

ORDINANCE NO. 2023-004

**AN ORDINANCE OF THE TOWNSHIP OF SOLEBURY,
BUCKS COUNTY, PENNSYLVANIA TO PROVIDE FOR
THE REGULATION OF UNLICENSED, UNINSPECTED
AND DISMANTLED VEHICLES ON PUBLIC STREETS**

WHEREAS, the Act of June 17, 1976 (P.L. 162 No. 81), as amended, known as the "Vehicle Code", authorizes local authorities to exercise the powers granted therein by duly enacted ordinances of their governing bodies;

WHEREAS, Section 1527 of the Pennsylvania Second Class Township Code provides that the corporate powers of the Board of Supervisors includes the ability to secure the safety of persons or property within the Township (53 P.S. § 66527);

WHEREAS, Section 1601 of the Second Class Township Code provides that the Board of Supervisors may adopt Ordinances in which general or specific powers of the Township may be exercised, and, by the enactment of subsequent Ordinances, the Board of Supervisors may amend, repeal, or revise existing Ordinances (53 P.S. § 66601);

WHEREAS, Section 2328 of the Second Class Township Code provides that the Board of Supervisors may adopt Ordinances that regulate parking and impose penalties for the violation of those regulations (53 P.S. § 67328);

WHEREAS, the Board of Supervisors finds it to be in the best interests of the health, safety and general welfare of the Township to amend Chapter 15 of the Solebury Township Code of Ordinances to regulate unlicensed, uninspected and dismantled vehicles on public streets;

WHEREAS, the proposed amendments have been advertised, considered, and reviewed in accordance with Pennsylvania law;

NOW THEREFORE, in consideration of the foregoing, be it **ENACTED** and **ORDAINED** by the Board of Supervisors of Solebury Township, Bucks County, Pennsylvania, that Chapter 15 of the Solebury Township Code of Ordinances is **AMENDED** as follows:

I. ADD new Part 13, titled UNLICENSED, UNINSPECTED AND DISMANTLED VEHICLES, as follows:

§ 15-1301 Parking and Storage of Unlicensed and Uninspected Vehicles on Streets Restricted.

It shall be unlawful for any owner of any type of motor vehicle requiring a registration plate and a state inspection sticker under the applicable provisions of the Vehicle Code,^[1] to park or store or permit the same to be parked or stored on any public street within the limits of the Township for a period in excess of 48 hours if said motor vehicle does not have attached to it a current valid registration plate and a current valid State inspection

sticker required under the applicable provisions of the Vehicle Code.

[1] Editor's Note: Title 75 of the Pennsylvania Consolidated Statutes, as hereafter amended, supplemented, modified or reenacted.

by the General Assembly of Pennsylvania.

§ 15-1302 Dismantled Vehicles Not to be Stored or Parked on Streets.

It shall be unlawful for any owner of any motor vehicle requiring a registration plate and a state inspection sticker under the applicable provisions of the aforesaid Vehicle Code to park or store or to permit to be parked or stored any such motor vehicle on any street or alley within the Township when such motor vehicle is to any extent partially dismantled and inoperable.

§ 15-1303 Removal of Vehicle.

1. Any police officer may remove or cause to be removed to a nearby garage or other place of safety a vehicle in violation of any provision of this Part. Prior to removal of such vehicle bearing a registration plate by which the last registered owner of the vehicle can be determined, notice shall be sent by certified mail to the last registered owner of the vehicle informing him that unless the vehicle is moved to a suitable location within five days of the date the notice is mailed, the vehicle will be removed and held at a suitable facility where it may be reclaimed. If the vehicle does not bear an identifiable registration plate, the notice may be secured to the vehicle.
2. Within the five-day period, the owner shall be given, if requested, an opportunity to explain to police officers or the department why the owner believes the vehicle should not be removed. If the police officers or department decide that the vehicle shall be moved, the owner shall be given an additional 48 hours to move the vehicle or have it moved.

§ 15-1304 Reclamation Costs.

In order to reclaim his vehicle, the owner shall pay towing and storage costs, plus a \$25 fee of which \$10 shall be transferred to the Pennsylvania Department of Transportation by the garage to which the vehicle was taken.

§ 15-1305 Penalty.

Any person who shall violate any provision of this Part shall, upon conviction thereof, be sentenced to pay a fine of \$50, together with all costs of disposing of the vehicle under provisions of the Vehicle Code, 75 P.S. §§ 7301-7312 (1977), as hereafter amended, supplemented, modified or reenacted by the General Assembly of Pennsylvania.

II. Partial Repealer

All other provisions of the Ordinances of Solebury Township, as amended, shall remain in full force and effect. All other Ordinances or provisions of the Ordinance inconsistent herewith or in conflict with any of the terms hereof are, to the extent of said inconsistencies or conflicts, hereby specifically repealed.

III. Severability


The provisions of this Ordinance are severable. If any section, clause, sentence, part or provision thereof shall be held illegal, invalid, or unconstitutional by a court of competent jurisdiction, such decision of the court shall not affect or impair any of the remaining sections, clauses, sentences, parts or provisions of this Ordinance. It is hereby declared to be the intent of the Township Board of Supervisors that this Ordinance would have been adopted if such illegal, invalid, or unconstitutional section, clause, sentence or part of a provision had not been included herein.

IV. Effective Date

All provisions of this Ordinance shall be in full force and effect five (5) days after the approval and adoption.

ORDAINED AND ENACTED this 21st day of November, 2023.

BOARD OF SUPERVISORS OF SOLEBURY
TOWNSHIP, BUCKS COUNTY,
PENNSYLVANIA



Mark Baum Baicker, Chair

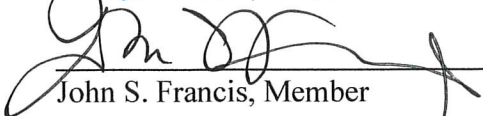


Hanna Howe, Vice Chair

Robert McEwan, Member



Kevin Morrissey, Member



John S. Francis, Member

Attest:



Catherine Cataldi, Township Secretary