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**PART 1**

**GRASS AND WEEDS**

**§10-101. Definitions and Interpretation.**

PERSON — any natural person, partnership, association, firm or corporation.

The singular shall include the plural and the masculine shall include the feminine and the neuter.

(Ord. 409, 6/11/1963, §1)

**§10-102. Unlawful to Permit Grass, Weeds and Other Vegetation to grow Under Certain Conditions.**

No person owning or occupying any property in the Borough of Coplay shall permit any grass, weeds or any vegetation whatsoever, not edible or planted for some useful or ornamental purpose (i) to grow or remain upon such premises so as to exceed a height of six (6") inches, (ii) to throw off any unpleasant or noxious odor, or (iii) to create or produce pollen. Any grass, weeds or other vegetation growing upon any premises in the Borough in violation of any of the provisions of this §10-102 is hereby declared to be a nuisance and detrimental to the health, safety, cleanliness and comfort of the inhabitants of the Borough. Nor shall any person place, throw or dump any grass, grass clippings, weeds or any vegetation whatsoever upon any sidewalk, curb, gutter, street or alley in the Borough. The growing or disposing of grass, grass clippings, weeds or other vegetation upon any sidewalk, curb, gutter, street or alley in the Borough shall constitute a violation of the provisions of this §10-102 and is hereby declared to be a nuisance and detrimental to the health, safety, cleanliness and comfort of the inhabitants of the Borough. (Ord. 409, 6/11/1963, §2; as amended by Ord. 813, 4/8/2014, §2)

**§10-103. Responsibility for Removing or Trimming Grass, Weeds and Other Vegetation.**

The owner of any premises, as to vacant or unoccupied premises, or as to premises occupied by the owner thereof, or as to premises containing more than one rental unit; and the occupant of premises, in case of premises containing only one rental unit and occupied by other than the owner thereof, shall remove, trim or cut all grass, weeds or other vegetation growing or remaining upon such premises in violation of any of the provisions of §10-102 of this Part 1. (Ord. 409, 6/11/1963, §3)

**§10-104. Notice to Remove or Trim; Authority for Borough to Do Work and Collect Cost and Additional Amount.**

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1. Borough Council, or any officer or employee of the Borough authorized to enforce this Part, is hereby authorized to give notice, by personal service or by United States mail, to the owner or occupant, as the case may be, of any premises whereon grass, weeds or other vegetation is growing or remaining in violation of any of the provisions of §10-102 of this Part 1, directing and requiring such owner or occupant to remove, trim or cut such grass, weeds or vegetation so as to conform to the requirements of this Part 1, within five (5) days after issuance of such notice. In case any owner or occupant shall neglect, fail or refuse to comply with such notice within the period of time stated therein, the Borough authorities may remove, trim, or cut such grass, weeds or other vegetation, and the cost thereof, together with any additional penalty authorized by law, may be collected by the Borough from such person, firm or corporation, in the manner provided by law. If subsequent violations occur within twenty-four (24) months of the date of the notice, the Borough may, without additional notice, take the above written measures to bring the property into compliance with ordinance requirements.
2. Coplay Police Department officers are hereby authorized to give notice, by personal service or by United States mail, to the owner or occupant, as the case may be, to enforce the provisions of this Part 1. [Res. 1423]

(Ord. 409, 6/11/1963, §4; as amended by Ord. 813, 4/8/2014, §4; by Res. 1423, 9/13/2016)

### **§10-105. Penalty for Violation.**

Any person who shall violate or fail, neglect or refuse to comply with any of the provisions of this Part 1, shall, on conviction thereof before any District Justice of the Borough, be sentenced to pay a minimum fine of one hundred (\$100.00) dollars and costs of prosecution for the first violation, a minimum fine of two hundred (\$200.00) dollars and costs of prosecution for the second violation, and for any subsequent violations, a fine up to but not more than six hundred (\$600.00) dollars and costs of prosecution; and in default of payment thereof shall be subject to imprisonment for a term not to exceed thirty (30) days. Each day's continuance of a violation or failure to comply, after conviction thereof, shall constitute a separate offense, and notice to the offender shall not be necessary to constitute an offense. (Ord. 409, 6/11/1963, §5; as amended by Ord. 623, 2/13/1990; and by Ord. 813, 4/8/2014, §5)

## PART 2

### NOISE POLLUTION REGULATIONS

#### A. General Provisions.

##### §10-201. Definitions.

As used in this Part 2, unless the context otherwise clearly indicates, the words and phrases used in this Part 2 are defined as follows:

“A” BAND LEVEL—the total sound level of all noise as measured with a sound level meter using the “A” weighting network. The unit is the dbA.

AMBIENT NOISE—the all-encompassing noise associated with a given environment, usually being a composite of sounds with many sources near and far.

BAND-PRESSURE LEVEL—the sound-pressure level for the sound contained within the restricted band.

COMMERCIAL BUILDING—a structure situated upon any nonresidential property, including but not limited to a club, restaurant or bar, where sound-amplifying equipment is used to amplify sound, which structure is fully enclosed by permanent, solid walls and a roof. [Ord. 791]

COMMERCIAL PURPOSE—the use, operation, or maintenance of any sound amplifying equipment for the purpose of advertising any business, or any goods, or any services, or for the purpose of attracting the attention of the public to or advertising for, or soliciting patronage or customers to or for any performance, show, entertainment, exhibition, or event, or for the purpose of demonstrating any such sound equipment.

CYCLE—the complete sequence of values of a periodic quantity which occurs during a period.

DECIBEL—a unit of level which denotes the ratio between two quantities which are proportional to power; the number of decibels corresponding to the ratio of two amounts of power is ten times the logarithm to the base ten of this ratio.

EMERGENCY WORK—work made necessary to restore property to a safe condition following a public calamity or work required to protect persons or property from an imminent exposure to danger.

FREQUENCY—of a function periodic in time shall mean the reciprocal of the primitive period. The unit is the cycle per unit time and shall be specified.

MICROBAR—a unit of pressure commonly used in acoustics and is equal to one dyne per square centimeter.

## HEALTH AND SAFETY

**MOTOR VEHICLES**—shall include, but not be limited to, mini-bikes and go-carts.

**NONCOMMERCIAL PURPOSE**—the use, operation, or maintenance of any sound equipment for other than a commercial purpose. Noncommercial purpose shall mean and include, but shall not be limited to, philanthropic, political, patriotic, and charitable purposes.

**OUTDOOR MUSIC VENUE**—any nonresidential property, including but not limited to a club, restaurant or bar, where sound-amplifying equipment is used to amplify sound, which property is not fully enclosed by permanent, solid walls and a roof. [Ord. 791]

**PERIOD**—of a periodic quantity shall mean the smallest increment of time for which the function repeats itself.

**PERIODIC QUANTITY**—oscillating quantity, the values of which recur for equal increments of time.

**PERSON**—any individual, association, partnership, corporation, or other business entity, and includes any officer or employee. [Ord. 791]

**SOUND**—an oscillation in pressure, particle displacement, particle velocity or other physical parameter, in a medium with internal forces that causes compression and rarefaction of that medium, or the superposition of such propagated oscillation which evokes an auditory sensation. The description of sound may include any characteristics of such sound, including duration, intensity and frequency. [Ord. 791]

**SOUND-AMPLIFYING EQUIPMENT**—any machine or device for the amplification of the human voice, music, or any other sound. Sound-amplifying equipment shall not include standard automobile radios when used and heard only by the occupants of the vehicle in which the automobile radio is installed. Sound-amplifying equipment, as used in this Chapter, shall not include warning devices or authorized emergency vehicles or horns or other warning devices on any vehicle used only for traffic safety purposes.

**SOUND ANALYZER**—a device for measuring the band pressure level or a pressure spectrum level of a sound as a function of frequency.

**SOUND-LEVEL METER**—an instrument including a microphone, an amplifier, an output meter, and frequency weighing networks for the measurement of noise and sound levels in a specified manner.

**SOUND-PRESSURE LEVEL**—in decibels of a sound shall mean twenty (20) times the logarithm to the base ten of the ratio of the pressure of this sound to the reference pressure, which reference pressure shall be explicitly state.

**SOUND TRUCK**—any motor vehicle, or any other vehicle regardless of motive power, whether in motion or stationary, having mounted thereon, or attached thereto, any sound-amplifying equipment.

**SPECTRUM**—of a function of time shall mean a description of its resolution into components, each of a different frequency.

(Ord. 594, 7/10/1984, Art. 1(101); as amended by Ord. 791, 2/18/2011, §1)

**§10-202. Decibel Measurement Criteria.**

Any decibel measurement made pursuant to the provisions of this §10-202 shall be based on a reference sound pressure of 0.0002 microbars as measured in any octave band with center frequency, in cycles per second, as follows: 63, 125, 250, 500, 1,000, 2,000, 4,000, and 8,000 or as measured with a sound level meter using the “A” weighting. (Ord. 594, 7/10/1984, Art. 1(2))

**§10-203. Schools, Hospitals and Churches.**

It shall be unlawful for any person to create any noise on any street, sidewalk, or public place adjacent to any school, institution of learning, or church while the same is in use or adjacent to any hospital, which noise unreasonably interferes with the workings of such institution or which disturbs or unduly annoys patients in the hospital, provided conspicuous signs are displayed in such streets, sidewalk or public place indicating the presence of a school, church, or hospital. (Ord. 594, 7/10/1984, Art. 1(3))

**B. Special Noise Sources.**

**§10-211A. Radio, Television Sets and Similar Devices.** [Ord. 791]

1. Use Restricted. It shall be unlawful for any person within any residential zone of the Borough to use or operate any radio receiving set, musical instrument, phonograph, television set, or other machine or device for the producing or reproducing of sound (between the hours of 10:00 p.m. of one day and 7:00 a.m. of the following day) in such a manner as to disturb the peace, quiet, and comfort of neighboring residents or any reasonable person of normal sensitiveness residing in the area.
2. “Prima Facie” Violation. Any notice exceeding the ambient noise level at the property line of any property (or, if a condominium or apartment house, within any adjoining apartment) by more than five (5) decibels shall be deemed to be “prima facie” evidence of a violation of the provisions of this §10-211.

(Ord. 594, 7/10/1984, Art. 2(1); as amended by Ord. 791, 2/18/2011, §2)

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### **§10-211B. Outdoor Music Venues and Commercial Buildings.**

1. Except as provided in this Section, a person may not use sound-amplifying equipment at an outdoor music venue for the production, reproduction, or amplification of sound.
2. A person may use sound-amplifying equipment at an outdoor music venue, provided that the resulting sound, as measured at the property line of a complainant resident of the Borough, is not greater than 85 decibels, during the following times:
  - A. Between the hours of 12:00 p.m. and 10:00 p.m. on Fridays, Saturdays, and Sundays.
  - B. During such other days and hours as authorized by special permit issued by the Coplay Borough Police Department; however, no special permit shall be issued for the use of sound-amplifying equipment between the hours of 10:00 p.m. and 8:00 a.m. the following day. An application for a special permit shall be submitted to the Coplay Borough Police Department at least 30 days in advance of the proposed outdoor music venue event.
3. A person may use sound-amplifying equipment within any commercial building for the production or reproduction of sound provided that the resulting sound, as measured at the property line of a complainant resident of the Borough, is not greater than 40 decibels.

(Ord. 594, 7/10/1984; as added by Ord. 791, 2/18/2011, §3)

### **§10-212. Hawkers and Peddlers.**

It shall be unlawful for any person within the Borough to sell anything by outcry within any area of the Borough zoned for residential uses. The provisions of this §10-212 shall not be construed to prohibit the selling by outcry of merchandise, food and beverages at licensed sporting events, parades, fairs, circuses, and other similar licensed public entertainment events. (Ord. 594, 7/10/1984, Art. 2(2))

### **§10-213. Drums; Use Restricted.**

It shall be unlawful for any person to use any drum or other instrument or device of any kind for the purpose of attracting attention by the creation of noise within the Borough. This §10-213 shall not apply to any person who is a participant in a school band or duly licensed parade or who has been otherwise duly authorized to engage in such conduct. (Ord. 594, 7/10/1984, Art. 2(3))

### **§10-214. Animals and Fowl.**

It is hereby prohibited for any person, firm, corporation or entity to own, possess, harbor or control any animal or bird which barks, bays, cries, squawks or makes any other noise continuously and/or incessantly for one (1) hour or more and/or makes such disturbance so as to cause two (2) or more people from separate households to make complaint to the Coplay Borough Police Department about such noise, regardless of the time of the day or night, and regardless of whether the animal or bird is physically situated in or on private property. Provided, however, that at the time the animal or bird is making such noise, no person is illegally trespassing or threatening to trespass upon private property or taunting the animal. For purposes of this Part, "intermittent" shall mean a minimum of three (3) ten (10) minute intervals during any one (1) hour period. Police officers are hereby authorized to utilize their discretion in giving either a warning or a citation, depending upon the number of complaints receive in that day. (Ord. 594, 7/10/1984, Art. 2(4); as amended by Ord. 686, 9/-/1997, §214)

**§10-215. Machinery, Equipment, Fans, and Air-Conditioning.**

It shall be unlawful for any person to operate any machinery, equipment, pump, fan, air-conditioning apparatus, or similar mechanical device in any manner so as to create any noise which would cause the noise level at the property line of any property to exceed the ambient noise level by more than five (5) decibels based on a reference sound pressure of 0.0002 microbars as measured in any octave band center frequency, in cycles per second, as follows: 63, 125, 250, 500, 1,000, 2,000, 4,000 and 8,000, and for the combined frequency bands, "A" band. (Ord. 594, 7/10/1984, Art. 2(5))

**§10-216. Construction of Buildings and Projects.**

It shall be unlawful for any person within a residential zone, or within a radius of five hundred (500) feet therefrom, to operate equipment or perform any outside construction or repair work on buildings, structures, or projects or to operate any pile drive, steam shovel, pneumatic hammer, derrick, steam or electric hoist, or other construction type device except to perform emergency work between the hours of 10:00 p.m. of one day and 7:00 a.m. of the next day in such a manner that a reasonable person of normal sensitiveness residing in the area is caused discomfort or annoyance. (Ord. 594, 7/10/1984, Art. 2(6))

**§10-217. Vehicle Repairs.**

It shall be unlawful for any person within any residential area of the city to repair, rebuild, or test any motor vehicle (between the hours of 10:00 p.m. of one day and 6:00 a.m. of the next day) in such a manner that a reasonable person of normal sensitiveness residing in that area is caused discomfort or annoyance. (Ord. 594, 7/10/1984, Art. 2(7))

**§10-218. Train Horns and Whistles.**

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It shall be unlawful for any person to operate or sound, or cause to be operated or sounded (between the hours of 10:00 p.m. of one day and 7:00 a.m. of the next day), a train horn or train whistle which creates a noise in excess of 89 dbA at any place or point three hundred (300) feet or more distant from the source of such sound. (Ord. 594, 7/10/1984, Art. 2(8))

### **§10-219. Additional Regulations.**

1. It shall be unlawful for any person to willfully make or continue, or cause to be made or continued, any loud, unnecessary, or unusual noise which disturbs the peace or quiet of any neighborhood or which causes discomfort or annoyance to any reasonable person of normal sensitiveness residing in the area.
2. The standards which shall be considered in determining whether a violation of the provisions of this §10-210 exists shall include, but not be limited to, the following:
  - A. The volume of the noise;
  - B. The intensity of the noise;
  - C. Whether the nature of the noise is usual or unusual;
  - D. Whether the origin of the noise is natural or unnatural;
  - E. The volume and intensity of the background noise, if any;
  - F. The proximity of the noise to residential sleeping facilities;
  - G. The nature and zoning of the area within which the noise emanates;
  - H. The density of the inhabitation of the area within which the noise emanates;
  - I. The time of the day or night the noise occurs;
  - J. The duration of the noise;
  - K. Whether the noise is recurrent, intermittent, or constant; and
  - L. Whether the noise is produced by a commercial or noncommercial activity.

(Ord. 594, 7/10/1984, Art. 2(9))

### **§10-220. Unnecessary Noise Prohibited.**

It shall be unlawful for any person to willfully make or continue, or cause to be made or continued, any unnecessary noise within the Borough. (Ord. 594, 7/10/1984, Art. 2(10))

**§10-221. Trucks.**

No person shall load any garbage trash on a compactor truck, or any other truck, whereby the loading, unloading or handling of boxes, crates, equipment or other object is conducted within a residential district nor within three hundred (300) feet of any hotel or motel between the hours of 10:00 p.m. and 6:00 a.m. (Ord. 594, 7/10/1984, Art. 2(11))

**§10-222. Emergency Work.**

Noise caused in the performance of emergency work for the immediate safety, health or welfare of the community or individuals of the community, or to restore property to a safe condition following a public calamity shall not be subject to the provisions of this Part 2. (Ord. 594, 7/10/1984, Art. 2(12))

**§10-223. Enforcement and Penalties.**

1. Enforcement of the provisions of this Part shall be the responsibility of the Copley Borough Police Department.
2. Any person who violates or permits the violation of any provision of this Part shall, upon conviction thereof in a summary proceeding brought before a district justice, be guilty of a summary offense and shall pay a fine of not more than \$600 plus costs of prosecution for a first violation, a fine of not more than \$1,000 for a second violation plus costs of prosecution, and a mandatory fine of \$2,000 for any subsequent violation plus costs of prosecution, and in default of payment of such fines and costs, to imprisonment in the County jail for not more than 30 days. Each day that a violation of this Part continues shall constitute a separate offense. Provided, that the fact that a violator has been penalized, after hearing, as herein provided, shall not preclude the Borough or any other injured party with standing from taking proper legal action to recover damages or seeking equitable or injunctive relief as a result of such violation.

(Ord. 594, 7/10/1984, Art. 2(13); as amended by Ord. 623, 2/13/1990; by Ord. 686, 9/-/1997, §223; by Ord. 703, 5/9/2000; and by Ord. 791, 2/18/2011, §4)



**PART 3**

**MOSQUITO CONTROL**

**§10-301. Short Title.**

This Part shall be known as the "Coplay Borough Mosquito Control Ordinance." (Ord. 712, 4/10/2001, §1)

**§10-302. Definitions.**

COLLECTION OF WATER — as considered in this Part shall be held to include, but not be limited to, those water collections contained in tires, wheels, old cars, toys, refrigerators, junk, ditches, pools, ponds, streams, excavations, holes, depressions, open cesspools, privy vaults, fountains, cisterns, tanks, shallow wells, barrels, troughs, urns, cans, boxes, bottles, tubs, buckets, roof gutters, tanks of flush closets, reservoirs, vessel, receptacles of any kind or other containers or devices which may hold, detain or retain water.

(Ord. 712, 4/10/2001, §2)

**§10-303. Prohibited Acts.**

It shall be unlawful to have, keep, maintain, cause or permit, within the (incorporated) limits of the Borough of Coplay any collection of standing or flowing water in which mosquitoes breed or are likely to breed, unless such collection of water is treated so as to effectually prevent such breeding. (Ord. 712, 4/10/2001, §3)

**§10-304. Prevention.**

The methods used, or treatment directed toward the prevention of breeding of mosquitoes in collections of water shall be of a type approved by the Health Officer. The Health Officer is hereby authorized to, and shall, from time to time, issue mosquito control regulations calculated to lessen the threat of and opportunity for mosquito breeding. (Ord. 712, 4/10/2001, §4)

**§10-305. Evidence and Violation.**

The presence of mosquito larvae in collections of water shall be evidence that mosquitoes are breeding there, and failure to prevent such breeding within three (3) days after notice by the Health Officer, his authorized agent or representative, shall be and is hereby deemed a public health nuisance and danger and shall be deemed a violation of this Part. (Ord. 712, 4/10/2001, §5)

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### **§10-306. Corrective Action.**

Should the person or persons responsible for creating the conditions or collections of water giving rise to the breeding of mosquitoes fail or refuse to take necessary measures to prevent the same, such as draining the water or treating the water, or taking action as required by the Health Officer, within three (3) days after due notice has been given to them, the Health Officer or his authorized agent is hereby authorized to abate such nuisance or condition, and all necessary costs incurred by him or the Borough of Coplay for this purpose shall be a charge against the property owner or other person as the case may be, and may be imposed as a lien against said property for costs of municipal abatement of a nuisance. (Ord. 712, 4/10/2001, §6)

### **§10-307. Inspection of Premises.**

For the purpose of enforcing the provisions of this Part, the Health Officer or his duly authorized agent, acting under his authority, may at all reasonable times enter in and upon any premises within his jurisdiction; and any person or persons charged with any of the duties imposed by this Part falling within the time designated by this Part or within the time stated in the notice of the Health Officer, as the case may be, to perform such duties or to carry out the necessary measures to the satisfaction of the Health Officer, shall be deemed guilty of a separate violation of this Part. (Ord. 712, 4/10/2001, §7)

### **§10-308. Penalties.**

Any person who shall violate any provision of this ordinance shall on each conviction be subject to a fine of not less than twenty (\$20.00) dollars or more than one hundred (\$100.00) dollars in the discretion of the Court. Each day of violation of this Part, beyond the three (3) days set forth in §10-305 above, shall constitute and be conclusive of a separate offense. All acts or parts of acts in conflict with this Part are hereby repealed, and this Part shall be in full force and effect ten (10) days after its approval. (Ord. 712, 4/10/2001, §8)

**PART 4**

**PUBLIC NUISANCES AND HEALTH HAZARDS**

**§10-401. Actions Which Constitute Public Nuisance.**

Provided that they create a disturbance, or cause substantial annoyance, inconvenience or injury to the public as a whole, the following actions upon real property in the Borough shall be deemed a public nuisance:

- A. The accumulation or storage of garbage, waste, refuse, rubbish or recyclables, including newspapers, not in accordance with the provisions of these Codified Ordinances.
- B. The accumulation or storage of abandoned or junked vehicle(s) which do not have a valid current registration.
- C. The accumulation or storage of scrap metal, plastic, glass or wood or other abandoned or junk material, including but not limited to electrical appliances, bedding, construction or demolition waste, and furniture.
- D. Any use of or activity upon property that, by reason of flame, smoke, odors, fumes, noise or dust, unreasonably interferes with the reasonable use, comfort and enjoyment of a neighbor's property or endangers the health or safety of the occupants of a neighboring property.
- E. The excessive or unreasonable accumulation of scrap, junk, trash or garbage upon any premises causing odors, fumes or unsightly appearance to neighboring property owners.
- F. Posting, erecting or hanging handbills, leaflets or other commercial advertising on public buildings or structures, lampposts, public utility poles and shade trees on public property without the Borough's consent.
- G. Posting, erecting or hanging handbills, leaflets or other commercial advertising on trees on private property without the owners' consent.
- H. Parking or leaving on the streets or highways or public property of the Borough of Coplay mechanically inoperable vehicles, or vehicles without current inspection stickers or vehicles without current registration.
- I. Parking or leaving on the streets or highways or public property of the Borough of Coplay vehicles for the purpose of performing major repairs, greasing or oiling, except in the case of emergency repairs.

(Ord. 751, 3/14/2006)

## HEALTH AND SAFETY

### §10-402. Abandoned Vehicles; Storage of Vehicles on Private Property.

1. No person shall abandon and/or store any unregistered vehicle on private property within the Borough of Coplay. For the purpose of this Part, an "abandoned vehicle" shall be defined as follows:
  - A. A vehicle, other than a pedalcycle, shall be presumed to be abandoned under one or more of the following circumstances, but the presumption is rebuttable by a preponderance of the evidence:
    - (1) The vehicle is physically inoperable and is left unattended on private property for more than 48 hours.
    - (2) The vehicle has remained illegally on private property for more than 48 hours.
    - (3) The vehicle is left unattended on private property for more than 48 hours and does not bear the following:
      - (a) A valid registration plate.
      - (b) A current certificate of inspection.
      - (c) An ascertainable vehicle identification number.
  - B. Exception. A vehicle of any type is permitted to undergo repair, including body work, provided that such work is performed inside a structure or similarly enclosed area designed and approved for such purpose, that is an accessory use, incidental to the dwelling. All wrecked car parts and similar unused components of a junk vehicle must not be stored on any private property in clear view of the public right-of-way.
2. A vehicle shall be deemed to be abandoned when it remains on private property for more than 48 hours and any of the following conditions apply:
  - A. The vehicle is physically inoperable.
  - B. The vehicle is left unattended.
  - C. The vehicle does not have a valid registration plate.
  - D. The vehicle does not have a current certificate of inspection.
  - E. The vehicle identification number (VIN) is not ascertainable.
  - F. The vehicle remains without the consent of the owner or person in charge of the property.

3. If the owner of an abandoned and/or junked motor vehicle cannot be located or does not remove the vehicle, the code official shall contact the Coplay Police Department, which is authorized to remove said vehicle under Transportation 67 PA Code Chapter 253, titled "Salvors," and Vehicles, Title 75, Chapter 73, of the Abandoned Vehicles and Cargos Code of the Commonwealth of Pennsylvania.
4. Any vehicle undergoing repair, including body work, shall be registered to the owner of the property where such work is being done or registered to the lawful resident/tenant of the property where the work is being done unless the property is a licensed automobile repair facility.

(Ord. 751, 3/14/2006)

**§10-403. Violations and Penalties.**

1. Any person who violates or permits the violation of any provision of this Part shall, upon conviction thereof in a summary proceeding brought before a District Judge, be guilty of a summary offense and shall be subject to the payment of the following fines:
  - A. An amount of not less than \$100 for the first offense in any three-hundred-sixty-five-consecutive-day period;
  - B. An amount not less than \$150 for the second offense if it occurs within the same three-hundred-sixty-five-day period as the first offense; and
  - C. An amount not less than \$300 for the third offense if it occurs within the same three-hundred-sixty-five-day period as the first and second offense.
2. The maximum fine in all cases shall be \$1,000. The defendant shall also be liable for all court costs, including reasonable attorney fees, reasonably incurred by the Borough. Upon default of payment thereof, the defendant may be sentenced to imprisonment in the county prison for a period of not more than 30 days. Each section or provision of this Part that is violated shall constitute a separate offense, and each day or portion thereof in which a violation of this Part is found to exist shall constitute a separate offense, each of which violations shall be punishable by a separate fine imposed by the District Judge in the amounts specified above, plus the costs of prosecution, and upon default of payment thereof, the defendant may be sentenced to imprisonment in the county prison for a term of not more than 30 days.

(Ord. 751, 3/14/2006)

## HEALTH AND SAFETY

### **§10-404. Abatement of Public Nuisances.**

In addition to any other remedies provided in §10-403 above, if a defendant fails to abate a public nuisance as prohibited in §10-401 or 10-402, the Borough Council may seek to abate such nuisance by seeking appropriate equitable or legal relief from a court of competent jurisdiction.

(Ord. 751, 3/14/2006)

### **§10-405. Provisions of This Part in Addition to Other Regulations.**

The provisions of this Part shall be in addition to zoning, fire prevention, sanitary, building and housing, property maintenance, and any other ordinances or resolutions now in effect in the Borough which declare certain actions or conduct a public nuisance.

(Ord. 751, 3/14/2006)