

ORDINANCE NO. 144

**HANOVER TOWNSHIP
WASHINGTON COUNTY, PENNSYLVANIA**

**AN ORDINANCE OF HANOVER TOWNSHIP, WASHINGTON
COUNTY, PENNSYLVANIA, REGULATING THE STORAGE OF
JUNK, RUBBISH AND ABANDONED OR JUNKED VEHICLES**

WHEREAS, the Board of Supervisors is concerned about the number of motor vehicles that could be considered a nuisance that are situated within Hanover Township; and

WHEREAS, it is now deemed necessary for the promotion of the health, cleanliness, welfare, comfort and safety of the citizens of Hanover Township to enact this Ordinance.

NOW THEREFORE, pursuant to the authority conferred upon it by the Second Class Township Code the Supervisors of Hanover Township, Washington County, Pennsylvania, does hereby ENACT and ORDAIN the following:

SECTION. 1. SHORT TITLE.

This Ordinance shall be known as the “Hanover Township Regulating of Junk, Rubbish and Abandoned or Junked Vehicles Ordinance of 2025.”

SECTION 2. PURPOSE.

The purpose of this Ordinance is to regulate the depositing, accumulation, storage of Abandoned or Junked Vehicles (See definition of good operating and road-worthy condition.) and/or rubbish, refuse, garbage or waste in order to minimize safety hazards created by the same, to prevent blight and property deterioration, to prevent nuisances, to protect property values, to enhance the appearance of properties within the community, and to otherwise protect the general health, safety and welfare of the residents of the Township.

SECTION 3. RESPONSIBILITY – NUISANCES DECLARED.

- A. It shall be the responsibility of the property owner of the premises upon which any junk, debris and/or rubbish, refuse, garbage or waste is situated and the owner of any such item, to comply with this Ordinance and to provide for the removal of the same and remediation of any environmental problems associated with it. By this Ordinance, the Township enumerates and declares certain nuisances, which shall be removed, disposed of or corrected as herein provided.
- B. Any person who fails to comply with the provisions of this Ordinance shall be deemed to be in violation thereof and shall be subject to the penalties and remedies described herein.

SECTION 4. DEFINITIONS.

For the purposes of this Ordinance, the following words, when used herein, shall have the following meanings:

Abandoned or Junked Vehicle -- Any vehicle not stored in a fully enclosed building, which is not in good operating and road-worthy condition. (See definition of good operating and road-worthy condition.)

Antique Vehicle – Any vehicle twenty-five (25) years or older which has been restored to good operating and road-worthy condition. (See definition of good operating and road-worthy condition.)

Collector Vehicle – Any vehicle of limited manufactured production from the present through twenty-five (25) years old, in good operating and road-worthy condition. (See definition of good operating and road-worthy condition.)

Dangerous Building – Any building or structure which has any one or combination of the following defects:

- A. Damage by fire, wind or other causes which make the building or structure dangerous to life, safety or the general health and welfare of the occupants, the residents of the Township or the public at large.
- B. So dilapidated, decayed, unsafe, unsanitary, rodent infested or which fails to provide the amenities essential to decent living that the said building or structure is unfit for human habitation or is likely to cause accidents, sickness or disease.
- C. Parts which are so attached that the said parts may fall and injure the occupants, the residents of the Township, or the public at large.
- D. Not adequately and properly ventilated.
- E. Does not have facilities for the discharge of all household sewage and gray water wastes into a public or private sewage disposal system meeting Township and state standards.
- F. A general condition which is unsafe, unsanitary or dangerous to the general health and welfare of the occupants, the residents of the Township, or the public at large.

Debris – Discarded waste; litter.

Emergency Case – A violation which poses an imminent threat to the public health, safety or welfare and which requires immediate action to eliminate such imminent threat.

Enclosed Building – Any structure having a roof supported by fully enclosed exterior weight-bearing walls and intended for the shelter, housing or enclosure of any individual, animal, process, equipment, services, goods or materials of any kind or nature. Temporary structures such as tents or tarpaulins, trailers, boxes and other containers are not considered buildings.

Enforcement Officer – The individual(s), agency or firm appointed by the Board of Supervisors to enforce the provisions of this Ordinance.

Garbage – Animal and vegetable wastes resulting from the handling, preparation, cooking and consumption of food, also, all food wastes, unwanted or worthless materials or trash.

Good Operating and Road-Worthy Condition – A vehicle having both a current and valid registration and current and valid inspection sticker as required by the motor vehicle laws of the Commonwealth of Pennsylvania, or if lacking a registration and/or inspection sticker, is in full and complete working order and condition, but for not having said current registration and inspection sticker could be safely operated on a public roadway.

Registrations and inspections which have been expired for less than sixty (60) days shall be considered current for the purposes of this definition.

Habitable – Premises fit for use as a dwelling place and in such a state that they may be occupied, not only with safety, but with reasonable comfort.

Junk – Junk shall include, but not limited to:

- A. Any scrap, scrap iron, tin, brass, copper, lead, zinc and all other metals and alloys; any rubbish or reclaimable material; bones, glass, bottles, rags, paper, used cloth, used rubber, used rope and similar materials; old or used vehicles, machinery, tools, appliances, furniture, plumbing, heating, electrical and other fixtures or parts thereof; pipe and pipe fittings; flammable materials or debris; whether or not stored or used in conjunction with dismantling, processing, salvage, storage, bailing, disposal or other use of disposition; any worn out or discarded material in general that may be turned to some use of that can be used for other purposes; anything fit to be discarded; trash, debris, odds and ends or

rubbish of any kind; any other item which has outlived its usefulness in its original form and all articles discarded or no longer used as a manufacturer article composed of any one of more of the materials herein mentioned; and any other item fit to be discarded;

- B. Used lumber, boxes, crates and pallets;
- C. Used tires, wheels, rims and/or hubcaps;
- D. Other worn, deteriorated or obsolete manufactured goods which are unusable;
- E. Mobile/manufactured homes that are not in habitable condition; and
- F. Any abandoned or junked vehicles.

Junk shall not include:

- A. Any solid or liquid waste held by a DEP permit the disposal of which is regulated by the Pennsylvania Department of Environmental Protection;
- B. Agricultural vehicles and implements such as tractors, mowers, etc. for use as parts for equipment and machinery used as part of an active, on-going agricultural operation provided such equipment is stored on the premises of the operation, can be legitimately used for parts;
- C. Construction and contractors' equipment for use as parts for equipment and machinery used as part of an active, on-going contracting business legally operating in the Township, provided such equipment is stored on the premises of the operation, can be legitimately used for parts, and is adequately screened;
- D. Scrap or junk at an Auto salvage yard, /scrap metal dealer licensed by the Township or Pennsylvania Department of Transportation.

Nuisance – Any unreasonable, unwarranted or unlawful course of conduct or use of private or public property which causes or may cause injury, damage, hurt,

inconvenience, annoyance, interference or discomfort to others in the legitimate use and enjoyment of their rights of person or property; that which annoys or disturbs one in possession of their property, rendering its ordinary use or occupation physically uncomfortable to them; everything that endangers life or health, gives offense to senses, violates the laws of decency, or obstructs reasonable and comfortable use of property; anything which essentially interferes with enjoyment of life or property; that class of wrongs that arise from the unreasonable, unwarrantable or unlawful use by a person of their own property, either real or personal, or from their own improper, indecent, or otherwise unlawful personal conduct, working an obstruction of or injury to the right of another or of the public, and producing such material annoyance, inconvenience, discomfort or hurt, that the law will assume resulting in damage

Outside Storage – Not contained in a building fully enclosed with completed walls and roof.

Owner – The person owning, leasing, renting, occupying or having charge of any premises in the Township.

Person – An individual, trustee, executor, other fiduciary, corporation, partnership, association, organization or other entity acting as unit.

Public Road – Any street, highway or alley maintained by the Township or by the Commonwealth of Pennsylvania.

Rubbish or Refuse – Combustible and noncombustible waste materials including but not limited to, waste or garbage, junk, residue from the burning of wood, coal, coke and other combustible material, paper, rags, cartons, boxes, wood, rubber, leather, leaves, tree branches, yard trimmings, tin can, metals, mineral matter, glass, bottles, china, glass

crockery, dust and similar materials; and any other worthless materials, trash or item rejected or discarded as worthless.

Screening – Not visible from any adjoining or neighboring property, any public or private road right-of-way, or any other premises, and which is accomplished by fencing, topography, berms, natural and planted vegetation or other means approved by the Township. The amount of such stored material shall not exceed that which would be accumulated from two (2) weeks of normal operation.

Township – The Township of Hanover, Washington, County, Pennsylvania.

Trash – Worthless and/or discarded material; junk.

Used Tires and Parts – Used tires and vehicle parts awaiting disposal may be stored outdoors on the premises provided such material is screened as defined in Screening.

Vegetation – Any grass, weed, vegetable, crop, shrub or other plant.

Vehicle – Any device in, upon or by which any person or property is or may be driven, ridden, transported or drawn upon a public highway or upon any land, including, but not limited to, automobiles, trucks, vans, buses, utility trailers, tractors, truck tractors, recreational vehicles, ATV's, snowmobiles, motor homes, travel trailers, motorcycles, machinery, trailers, farm machinery and implements, and other wheeled or unwheeled equipment; boats; and aircraft.

Vehicle and Used Tires/Parts Storage Areas – All such stored vehicles, used tires and parts shall be situated not less than twenty-five (25) feet from any property line and twenty-five (25) feet from any public or private road right-of-way, and shall be maintained in an orderly manner.

Waste – Any industrial, residential, lunchroom or office waste or other material including solid, liquid, semi-solid or contained gaseous material, resulting from the operation of residential, municipal, commercial or institutional establishments or from community activities. The term shall also include any garbage, refuse or rubbish, discarded vegetation, other discarded material or other waste products, including but not limited to solid, liquid, semi-solid or containing gaseous materials resulting from industrial and mining operation, local facilities or any other by-product or effluent from an industrial, mining, quarrying or agricultural water supply treatment facility or any other material defined by the Pennsylvania Department of Environmental Protection as solid, liquid, municipal, medical, industrial, toxic or hazardous waste; and any worthless or useless material that is produced as a byproduct of discarded as refuse.

SECTION 5. NUISANCES ENUMERATED AND DECLARED ILLEGAL.

In the interest of protecting and promoting the public health, safety and welfare, nuisances, including, but not limited to, the following, are hereby declared to be illegal and it shall be unlawful for any person or persons to make, maintain, cause or permit to be made, maintained or caused any such nuisance:

A. Storing, accumulating or depositing of any of the following:

1. Waste, rubbish, refuse or garbage;
2. Junk, except at a bona fide junkyard permitted by PennDOT/Township Ordinance(s).

B. The outside storage or deposit on a lot of:

1. One (1) or more abandoned or junked vehicles or;

2. One (1) or more of any vehicle, including antique and collector vehicles, which are stored in a disorderly manner or;
 3. One (1) or more mobile/manufactured home(s) that are not in habitable condition.
- C. Burning of any tires, tar products, plastic, waste, garbage, rubbish, refuse or any other material which emits any noxious or annoying fumes, smoke or gases, except for burning of leaves, brush, tree branches and yard trimmings conducted in accordance with the Township Burning Ordinance.
- D. Any dangerous, dilapidated building.
- E. Permitting any parking along roads, fencing or structure or the growth of any vegetation or tree which presents a public safety hazard by limiting the vision or right-of-way of travelers on any public road, or which has been permitted to conceal any violation of this Ordinance. This shall not affect any requirement for screening provided in accordance with this Ordinance or any other applicable Township Ordinance.
- F. Permitting or allowing any well, cistern or similar structure to be, or remain uncovered.
- G. Pushing, shoveling or otherwise depositing snow or other material upon the shoulders or traveled portion of any public road.
- H. Any other such action, non-action, situation or physical object or thing which by its nature constitutes a public nuisance or other nuisance in violation of the purpose and intent of this Ordinance.

SECTION 6. RECYCLING FACILITIES.

Nothing in this Ordinance is intended to preclude the operation of a recycling facility, legally established, maintained and operated, provided such facility does not violate any provisions of this Ordinance or the laws of the Commonwealth of Pennsylvania.

SECTION 7. VEHICLE OR EQUIPMENT REPAIR/TOWING OPERATIONS.

In recognition of the need to allow limited storage of vehicles awaiting repair, or insurance coverage resolution at an active and bona fide vehicle repair/towing operation, the standards in Subsection A, B and C shall apply. Such operations shall in all other respects comply with the provisions of this Ordinance with regard to junk/junked vehicles.

- A. Used Tires and Parts – Used tires and vehicle parts awaiting disposal may be stored outdoors on the premises provided such material is screened as defined in Section 4. The amount of such stored material shall not exceed that which would be accumulated from two (2) weeks of normal operation.
- B. Vehicles and Used Tires/Parts Storage Areas – All such stored vehicles, used tires and parts shall be situated not less than twenty-five (25) feet from any property line and twenty-five (25) feet from any public or private road right-of-way, and shall be maintained in an orderly manner.

SECTION 8. ENFORCEMENT OFFICER; NOTICE.

The Board of Supervisors may appoint an individual, agency or firm to serve as the Enforcement Officer, who shall be responsible for enforcing the terms of this Ordinance.

- A. Inspections – The Enforcement Officer may inspect to determine whether any violations of this Ordinance may exist. The Enforcement Officer and/or Board of Supervisors may consult with the Township Engineer, if any, Township Solicitor, or any other qualified person, agency or firm, in making the determination regarding a violation.
- B. Notice – Whenever an inspection discloses that a violation exists, the Enforcement Officer and/or Board of Supervisors shall issue a notice to the owner and/or occupant of

the premises. The notice, the form of which shall be adopted by Resolution of the Board of Supervisors:

1. Shall be in writing;
 2. Shall include a statement of the reasons it is being issued;
 3. Shall state a reasonable time to rectify the conditions constituting the violation, and may contain an outline of remedial action which, if taken, will effect compliance with the provisions of this Ordinance;
 4. Shall inform the owner that should they fail to comply with the order, the Board of Supervisors will order the correction of the violation, and in accordance with this Ordinance, will assess any and all costs, expenses and penalties incurred against the land on which the violation is located;
 5. Shall set forth the penalties prescribed for each violation.
- C. Service of Notice – Except in emergency cases, the notice shall be sent by registered mail or by certificate of mailing, or shall be personally delivered to the owner, and/or the occupant of the premises. Where the owner is absent from the Township, all notices shall be deemed to be properly served upon the owner if:
1. A copy of the notice is served upon the owner personally; or
 2. A copy of the notice is sent by registered mail or by certificate of mailing to the last known address of the owner, regardless of receipt, and is posted in a conspicuous place on or about the premises affected by the notice; or
 3. The owner is served with such notice by any other method authorized under the laws of the Commonwealth.

D. Emergency Cases (See definition in Section 4) – Whenever the Enforcement Officer and/or Board of Supervisors finds that an emergency exists which requires immediate action to protect the public health, welfare or safety, they may without notice or hearing, issue an order reciting the existence of such an emergency and requiring that such action be taken as is necessary to correct the violation and eliminate the emergency.

Notwithstanding the other provisions of this Ordinance, such order shall be effective immediately. The costs of such emergency correction shall be collected in the same manner as provided herein for other cases.

SECTION 9. VIOLATIONS; ACTION TO REMOVE JUNK/RUBBISH

A. Notice – any person who shall keep or store upon his or other premise any junk and/or rubbish and/or refuse and/or waste and/or garbage in violation of any terms and provisions of this Ordinance, or any person who shall make, maintain, cause or permit to be made maintained, caused or permitted any nuisance enumerated and declared illegal by Section 5 of this Ordinance, shall be deemed in violation of this Ordinance. Within fifteen (15) days after notice of such violation, such applicant or person shall remove and clear form the premises all junk and/or rubbish and/or refuse and/or waste and/or garbage thereon as defined by this Ordinance and/or shall take all necessary remedial action to remove and clear any such nuisance. The enforcement officer may specify a longer time period in cases where the amount or nature of the junk, rubbish, refuse, waste and/or garbage warrants the same.

B. Township Removal – If such violator fails to comply within the specified time period, the Board of Supervisors may effect such removal and clearing, and the cost of the same, plus twenty (20) percent thereof, shall be paid by the applicant or violator.

The Board of Supervisors may collect the said sum by any other means provided by Law. All property deemed junk, rubbish refuse, waste and/or garbage and any other item constituting a nuisance under the terms of this Ordinance which remains on the premises after the time period specified in the notice shall be presumed to be abandoned and to be of no value and the same may be disposed of by the Board of Supervisors on behalf of the denied applicant or violator in accordance with all applicable laws.

SECTION 10. PENALTIES FOR VIOLATIONS

- A. Fine and Imprisonment - Any person, firm, partnership, corporation or other entity who or which shall violate any provision of this Ordinance shall, upon conviction thereof in summary proceedings before the District Justice, be sentenced to pay a fine of not less than five hundred dollars (\$500.00) but not more than one thousand dollars (\$1,000.00), together with all costs of prosecution, plus reasonable attorney's fees of not less than five hundred (\$500.00). In default of the payment of such fine and costs, it shall be the duty of the District Justice to commit such person to the County Jail until such time as the fines and costs shall be paid, not exceeding, however, a period of thirty (30) days.
- B. Costs – In accordance with Section 9 of this Ordinance, the Board of Supervisors may effect the removal and clearing of any nuisance enumerated and declared illegal under the terms of this Ordinance if the same is not effected by the violator. The cost and expense thereof, including, but not limited to, materials, labor and legal fees, together with a penalty of twenty (20) percent, shall be collected from the violator in any manner prescribed by law. The recovery of such costs of abatement, together with the penalty, shall be in addition to the penalty described in Section 10 (A) herein.

C. Other Remedies – In addition to any penalty therein provided, any person who shall violate any provision of this Ordinance shall be subject to any law or laws, of the Commonwealth of Pennsylvania, which affords a remedy for such violation in any court of the Commonwealth.

SECTION 11. SEVERABILITY.

The provisions of this Ordinance are hereby declared severable, and if any of its provisions shall be held to be invalid or unconstitutional, or otherwise void for any reason, such decision shall not affect or impair any of the remaining provisions hereof; it is hereby declared to be the intent of the Township that this Ordinance would have been adopted if such invalid, unconstitutional, or otherwise void provision had not been included herein.

SECTION 12. CONFLICTS.

Should any provision of this Ordinance be in conflict with any other section, provision, regulation or standard of any other Township Ordinance, the more restrictive shall apply.

SECTION 13. REPEALER.

Any ordinances containing any provision inconsistent herewith to the extent that such provisions are inconsistent, those provisions are also hereby repealed.

SECTION 14. EFFECTIVE DATE.

The effective date of this Ordinance shall be on this ____ day of _____, 2025.

ENACTED AND ORDAINED by the Board of Supervisors of the Hanover Township,

Washington County, Pennsylvania this 20th day of February, 2025.

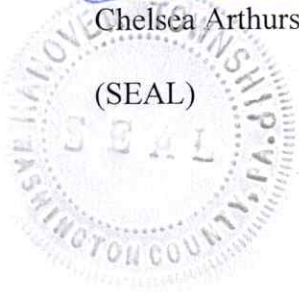
ATTEST:

HANOVER TOWNSHIP

Chelsea Arthurs

Chelsea Arthurs, Secretary/Treasurer

(SEAL)



By:

Dale Handick

Dale Handick, Chairman

By:

Herbert Grubbs

Herbert Grubbs, Vice Chairman

By:

William Michael

William Michael, Supervisor