

TOWNSHIP OF TINICUM, DELAWARE COUNTY, PA

ORDINANCE NO. 2024 – 923

AN ORDINANCE OF THE TOWNSHIP OF TINICUM, DELAWARE COUNTY, PENNSYLVANIA, REVOKING AND VACATING CHAPTER 367, VEHICLES, INOPERATIVE; AND SUPPLEMENTING AND AMENDING CHAPTER 358, VEHICLES, ABANDONED; ADOPTING REGULATIONS FOR ABANDONED, JUNKED, INOPERABLE, UNREGISTERED OR UNINSPECTED VEHICLES; AND PROVIDING FOR THEIR REMOVAL FROM PRIVATE PROPERTY OR ANY PUBLIC STREET, HIGHWAY, LANE OR ALLEY; AND PROVIDING FOR VIOLATIONS AND PENALTIES

§358-1. Definitions.

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

ABANDONED, JUNKED, UNREGISTERED OR UNINSPECTED VEHICLES

Any such vehicle on which its engine, motor or any other essential part is inoperable, junked or has been removed or which bears no current inspection sticker or which bears no current official registration plate.

ILLEGALLY PARKED VEHICLE

Any vehicle parked contrary to any ordinance of the Township of Tinicum or contrary to any provision of the Pennsylvania Motor Vehicle Code.¹

PERSON

A natural person, firm, copartnership, association, corporation or any other like entity.

VEHICLE

Any device in, upon or by which any person or property is or may be transported or drawn.

§358-2. Parking of abandoned, unregistered or uninspected vehicles.

- A. It shall be unlawful for any person owning or having custody or control over any motor vehicle to park or leave the vehicle unattended on any of the streets of Tinicum Township when such vehicle does not have a current and valid state inspection sticker or registration tag.
- B. It shall be unlawful for any person owning or having custody or control over any motor vehicle to place, store or deposit or permit to be placed, stored or deposited any abandoned, inoperable, wrecked or junked vehicle or parts thereof on any public or private property in the Township of Tinicum, whether vacant or occupied or upon any public street, highway, lane or alley within the Township of Tinicum.
- C. Any person violating the provisions of this Ordinance shall be issued a Traffic Ticket resulting in the imposition of fines as prescribed in the Motor Vehicle Code either in person, placed upon the subject vehicle, or by certified mail upon the discovery of the violation.

¹ Editor's Note: See 75 Pa.C.S.A. §101 et seq.

- D. Any person who has received five (5) Traffic Tickets in violation of this Ordinance or any person who is the owner of a vehicle parked upon the streets of Tinicum Township which is determined after reasonable investigation by the Township Police Department to be abandoned, unregistered, uninspected or junked, shall be sufficient cause for the Township Police Department to remove and tow the offending vehicle from the street.
- E. The storage of abandoned, inoperable, wrecked or junked vehicles upon private property shall be permitted only when authorized as a business for the storage of vehicles lawfully operating pursuant to the applicable provisions of the Tinicum Township Zoning Code.

§358-3. Notice to remove illegally parked vehicles.

When any person has received five (5) or more Traffic Tickets in violation of this Ordinance, the Tinicum Township Police Department shall provide forty-eight (48) hours' notice of the intention to tow the offending vehicle. The notice shall consist of a heavy paper tag affixed upon the offending vehicle on which the Police Officer shall indicate the violations, the period of time in which to remove the vehicle from the street, location of the storage facility the vehicle shall be towed to, and the issuing officer's name.

§358-4. Failure to remove from street after notice; removal by Township.

Whenever the owner or person who placed said vehicle on any public street, highway, lane or alley, as set forth in §358-2, fails to remove said vehicle within forty-eight (48) hours of notice to do so, the Tinicum Township Police Department may have the vehicle removed, placed in storage and held until the cost of storage and expenses for towing said vehicle are paid in full and until any fines and costs have been paid.

§358-5. Illegally parked vehicles prohibited.

It shall be unlawful to park any vehicle illegally, on any public street, highway, lane or alley, which poses any immediate danger to the safety and welfare of the traveling public and the residents of the Township of Tinicum.

§358-6. Removal of illegally parked vehicles.

Whenever any illegally parked vehicle is parked in such a manner as to pose an immediate danger to the safety and welfare of the traveling public and the residents of the Township of Tinicum, the Tinicum Township Police Department may have the vehicle removed, placed in storage and held until the cost of storage and expenses for towing said vehicle are paid in full and until any fines and costs have been paid.

§358-7. Violations and Penalties.

Any person who violates any provision of this Ordinance shall, upon conviction before a Magisterial District Judge, be sentenced to pay a fine of not less than Twenty-five (\$25.00) Dollars per Citation nor more than Six Hundred (\$600.00) Dollars, plus costs of prosecution, and, in default of payment of such fine and costs, to imprisonment in the county jail for a period not exceeding thirty (30) days. Each day that a person shall be in violation of this Ordinance shall constitute a separate offense.

§358-8. Repealer.

Any and all terms, conditions and provisions of any Ordinances or parts of Ordinances of Tinicum Township in conflict herewith, are hereby repealed and/or replaced.

§358-9. Severability.

The provisions of this Ordinance are severable. If any Section, clause, sentence, part of provision hereof shall be determined to be illegal, invalid or unconstitutional by any court of competent jurisdiction, such decision of the court shall not impair or affect any remaining provisions of the Ordinance, it being the intention of the Board of Commissioners that it would have adopted this Ordinance even if the offending language had not been included.

§358-10. Effective Date.

This Ordinance shall become effective immediately upon its adopted.

ENACTED and **ORDAINED** into an Ordinance and passed by the Board of Commissioners of the Township of Tinicum, Delaware County, Pennsylvania this 17 day of June, 2024.

TOWNSHIP OF TINICUM

By:



Patrick K. McCarthy, President
Board of Commissioners

Attest:


David D. Schreiber, Township Secretary

(Municipality Seal)