

NORTH EAST TOWNSHIP

ORDINANCE NO. 2004 - 004

AN ORDINANCE AMENDING ORDINANCE NO. 7, COMMONLY REFERRED TO AS THE "JUNK ORDINANCE," BY INCREASING THE PENALTY TO \$500.00.

WHEREAS, it is the desire of the Township to amend said Ordinance No. 7 by increasing the penalty.

NOW THEREFORE BE IT ENACTED AND ORDAINED by the authority of the Supervisors of North East Township as follows:

Section 1. Section 3 of Ordinance No. 7 is hereby amended to increase the penalty to \$500.00.

Section 2. This Ordinance shall be effective ten (10) days after its adoption.

ENACTED AND ORDAINED by the Board of Supervisors of the North East Township, Erie County, Pennsylvania, this 7th day of June, 2004.

NORTH EAST TOWNSHIP

BY: Julia Gorniak
Julia Gorniak, Chairman

BY: Dennis M. Culver
Dennis Culver, Supervisor

BY: Vernon Frye
Vernon Frye, Supervisor

ATTEST:

Karen A. Ahlgrim
Karen Ahlgrim, Secretary

NORTH EAST TOWNSHIP

Upon motion of Julia Hornal seconded by Frank Tentoni,
the following Ordinance was duly adopted: 2 voting in favor of enactment, 0 voting
against enactment.

ORDINANCE NO. 1996-00²

AN ORDINANCE AMENDING ORDINANCE NO. 7 ENTITLED "AN ORDINANCE TO PROHIBIT THE DUMPING, STORAGE OR ACCUMULATION OF JUNK ON PUBLIC OR PRIVATE PROPERTY; TO PROHIBIT THE STORAGE OR ACCUMULATION OF JUNKED OR ABANDONED AUTOMOBILES ON PUBLIC OR PRIVATE PROPERTY; TO PROHIBIT THE CARRYING ON OF ANY OFFENSIVE MANUFACTURE OR BUSINESS; TO PROHIBIT ANY DANGEROUS STRUCTURE OR EXCAVATION WITHIN THE TOWNSHIP OF NORTH EAST, ERIE COUNTY, PENNSYLVANIA; AND PRESCRIBING PENALTIES FOR THE VIOLATIONS OF THE PROVISIONS THEREOF AND REPEALING CERTAIN CONFLICTING ORDINANCES".

BE IT ENACTED AND ORDAINED by the authority of the Supervisors of North East Township, as follows:

Section 3 is hereby amended to read as follows:

SECTION 3. In the event any person shall violate any of the provisions of this Ordinance, the Supervisors of North East Township, or their designee, may order the removal of such nuisances or dangerous structures from public or private ground and after fifteen (15) days written notice to the owners or occupants to do so and, upon default of the owners or occupants to abate such nuisances, the Supervisors of North East Township, or their designee, may abate or remove the same and collect the costs of

such removal, together with the penalty of \$100.00 from the
owners or occupants.

ENACTED and ADOPTED this 4 day of March, 1996, to be
effective ten (10) days from said date.

NORTH EAST TOWNSHIP
BOARD OF SUPERVISORS

BY: Jules Gorvick

BY: Frank E. Stanton

ATTEST:

Mona Lee Chilcoat

BY: Roy d Thomson

Upon motion by H. E. Decker, seconded by W. F. Bahrt,
the following Ordinance was duly enacted. 3 voting in favor of enactment,
0 voting against enactment.

ORDINANCE NO. 7

AN ORDINANCE TO PROHIBIT THE DUMPING,
STORAGE OR ACCUMULATION OF JUNK ON PUBLIC
OR PRIVATE PROPERTY; TO PROHIBIT THE STORAGE
OR ACCUMULATION OF JUNKED OR ABANDONED AUTO-
MOBILES ON PUBLIC OR PRIVATE PROPERTY; TO
PROHIBIT THE CARRYING ON OF ANY OFFENSIVE
MANUFACTURE OR BUSINESS; TO PROHIBIT ANY
DANGEROUS STRUCTURE OR EXCAVATION WITHIN
THE TOWNSHIP OF NORTH EAST, ERIE COUNTY,
PENNSYLVANIA, AND PRESCRIBING PENALTIES
FOR THE VIOLATIONS OF THE PROVISIONS THEREOF
AND REPEALING CERTAIN CONFLICTING ORDINANCES.

BE IT ENACTED AND ORDAINED by the Supervisors of the Township of North
East, Erie County, Pennsylvania, and it is hereby enacted by authority of the
same that the dumping, storage or accumulation of junk on public or private
property, the storage or accumulation of junked or abandoned automobiles on
public or private property, the carrying on of any offensive manufacture or
business, the maintaining of any dangerous structure or excavation within the
limits of the Township of North East is hereby declared to be a nuisance and
prohibited as hereinafter provided.

SECTION 1. The following words when used in this Ordinance shall have the
meaning prescribed to them in this Section except in those instances when the
context clearly indicates a different meaning.

(A) "Person" - Every natural person, association, partner-
ship or corporation. The single shall include the plural. Whenever used in
connection with prescribing or imposing a penalty or both, the term as applied
to partnership shall mean the partner or any of them and as applied to corporations
or associations shall mean the officers thereof.

(B) "Junk" - Tractors, tractor parts, trailers and trailer
parts, machinery and machinery parts outside of a fully enclosed building not in
full and complete working order, industrial by-products and waste of every kind
and nature, discarded lumbering and building materials, and all kinds and sorts
of material commonly classified as junk.

(C) "Junked or abandoned automobiles" - 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.

SECTION 2. It shall be unlawful for any person to dump, store, accumulate or cause or allow to be dumped, stored or accumulated any junk on any land, public or private, to store or cause or allow to be stored abandoned or junked automobiles on public or private property or to carry on any offensive manufacture or business or allow or cause to be allowed the maintenance of any dangerous structure or excavation within the limits of the Township of North East.

SECTION 3. In the event any person shall violate any of the provisions of this Ordinance, the Supervisors of North East Township shall order the removal of any such nuisances or dangerous structures from public or private ground, and after fifteen (15) days written notice to the owners or occupants of the premises to do so and, upon default of the owners or occupants of the premises to abate such nuisances, the Supervisors of North East Township shall abate or remove the same and collect the costs of such removal together with the penalty of \$10.00 from the owners or occupants.

SECTION 4. Any person violating the terms of this Ordinance shall be subject to a fine of not less than \$5.00 nor more than \$100.00, and in default of payment thereof shall be committed to the Erie County Jail for a period of not more than thirty (30) days for each separate offense, with the right of appeal as in other cases of summary conviction.

The dumping, storage or accumulation of junk, the storage of abandoned or junked automobiles, the carrying on of any offensive manufacture or business, the allowing of any dangerous structure or excavation, in violation hereof shall constitute a separate offense for each day the condition is allowed to exist.

All fines levied, assessed and paid under the terms of this Ordinance shall be payable to the Treasurer of the Township of North East for the general use of the Township.

SECTION 5. 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 North East 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 6. Ordinance No. 5 of the Township of North East entitled

"AN ORDINANCE OF THE TOWNSHIP SUPERVISORS OF NORTH EAST TOWNSHIP, ERIE 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."

and Ordinance No. 6 of the Township of North East entitled

"AN ORDINANCE TO PROHIBIT DUMPING, STORAGE AND ACCUMULATION OF JUNK ON PUBLIC AND PRIVATE PROPERTY WITHIN THE TOWNSHIP OF NORTH EAST, ERIE COUNTY, PENNSYLVANIA, AND PRESCRIBING PENALTIES OF THE PROVISION THEREOF."

both of which were enacted on the 2nd day of April, 1956 by the Supervisors of North East Township and any Ordinance or part of Ordinance conflicting with the provisions of this Ordinance shall be and the same are hereby repealed.

ENACTED AND ORDAINED this 2nd day of July, 1956.


SECRETARY