

Chapter 83: Junked Motor Vehicles
Article 1: Rules and Regulations

ORDINANCE NUMBER 2015-10.

CALLERY BOROUGH, BUTLER COUNTY, PENNSYLVANIA

AN ORDINANCE PROHIBITING THE OUTSIDE STORAGE OF JUNKED MOTOR VEHICLES ON PUBLIC OR PRIVATE PROPERTY WITHIN THE BOROUGH, GRANTING EXEMPTIONS, AND PRESCRIBING PENALTIES FOR VIOLATIONS.

WHEREAS, Section 1202(4) of the Borough Code authorizes borough council to prohibit the outside storage of junked motor vehicles on public or private property within the borough;

WHEREAS, council hereby determines, declares, and finds that the outside storage of junked vehicles:

- (a) Constitute both a public and private nuisance;
- (b) Are sources of potential danger to children and others who may find them an attractive nuisance;
- (c) Are replete with broken glass and sharp, torn metal edges and points, and contain highly explosive and combustible gasoline remaining in the gas tank, dangerous acid remaining in batteries, and other hazardous liquids remaining in the crankcases, oil pans, and reservoirs;
- (d) Constitute blight on the landscape and destroy the aesthetic qualities of the community and are generally otherwise unsightly;
- (e) Tend to depreciate the market value of the property on which they are located and the value of the property of others in the community; and
- (f) Harm the general welfare of the Borough as a whole by causing the community to be perceived as a less safe and less pleasant place in which to live and conduct business; and

WHEREAS, council deems it in the best interests and general welfare of the citizens and residents of the borough to prohibit the outside storage of junked motor vehicles on public or private property within the borough.

NOW, THEREFORE, it is hereby enacted and ordained, pursuant to the authority vested by the Borough Code, as follows:

1. The Code of the Borough of Callery, Chapter 83, Vehicles, Junked, is hereby revised by adding Chapter 83, Junked Vehicles, a copy of which is attached hereto as Exhibit A and incorporated herein.
2. **SCOPE**. The provisions of this Ordinance, so far as they are common to those regulations in force immediately prior to the enactment of this Ordinance, are intended as a continuation of such prior regulations and not as new enactments.
3. **CONFLICTING REGULATIONS**. Where a conflict exists between any of the regulations or limitations prescribed in this Ordinance and any other regulation applicable to the same area, the more stringent limitation or requirement shall govern and prevail.

4. **SEVERABILITY.** If any of the provisions of this Ordinance or the application thereof to any person or circumstance are held invalid, such invalidity shall not affect other provisions or applications of the Ordinance which can be given effect without the invalid provision or application, and to this end, the provisions of this Ordinance are declared to be severable.
5. **REPEALER.** Ordinance Number 67, adopted on January 3, 1972, as amended, is hereby repealed. All other ordinances or regulations, or parts of such ordinances or regulations, in conflict with this Ordinance or inconsistent with its provisions, are hereby repealed to the extent necessary to give this Ordinance full force and effect.
6. **EFFECTIVE DATE.** This ordinance shall become effective five (5) days after adoption.
7. **DULY ENACTED AND ORDAINED,** this the 6th day of April, 2015, by Callery Borough Council in public session duly assembled.

CALLERY BOROUGH

ATTEST:

Sinda Mae Weaving
Borough Secretary

By: *Edward A. Conway*
Edward Conway
Council President

(SEAL)



APPROVED:

By: *Ed Aschley*
Ed Aschley
Mayor

Date: April 8 2015

I hereby certify that the foregoing Ordinance was advertised in the Butler Eagle, a newspaper of general circulation in the Borough, on March 20, 2015, and was duly enacted and approved as set forth above at a public meeting held by Borough Council on April 6, 2015.

Sinda Mae Weaving
Borough Secretary