

**CITY OF JEANNETTE  
WESTMORELAND COUNTY, PENNSYLVANIA**

**BILL NO. 07-02**

**ORDINANCE NO. 07-04**

**AN ORDINANCE OF THE CITY OF JEANNETTE, WESTMORELAND COUNTY,  
PENNSYLVANIA, AMENDING ORDINANCE NO. 01-03  
RELATING TO THE STANDING, STOPPING OR STORAGE OF JUNK,  
JUNK VEHICLES OR VEHICLES UP ON JACKS ON THE STREETS  
AND OTHER PUBLIC RIGHTS OF WAY AND UPON PRIVATE  
PROPERTY WITHIN THE CITY OF JEANNETTE**

WHEREAS, on July 11, 2001, the Council of the City of Jeannette, Westmoreland County, Pennsylvania, enacted Ordinance No. 01-03, entitled:

“AN ORDINANCE OF THE CITY OF JEANNETTE REGULATING THE PARKING, STANDING, STOPPING OR STORAGE OF ANY MOTOR VEHICLE UPON THE STREETS, AVENUES, ALLEYS, ROADWAYS OR OTHER PUBLIC RIGHTS OF WAY WITHIN THE CITY OF JEANNETTE, WESTMORELAND COUNTY, PENNSYLVANIA THAT ARE WITHOUT CURRENT REGISTRATION PLATES, A SERVICEABLE STORAGE BATTERY, A CURRENT INSPECTION STICKER, INCAPABLE OF BEING OPERATED UPON THE STREETS, AVENUES, ALLEYS, ROADWAYS OR OTHER PUBLIC WAYS, OR THE UNSHELTERED STORAGE OF JUNK OR JUNK VEHICLES OR VEHICLES UP ON JACKS AS HERINAFTER DEFINED, PRESCRIBING PENALTIES FOR THE VIOLATION THEREOF AND REPEALING ORDINANCES NO. 61-8, 67-9, 79-14 AND 96-7 AND ALL OTHER ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT HERewith”; and

WHEREAS, the Council of the City of Jeannette desires to amend certain portions of Ordinance No. 01-03 to reduce the time periods in which the owners of junk, junk vehicles or vehicles up on jacks may maintain same in the public rights of way and upon private property; and

WHEREAS, the Council of the City of Jeannette desires to reduce such time periods to expedite the removal of junk, junk vehicles and vehicles up on jacks from public and private property to reduce their threat to the public health, safety and well-being.

NOW, THEREFORE, WITH THE FOREGOING RECITALS BEING INCORPORATED HEREIN BY REFERENCE THERETO, THE COUNCIL OF THE CITY OF

JEANNETTE, WESTMORELAND COUNTY, PENNSYLVANIA, HEREBY ORDAINS AND ENACTS AS FOLLOWS:

1. Section III.C. of Ordinance No. 01-03, is hereby repealed in its entirety and shall be replaced by the following:

“C. From and after the effective date of this Ordinance, it shall be unlawful for any person to maintain or engage in the unsheltered storage of any “junk” as same is defined above upon any street, avenue, alleyway, road or other public way within the City of Jeannette, Westmoreland County, Pennsylvania at any time or upon private property within the corporate limits of the City for a period of twenty four (24) hours or more (except in places where a junkyard is regularly conducted and permitted).”

2. Section IV.A and IV.B of the Ordinance, relating to “Penalties” is hereby repealed in its entirety and shall be replaced by the following:

“A. Any person, firm or corporation who maintains or engages in the placement of any junk or junk vehicle, or who stops, stands or stores any such junk or junk vehicle upon any street, avenue, alleyway, road or other public way within the corporate limits of the City of Jeannette contrary to the terms of this Ordinance shall be deemed in violation of the terms and provisions of this Ordinance and shall be guilty of a Summary Offense. Upon conviction of such Summary Offense before a Magisterial District Judge of the Commonwealth of Pennsylvania having jurisdiction over same, such person, firm or corporation shall be sentenced to pay a fine of not less than FIFTY and 00/100 Dollars (\$50.00) nor more than ONE THOUSAND and 00/100 Dollars (\$1,000.00), together with the costs of prosecution, and in default of payment thereof, shall be imprisoned for a period of not more than ten (10) days in the County jail. Each day’s a violation shall constitute a separate offense and notice to the offender shall not be necessary in order to constitute such an offense.

B. Any person, firm or corporation who maintains or engages in the maintenance of any junk, junk vehicle or vehicle up on jacks upon private property within the corporate limits of the City of Jeannette contrary to the terms of this Ordinance shall be deemed in violation of the terms and provisions of this Ordinance and shall be guilty of a Summary Offense. Upon conviction of such Summary Offense before a Magisterial District Judge of the Commonwealth of Pennsylvania having jurisdiction over same, such person, firm or corporation shall be sentenced to pay a fine of not less than FIFTY and 00/100 Dollars (\$50.00) nor more than ONE THOUSAND and 00/100 Dollars (\$1,000.00), together with the costs of prosecution, and in default of payment thereof, shall be imprisoned for a period of not more than ten (10) days in the County jail. Each day’s a violation shall constitute a separate offense and notice to the offender shall not be necessary in order to constitute such an offense.”

3. Section V. A. of Ordinance No. 01-03, is repealed in its entirety and shall be replaced with the following:

“A. In addition to being a violation of this Ordinance subject to summary citations set forth above, from and after the date of this Ordinance, the unsheltered storage of junk, junk automobiles or vehicles up on jacks for a period of twenty four (24) hours or more within the corporate limits of the City of Jeannette, Westmoreland County, Pennsylvania, regardless of whether same are within the public rights of way or upon private property, shall be deemed a nuisance, dangerous to the public health, safety and well-being.”

4. Section V. C. of Ordinance No. 01-03, is hereby repealed in its entirety and replaced with the following:

“C. The notice to abate the nuisance described in the foregoing paragraph shall be given by the City to each and/or every individual, firm or corporation referenced above, shall prescribe the manner in which abatement is to occur and be served upon such individual, firm or corporation as follows:

1. Where the junk vehicle, junk or vehicle up on jacks is located within the public roadways, alleyways or other public rights of way of the City of Jeannette, the individual, firm or corporation shall be given twenty four (24) hours notice to abate such nuisance by posting such Notice directly on the junk vehicle, junk or vehicle up on jacks;

2. Where the junk, junk vehicle or vehicle up on jacks is situate upon private property, such individual, firm or corporation owning the vehicle, as well as the owner of the private property upon which the junk, junk vehicle or vehicle up on jacks is situate, shall be given forty eight (48) hours notice to abate such nuisance by certified mail, return receipt requested. In the event such certified mail is returned, refused or unclaimed, such notice shall be sent by regular mail to such individual, firm or corporation referenced above at their last known address.”

5. All other portions, terms and provisions of Ordinance No. 01-03 not otherwise affected by this amendment shall continue in full force and effect.

6. In the event any term or condition of this Ordinance is declared void or invalid by a Court of competent jurisdiction, the remaining portions of this Ordinance shall continue in full force and in effect.

THIS ORDINANCE IS DULY ORDAINED AND ENACTED BY THE COUNCIL OF THE CITY OF JEANNETTE, WESTMORELAND COUNTY, PENNSYLVANIA AT A DULY ADVERTISED PUBLIC MEETING HELD THE 9<sup>th</sup> DAY OF MAY, 2007, AND SHALL TAKE EFFECT IMMEDIATELY.

ATTEST:

  
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Ronald E. Dinsmore, City Clerk

THE CITY OF JEANNETTE:

By:   
\_\_\_\_\_  
Michael Cafasso, Mayor/President of Council