

CHAPTER 10

HEALTH AND SAFETY

Part 1

Reserved for Future Use

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Open Storage of Junked Motor Vehicles and Other Materials Restricted

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CHAPTER 10, PART 1 OF THE CODE OF ORDINANCES OF BUFFALO TOWNSHIP WAS REPEALED IN ITS ENTIRETY BY ORDINANCE NO. 24-01, ADOPTED JANUARY 16, 2024; CHAPTER 10, PART 1 IS HEREBY *RESERVED FOR FUTURE USE*; NOISE POLLUTION REGULATIONS RELATED TO ENGINE BRAKE PROHIBITIONS HAVE BEEN CODIFIED IN CHAPTER 15, PART 1 OF THE CODE OF ORDINANCES UPON ADOPTION OF ORDINANCE NO. 24-01, ADOPTED JANUARY 16, 2024

CHAPTER 10

HEALTH AND SAFETY

Part 2

Open Storage of Junked Motor Vehicles and Other Materials Restricted

§201. Definitions. For purposes of this Part the following words shall have the following meanings:

ACTIVELY ENGAGED IN FARMING OR AGRICULTURE – The active and uninterrupted commercial production and preparation for market of crops, livestock and livestock products and the production, harvesting and preparation for market or use of agricultural, organic, horticultural, silvicultural and aquaculture crops and commodities.

INOPERABLE MOTOR VEHICLES — Any motor vehicle that, for any reason, cannot be operated upon the streets or roads of Buffalo Township.

JUNK — Items of personal property including but not limited to machinery, equipment, building materials, auto parts, tires, paper, cardboards, trash, metal, furniture, appliances, containers, plastic, trailers, travel trailers, campers, snowmobiles, all-terrain vehicles and implements that due to age, use, misuse, neglect, lack of maintenance or damage can no longer be safely used for the purpose for which they were manufactured, assembled, fabricated, erected or made.

LAWNS — Areas that are planted and maintained for no agricultural purposes with grass seed or sod such as but not limited to Kentucky Blue Grass, Tail Fescue, Penn State Mix, Rey-Grass.

MOTOR VEHICLE — A vehicle propelled by any type of motor that requires a Certificate of Title issued by the Commonwealth of Pennsylvania, Department of Transportation or some other similar governmental entity and intended to be used on land and for the conveyance of persons or property, the same shall include trailers.

REFUSE — See junk and waste.

TOWNSHIP — Buffalo Township, Union County, Pennsylvania.

UNINSPECTED MOTOR VEHICLE — Motor Vehicles that do not bear or display a current inspection sticker which is required for them to be legally operated on the public streets, roads and alleys of the Commonwealth of Pennsylvania.

UNLICENSED MOTOR VEHICLES — Motor Vehicles that do not bear or display a current license or registration issued by the Commonwealth of Pennsylvania, Department of

Transportation or similar governmental entity and which cannot be legally operated upon the public streets, roads and alleys of the Commonwealth of Pennsylvania without such license and registration.

WASTE - Any household, industrial or commercial product or material that is the residual part of a useful product and includes but is not limited to solids, semi-solids, and/or liquids, food byproducts, paper, cardboard, cloth, clothing and material subject to decay excepting mulch or compost piles or heaps which are properly maintained for gardening purposes.

WEEDS — Any vegetation not edible or planted for some useful or ornamental purpose including but not limited to wild carrot, goldenrod, foxtail, Johnson grass and noxious plants as defined by the Pennsylvania Department of Environmental Protection or similar governmental agency.

§202. Storage of Junk, Refuse and/or Waste. It shall be unlawful for any owner or occupier of real property situate in the Township to store, maintain or place any junk, refuse and/or waste except in accordance with the provisions of this Part and such local, state and federal ordinances, statutes, laws and regulations as shall apply to said storage.

(1) All junk, refuse and/or waste upon any real property in the Township, shall be stored in containers that shall be sanitary, durable, water tight, leak proof and made of metal, plastic or fiberglass which shall be placed in such location as shall facilitate the use of such containers.

(2) The said storage, maintenance or placement of junk, refuse and/or waste shall be done in such manner as to prevent the attraction, breeding and harboring of insects, rodents, vermin, scavengers and animals and in such manner as to prevent conditions which may create or result in hazards to the public health and safety or which create or result in fire, odors, unsightliness or public nuisance.

(3) All stored, maintained or placed junk, refuse and/or waste shall be removed from its place of storage and properly disposed of with such frequency as is necessary to prevent a threat to the safety and health of persons and the environment but in no event less frequently than every two weeks.

(4) Proper disposal of junk, refuse and/or waste shall consist of delivery to a licensed and approved landfill, removal by a person or company disposing of the same at a licensed and approved landfill, burning where permitted, recycling or delivery to a licensed and approved scrap processor or dealer.

(5) The transportation of junk, refuse and/or waste within the Township, no matter where it originated, shall be in closed or covered containers or motor vehicles. Any spillage or littering occurring while said junk, refuse and/or waste is being transported shall be cleaned up immediately after such spillage or littering occurs.

(6) Nothing herein shall prohibit any person actively engaged in the farming of land or raising of livestock within the Township from carrying out the normal farming activities, including composting and spreading manure or other farm produced agricultural wastes or refuse and storage of inoperable machinery, storage of parts, metals or other similar materials or items that may eventually be of use in the operation provided the same is done in accordance with all applicable laws, ordinances and regulations and not within 100 feet of a non-farm residence.

§203. Unlicensed/Uninspected/Inoperable Motor Vehicles. It shall be unlawful for any owner or occupier of real property situate in the Township to store, keep, maintain, place or permit the storage, keeping, maintenance or placement of an unlicensed motor vehicle, an uninspected motor vehicle or an inoperable motor vehicle on the said real property, except in a fully enclosed structure. Provided however that this section shall not apply to motor vehicles that are used in the conduct of a legally operated business where such licensing or inspection is not required by applicable ordinance, statute, law or regulation or routinely used upon lands utilized for agricultural or forestry purposes.

§204. Maintenance of Vegetation. It shall be unlawful for the owner or occupier of real property situate in the Township to permit weeds or lawns situate upon said real property to grow to a height in excess of eight inches.

(1) The above provisions shall not apply to:

(a) Real property that is actively used for agricultural purposes including land upon which buildings are erected and fence rows.

(b) That portion of real property situate in an area classified as wetlands or which have conservation rights assigned for the purpose of sustaining wildlife or water ways or water sources.

(c) That portion of real property situate in the Township that is under agreement with or engaged in any program administered by any federal, state, county or local agency that would prohibit compliance with the provisions set forth herein.

§205. Dangerous Structures. It shall be unlawful for any owner or occupier of real property situate in the Township to maintain or permit to be maintained upon the said real property any building or structure, primary or accessory, which has deteriorated to the state where it is dangerous and/or unsafe for its intended use, constitutes a fire hazard, endangers surrounding buildings or structures, endangers the occupant or users, endangers the safety of others in the area, shelters or harbors rats or vermin.

§206. Depositing upon Public/Private Streets. No person shall cast upon or discharge into, upon, or on, any of the streets, alleys, or highways, or public places in the Township of

Buffalo, any animal carcass, fish, oyster shells, garbage, slaughterhouse debris, broken glass, crockery, china, cuttings of tin, sheet iron, or other metal, nails, vegetables, fruit peels or rinds, or shells thereof, bottles, ashes, dirt, pasteboard boxes, paper, advertisements, handbills, show bills, waste paper, sweepings, or any other kind of debris, garbage or rubbish.

(Ordinance No. 0-1-59 (also designated Ordinance No. 1A), adopted May 9, 1959)

§207. Enforcement. The owner and/or occupier of real property upon which a violation of this Part shall occur, shall be notified, in writing of said violation by such person as the Board of Supervisors of the Township shall appoint from time to time by resolution. The said notice shall be delivered either personally or by first class mail. When the person responsible for delivery of the notice determines that it is impractical to make delivery as set forth above the notice may be delivered by posting the same upon the real property.

The said notice shall advise the owner and/or occupier of the said real estate that a violation of this Part has occurred and shall set forth a brief description of the violation. The owner and/or occupier of the said real property shall have a period of time from the date the notice is mailed or the date of the posting of the notice to cure the violation. The period of time shall be established by the Board of Supervisors of Buffalo Township by Resolution. The notice shall advise the owner and/or occupier of the same. The owner and/or occupier shall notify the person responsible for delivery or posting of the notice when the violation has been corrected. If the owner and/or occupier fails to correct the violation within the time specified in the notice, a second notice will be mailed or posted as the case may be advising the owner and/or occupier of the violation and imposing a service fee which shall be in an amount determined by the Township by Resolution. Should the owner and/or occupier fail to correct the violation of this Part within the time specified in the said second notice or fail to pay the service fee within the time specified for correcting the violation, they shall be in violation of this Part and subject to the penalties set forth in this Part.

The mailed notice required by this section shall be mailed by first class mail with a return address to the owner's and/or occupier's address as set forth in the tax assessment records. The person responsible for mailing the notice shall obtain a proof of mailing receipt from the Post Office.

§208. Penalties. Violations of this Part shall be enforced by an action brought before a District Judge in the same manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure. The Township Solicitor may assume charge of the prosecution without the consent of the District Attorney as required by Pennsylvania Rule of Criminal Procedure No. 83(c). The fine for a violation of this Part shall not exceed \$1,000.00 and/or imprisonment to the extent allowed by law for the punishment of summary offenses.

(Ordinance No. 11-03, adopted July 11, 2011)