

AN ORDINANCE DESCRIBING REGULATIONS FOR THE PARKING, STORING, REPAIRING, SERVICING, ASSEMBLING, DISASSEMBLING, WRECKING AND JUNKING OF MOTOR VEHICLES ON STREETS, HIGHWAYS, ALLEYS AND LOTS OF THE BOROUGH OF LILLY AND PRESCRIBING PENALTIES FOR THEIR VIOLATION.

The Borough of Lilly, Cambria County, Pennsylvania, hereby ordains as follows:

SECTION 1. REPAIR OR STORAGE OF AUTOMOBILES - No person shall place or store a motor vehicle upon any street, highway, alley or open lot for the principal purpose of repairing, servicing, fueling, oiling, assembling, disassembling, wrecking or junking of such vehicle, except for emergency repairs. Any vehicle or parts thereof, parked, placed or stored on any street, highway, alley or open lot, for a period of time in excess of seven (7) days, is hereby declared to be a public nuisance, detrimental to the public health and safety and in violation of this Ordinance.

SECTION 2. UNLICENSED VEHICLES - No vehicle shall stand on or be parked on any street, unless the same bears a motor vehicle license, evidencing that it has been currently registered as a motor vehicle under the provisions of the Vehicle Code.

SECTION 3. DISPLAYING OR ADVERTISING VEHICLES FOR SALE - No vehicle shall be displayed or advertised for sale or parked or stored upon any street, highway or alley.

SECTION 4. SEVERABILITY - The provisions of this Ordinance shall be severable and if any of its provisions shall be held to be unconstitutional or illegal, such decision shall not affect the validity of any of the remaining provisions of the Ordinance. It is hereby declared the legal intent that this Ordinance would have been adopted if such illegal or unconstitutional provision had not been included herein.

SECTION 5. NUISANCES - In the event that the Borough authorities elect to declare any of the prohibited activity in Section 1 a public nuisance, the offending party or owner shall be given at least a ten (10) day written notice to the effect that the offending party or owner will be required to appear at the next regular meeting of Council and show cause why the said declared

violation shall not be declared a public nuisance and, in failing to do so, will be required to remove any nuisances, in default of which the Borough may cause the same to be done and collect the costs thereof, together with a penalty of ten (10%) per centum of such costs, in the manner provided by law for the collection of municipal claims or by an Action of Assumpsit, or may seek relief by a Bill of Inequity.

SECTION 6. ENFORCEMENT - It shall be the duty of the Police of the Borough to enforce the provisions of this Ordinance and to report the violations of the Ordinance to the Borough Council at each regular monthly meeting. The Borough Police officers shall also attach to vehicles parked on streets, etc. in violation of this Ordinance, a Notice that such vehicle or vehicles are parked in violation of the within Ordinance, said Notice shall contain instructions to such owner or person in possession to report to the office of the Mayor within twenty-four hours of said Notice, to pay to the Mayor the penalties hereinafter provided. Where more than one vehicle is parked or stored in violation of the within Ordinance at one location, it shall be necessary that only one such vehicle shall be tagged.

SECTION 7. PENALTY FOR VIOLATION - Any person violating any of the provisions of this Ordinance shall, upon conviction thereof, be sentenced to pay a fine of not less than Five (\$5.00) Dollars or more than Fifty (\$50.00) Dollars, and the costs of prosecution, and, in default of payment of such fine and costs, to be imprisoned in the County Jail for not more than ten (10) days.

SECTION 8. REPEAL - All Ordinances or parts thereof inconsistent with this Ordinance are hereby repealed.

SECTION 9. EFFECTIVE DATE - This Ordinance shall become effective upon its adoption, approval by the Mayor and advertising according to law.

ENACTED AND ORDAINED, this 24 day of September A. D., 1965.

BOROUGH OF LILLY

Clair A. Mc Loughlin
President

ATTEST:

Charles Brady
Secretary

LAW OFFICES
ROBERT J. CASSIDY
EBENSBURG, PA.
PATTON, PA.

Approved this 24 day of September A. D., 1965.

Robert P. Kumod
Mayor