

AN ORDINANCE RELATING TO VEHICLES ABANDONED ON PUBLIC STREETS, PUBLIC PROPERTY AND PRIVATE PROPERTY; PROVIDING PROCEDURE FOR THE REMOVAL OF SUCH VEHICLES; AND SPECIFYING A PENALTY FOR THE VIOLATIONS THEREOF.

The Borough of Freemansburg hereby ordains as follows:

SECTION 1. The following words and phrases when used in this Ordinance shall have the meaning ascribed in this Section unless the context clearly indicates a different meaning:

(a) Person: Any individual, partnership, limited partnership, association or corporation.

(b) Vehicle: A machine ordinarily propelled by power and designed to travel by the use of wheels, treads, runners or slides, and to transport persons or property, and shall include, without limitation, automobiles, trucks, trailers, motorcycles and tractors.

(c) Abandoned Vehicle: A vehicle that, for more than ninety-six (96) hours, (1) is inoperable or incapable of being moved under its own power; or (2) has a deflated tire or tires; or (3) is without tire or tires; or (4) is without current license tags; or (5) is without a current inspection sticker; or (6) is partially disabled, wrecked or junked.

(d) Public Property: Any real property owned or controlled by the Borough of Freemansburg.

SECTION 2. It shall be unlawful for any person to abandon, on either public or private property in the Borough of Freemansburg, a vehicle abandoned within the meaning of Section 1 of this Ordinance.

SECTION 3. It shall also be unlawful for any person owning property in the Borough of Freemansburg to allow or permit another person to abandon on such property a vehicle abandoned within the meaning of Section 1 of this Ordinance.

SECTION 4. Any abandoned vehicle may be removed by the Mayor or a police officer of the Borough of Freemansburg after five (5) days' written notice to the registered owner thereof to remove such vehicle. If the vehicle constitutes a safety hazard, the Mayor or police officer of the Borough of Freemansburg may remove it

immediately, and within twelve (12) hours shall send a written notice to the registered owner, stating the cause of removal and the procedure to follow in reclaiming the vehicle.

SECTION 5. The provisions of this Ordinance shall not apply to vehicles in an enclosed building or on the premises of a business enterprise when necessary to the operation of such business.

SECTION 6. Any person who shall violate any of the provisions of this Ordinance shall, upon conviction thereof, be sentenced to pay a fine of not more than Three Hundred Dollars (\$300.00) and costs of prosecution, and, in default of payment of such fine and costs, to imprisonment in the County Jail for not more than thirty (30) days.

SECTION 7. The provisions of this Ordinance shall be severable, and if any of its provisions shall be held to be unconstitutional, illegal or invalid, such decision shall not affect the validity of any of the remaining provisions of this Ordinance. It is hereby declared as a legislative intent that this Ordinance would have been adopted, had such unconstitutional, illegal or invalid provision not been included herein.

SECTION 8. All ordinances or parts of ordinances conflicting with the provisions of this Ordinance are hereby repealed insofar as they are inconsistent with this Ordinance.

ENACTED and ORDAINED into an Ordinance and passed by Council of the Borough of Freemansburg, Northampton County, Pennsylvania, this 9<sup>th</sup> day of April, A. D. 1969.

ATTEST:

R. C. Steiner  
R. C. Steiner, Secretary

Charles A. Romanell  
Charles A. Romanell, President

APPROVED this 9<sup>th</sup> day of April, A. D. 1969.

Stephen Kerckmar  
Stephen Kerckmar, Mayor