing one or more tires or wheels;
- D. Is in a dismantled or partially dismantled condition;
- E. Does not have a current license plate affixed; or
- F. Is left on private property within the Borough without the consent of the owner, occupant or lessee thereof, for longer than two hours.

**AUTHORIZING OFFICIAL** — The Chief of Police and the Borough Code Enforcement Officer are designated as authorizing officials and either may authorize the removal of vehicles under the provisions of this chapter.

**BOROUGH** — The Borough of Edgewood in Allegheny County.

**COUNCIL** — The Council of the Borough of Edgewood.

**NUISANCE IN FACT** — Any act which poses any public danger, inconvenience or distraction or which constitutes a threat to the public health, welfare and safety. A nuisance in fact as it relates to this chapter shall include, but is not limited to, an abandoned motor vehicle or an abandoned motor vehicle trailer that is found to be:

- A. A breeding ground or harbor for mosquitoes, other insects, rats or other pests;
- B. A point of heavy growth of weeds or other noxious vegetation over eight inches in height;
- C. A point of collection of pools or ponds of water;
- D. A point of concentration of quantities of gasoline, oil or other flammable or explosive materials as evidenced by odor;
- E. So situated or located that there is a danger of it falling or turning over;
- F. One which is a point of collection of garbage, food waste, animal waste, or any other rotten or putrescent matter of any kind;
- G. One which has sharp parts thereof which are jagged or contain sharp edges of metal or glass; or
- H. Any other vehicle specifically declared a health and safety hazard and a public nuisance by the Police Chief, Borough Code Enforcement Officer or the Council of the Borough of Edgewood.

**PREMISES OR PROPERTY** — A zoning lot as defined in Chapter 200, Zoning.

**§ 194-3. Outdoor storage on private lots.**

The outdoor storage or parking of any abandoned motor vehicle or abandoned motor vehicle trailer, or any combination thereof, on any zoning lot where said storage or parking is not a permitted use within the Borough for a period of 10 consecutive days or longer is prohibited.

**§ 194-4. Outdoor storage on streets, public or private property.**

The outdoor storage or parking of any abandoned motor vehicle or abandoned motor vehicle trailer, or any combination thereof, on any street, public property or private property for a period of more than 24 hours is prohibited.

**§ 194-5. Private property notice.**

- A. The Borough shall notify the owner(s) of the private property where any abandoned motor vehicle(s) and/or abandoned motor vehicle trailer(s) are unlawfully stored thereby directing that the same be removed within 10 days of such notice.
- B. The Borough shall also notify the last known registered owner(s) of the abandoned motor vehicle(s) and/or abandoned motor vehicle trailer(s) that are unlawfully stored thereby directing that the same be removed within 10 days of such notice.
- C. Notice may be given either by regular first class United States Postal Service mail delivery, by certified or registered United States Postal Service mail delivery, by personal service or by posting the premises.

**§ 194-6. Exceptions.**

- A. The provisions of §§ 194-3 and 194-5 of this chapter shall not apply to properties in districts where such storage and parking are otherwise lawful under Chapter 200, Zoning.
- B. The provisions of §§ 194-3 and 194-5 of this chapter shall not apply where approval is or has been obtained from the authorizing authority for the temporary outdoor storage of damaged vehicles awaiting repair or for vehicles offered for sale.

**§ 194-7. Removal by Borough.**

- A. If an abandoned motor vehicle(s) or abandoned motor vehicle trailer(s) on private property is/are nuisances in fact and are not removed within the notice period in accordance with § 194-5 of this chapter, the authorizing authority shall remove said abandoned motor vehicle(s) and/or abandoned motor vehicle trailer(s) from said private property.
- B. Any such abandoned motor vehicle(s) or abandoned motor vehicle trailer(s) parked or stored on streets or public property shall be removed forthwith by the authorizing authority or his or her designee.

**§ 194-8. Costs.**

- A. All costs and expenses incurred by the Borough for removal of abandoned motor vehicle(s) and/or abandoned motor vehicle trailer(s), together with an administrative charge of 15%, shall be charged against the owner of the property from which the abandoned motor vehicle(s) and/or abandoned motor vehicle trailer(s) were removed.
- B. Should said charges not be paid when due, the Borough Manager shall certify the same to the Borough Solicitor who shall file a municipal lien and claim thereafter in the Allegheny County Prothonotary's Office.

**§ 194-9. Violations and penalties.**

- A. In addition to the remedies set forth above, any person or entity violating any provision of this chapter shall, upon summary conviction thereof before any magistrate, pay a fine in an amount not exceeding \$1,000, together with the costs of prosecution.
- B. In default of the payment of the fine and costs, said person shall be subject to imprisonment in the Allegheny County Jail for a period not exceeding 30 days.
- C. Each day that a violation of this chapter continues to exist shall be considered a separate offense and may be punishable as such.