

LOWER PROVIDENCE TOWNSHIP

ORDINANCE NO. 697

AN ORDINANCE AMENDING THE CODE OF LOWER PROVIDENCE AT PART II [GENERAL LEGISLATION], CHAPTER 135 [VEHICLES, ABANDONED.], AMENDING PROVISION SECTION 135-1 [DEFINITIONS.], SECTION 135-2 [PROHIBITED CONDUCT.], AND CREATING PROVISION SECTION 135-4 [VEHICLE COVER COMPLIANCE OPTION.]

CERTIFICATION

I, E.J. MENTRY, BEING DULY SWORN ACCORDING TO LAW, DEPOSE AND SAY THAT I AM THE TOWNSHIP MANAGER IN LOWER PROVIDENCE TOWNSHIP, MONTGOMERY COUNTY, PA AND THAT ATTACHED HERETO IS A TRUE AND COMPLETE CORRECT COPY OF ORDINANCE NO. 697.



E.J. Mentry, Township Manager

April 1, 2026

ENACTED: 4/1/26

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WHEREAS, the Board of Supervisors of Lower Providence Township, Montgomery County, Pennsylvania, is charged with protecting the health, safety, and welfare of Township residents and maintaining the orderly appearance and condition of properties within the Township; and

WHEREAS, the presence and storage of abandoned or inoperable motor vehicles on properties within the Township may create conditions that constitute visual blight, contribute to neighborhood deterioration, and pose potential safety and environmental concerns; and

WHEREAS, Chapter 135 of the Code of the Township of Lower Providence currently regulates the possession, keeping, and storage of abandoned motor vehicles within the Township; and

WHEREAS, the Board of Supervisors has determined that certain provisions of Chapter 135 would benefit from clarification and amendment to improve enforcement, promote compliance, and provide reasonable options for property owners to address abandoned vehicle conditions; and

WHEREAS, the Board of Supervisors further finds that permitting, under limited circumstances and subject to appropriate conditions, the use of properly fitted vehicle covers for abandoned motor vehicles located on private property may mitigate the visual impact of such vehicles while maintaining the Township's ability to regulate nuisance conditions; and

WHEREAS, Section 1506 of the Second-Class Township Code, 53 P.S. § 66506, entitled "General Powers," authorizes the Board of Township Supervisors to make and adopt ordinances necessary for the proper management, care and control of the Township and the maintenance of peace, good government, health and welfare of the Township; and

WHEREAS, the Board of Supervisors therefore finds that amending Chapter 135 of the Township Code to clarify definitions, update prohibited conduct provisions, and create a limited vehicle cover compliance option will promote property maintenance, neighborhood aesthetics, and effective code enforcement within the Township

NOW, THEREFORE, BE IT HEREBY ORDAINED AND ENACTED by the Lower Providence Township Board of Supervisors that the Township's Code is amended as follows:

SECTION 1. Amending Sections 135-1 [Definitions.], 135-2 [Prohibited conduct.], and Creating Provision Section 135-4 [Vehicle Cover Compliance Option.]

The Code of the Township of Lower Providence At Part II [General Legislation], Chapter 135 [Vehicles, Abandoned], Section 135-1 [Definitions.], Section 135-2 [Prohibited Conduct.], and Section 135-4 [Vehicle Cover Compliance Option.] are hereby restated and amended to add the underlined language (example), and amended to remove the stricken language (~~example~~) as follows:

§ 135-1. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

ABANDONED MOTOR VEHICLE

Includes, without exception, any motor vehicle as to which one or more of the following conditions exist:

A. A motor vehicle for which a certificate of junk has been issued by the Bureau of Motor Vehicles of the Department of Revenue of the Commonwealth of Pennsylvania.

B. A motor vehicle whose engine or any essential or material part thereof has been removed for more than seven days, except if stored at an automobile repair agency or garage.

C. A motor vehicle one or more of whose tires has been flat or one or more of whose wheels has been removed for more than seven days.

D. A motor vehicle bearing no current Pennsylvania inspection sticker or which does not meet the inspection requirements of the Commonwealth of Pennsylvania.

E. A motor vehicle bearing no current registration or license tag, except if stored on the premises of a licensed automobile dealer.

F. A motor vehicle whose doors and windows are not intact or cannot be securely closed.

G. A motor vehicle damaged by collision to such an extent that it is inoperable, except if stored at an automobile repair agency or garage.

H. A motor vehicle in such condition or situated in such circumstances as to cause such vehicle reasonably to appear to have been abandoned.

MOTOR VEHICLE

Any motor vehicle, trailer or semitrailer as defined by the Vehicle Code of the Commonwealth of Pennsylvania.

VEHICLE COVER

A commercially manufactured, fitted cover designed specifically for the outdoor storage of motor vehicles, made of weather-resistant material and intended to fully enclose the vehicle.

§ 135-2. Prohibited conduct.

The possession, keeping or storing of an abandoned motor vehicle on any public street, alley or any other place in the township other than in a fully enclosed building, except as otherwise permitted under § 135-4, is hereby prohibited, except in a duly licensed junkyard or in an impounding garage or lot authorized by Lower Providence Township for storage of abandoned motor vehicles.

§ 135-3. Violations and penalties.

Any person, firm or corporation violating this chapter shall, upon conviction of such offense before any District Justice be sentenced to pay a fine of not more than \$300 and the cost of prosecution. Each day that a violation continues to exist after notice to remove is given to the possessor, keeper or storer of an abandoned vehicle by the township shall constitute a separate offense and shall be punishable as such.

§ 135-4. Vehicle Cover Compliance Option.

A. Applicability.

This section applies only to abandoned motor vehicles located on private property. Nothing in this section authorizes storage of such vehicles on any public street or public right-of-way.

B. Authorization.

The Code Enforcement Officer shall permit the use of a properly fitted, commercially manufactured vehicle cover to correct a violation of this chapter when the cover eliminates the visual condition that constituted the violation.

C. Number of Vehicles Permitted.

No more than two (2) abandoned motor vehicles per residential lot may be permitted under this section.

D. Conditions for Approval.

1. The cover must fully enclose the vehicle and be designed for outdoor vehicle storage.
2. The cover must be maintained in good, intact, and secure condition.
3. The cover must eliminate the visual impact constituting the violation.
4. The vehicle must remain fully on private property and not within any public right-of-way.

5. The vehicle must be situated on a driveway, lot, paved surface, or other similar area of the property where vehicles are ordinarily kept, and the vehicle's location does not constitute visual blight, contribute to neighborhood deterioration, or pose potential safety and environmental concerns.

E. Revocation.

The Code Enforcement Officer may revoke approval at any time if the vehicle cover becomes deteriorated, unsecured, or otherwise fails to maintain compliance.

F. No Waiver of Other Requirements.

Approval under this section does not exempt the property owner from compliance with any other Township ordinances or enforcement actions.

G. Surrounding Conditions.

The area surrounding any vehicle permitted under this section shall be kept free of motor-vehicle parts, fluids, debris, or other materials that may create a nuisance or safety hazard.

SECTION 2. Repeal and Ratification.

All ordinances or parts of ordinances inconsistent herewith or in conflict with any of the specific terms enacted hereby, to the extent of said inconsistencies or conflicts, are hereby specifically repealed. Any other terms and provisions of the Township's Code unaffected by this Ordinance are hereby reaffirmed and ratified.

SECTION 3. Severability.

Should any section, paragraph, sentence, clause, or phrase in this Ordinance be declared unconstitutional or invalid for any reason, the remainder of the Ordinance shall not be affected thereby and shall remain in full force and affect, and for this reason the provisions of this Ordinance shall be severable.

SECTION 4. Effective Date.

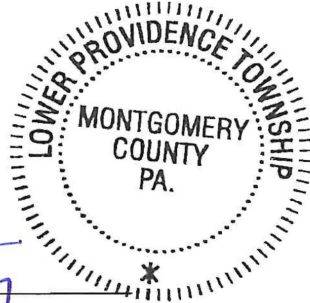
This Ordinance shall become effective immediately upon enactment.

ORDAINED AND ENACTED this 1st day of April 2026, by the Lower Providence Township Board of Supervisors.

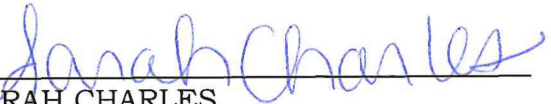
[Seal]

Attested by:


E.J. MENTRY
Township Manager



**LOWER PROVIDENCE TOWNSHIP
BOARD OF SUPERVISORS**


SARAH CHARLES
Chair