

Section 1. Activities Constituting Nuisance Prohibited:

It shall be unlawful for any person, partnership, corporation or other association to create or cause to be created upon any public or private property within Franklin Township any activity which shall constitute a nuisance.

Section 2. Maintenance of Property Required:

All persons, firms or corporations, owning, occupying or in any manner controlling any property within Franklin Township shall keep, maintain and repair the same in a manner consistent with the health, safety, morals, general welfare, cleanliness, beauty, convenience and comfort of Franklin Township and its inhabitants.

Section 3. Definitions:

Automobile Graveyard - The storage of two (2) or more junk or wrecked automobiles on any premises. The term shall not include the storage of wrecked automobiles in a commercial district in connection with an automobile repair business where the wrecked automobiles are stored merely awaiting the repair thereof in the immediate future.

Nuisance - Includes, but is not limited to the storage of abandoned or junked automobiles or other motor driven equipment or a material part thereof, the dumping or accumulation of garbage, refuse, trash or other junk, including all types of discarded personal property, or any other activity which may be considered harmful to the

promotion of the health, cleanliness, comfort and general well being of the citizens of Franklin Township.

Section 4. Certain Prohibited Uses Enumerated:

The following uses of and activities upon real property, both public and private in Franklin Township are hereby declared to be nuisances and are hereby prohibited. Nothing herein should in any way be construed as to authorize other activities which may constitute a nuisance for such other activities are also prohibited.

A. The use of any premises as a trash or garbage dump unless specifically authorized.

B. The depositing or dumping of any amount of trash or garbage, motor vehicles or other machinery brought upon and accumulated or stored on any premises from any other location or locations.

C. The burning of or setting fire to trash, rubbish, refuse, garbage, motor vehicles or other machinery brought upon and accumulated or stored on any premises from any other location or locations.

D. The accumulation or storage of junked or wrecked or abandoned automobiles as an automobile graveyard except in conformance with the provisions of Franklin Township Ordinance Number ⁵⁻⁷⁰ 1-90 *repealed*

E. The accumulation or storage of scrap metal or other waste material as a junk yard except in conformance with the provisions of Franklin Township Ordinance No. ⁵⁻⁷⁰ 1-90 *repealed* ^{11/13/73}

F. Any use of or activity upon property that, by reason of flames, smoke, odors, fumes, noise or dust, unreasonably interferes with the reasonable use, comfort and enjoyment of a neighbor's property

or endangers the health or safety of the occupants of a neighboring property, or endangers the health and safety of township residents and/or the users of township public streets, property or facilities.

G. The excessive or unreasonable accumulation of scrap, junk, trash or garbage upon premises, causing odors, fumes or unsightly appearance to neighboring property owners.

H. The deterioration of a structure or property to such a state that it is dangerous and unsafe and unusable for its intended purpose, and/or constitutes a fire hazard endangering surrounding structures or property and/or provides shelter for rats or other vermin or other wild animals, and/or creates a hazard to the welfare and safety of children or adults who play or work thereabouts.

Section 5. Complaint of Violation; Notice; Hearing:

Upon complaint being made, in writing and signed by the complainant, the Board of Supervisors, after initial consideration and approval as a board, shall cause the Township Secretary to request the owner by certified mail directed to his last known address, and by notice posted on the property complained of, to appear for a hearing before the Board of Supervisors at the next regular or any special meeting of said Board. At the time specified, the Supervisors shall investigate the alleged violation. They shall give notice of their determination by certified mail to such persons appearing at the hearing, to such persons not appearing who had been served with a request to appear, and by posting a copy thereof in a conspicuous place upon the property cited in the complaint.

Section 6. Order to Correct Violation:

If the Supervisors find that a violation of this Ordinance has occurred, they shall order the owner to correct the violation within ten (10) days of service upon him of the determination made by the Supervisors. The determination posted on the premises shall contain an order to the owner to correct the violation.

Section 7. Township May Correct Violation:

If the owner shall fail within the time specified to correct a violation and to otherwise comply in all respects with the provisions of this Ordinance, the Township Supervisors may make the necessary corrections. The costs thereof, together with a penalty of ten percent (10%) shall be collected in the manner provided by law for the collection of municipal claims or by action of assumpsit.

Section 8. Violations and Penalties:

A. Any person who shall violate any provision of this Ordinance, or any person who shall interfere in any manner with necessary corrections made or to be made by the Township Supervisors, shall, upon conviction thereof, be sentenced to pay a fine of not more than Three Hundred Dollars (\$300.00) and costs of prosecution for each violation, or in default of payment of such fine and costs to undergo imprisonment for not more than thirty (30) days.

B. Whenever any person shall have been officially notified, by service of summons in prosecution or by letter notice as above provided, that he is committing a violation of this Ordinance, and that

he is required to remove any nuisance, each day that he shall continue such violation shall constitute a separate offense, punishable by a like fine, penalty or imprisonment.

Section 9. Remedies Not Exclusive:

The methods of correction of any violation of this Ordinance which may constitute a nuisance shall not be exclusive, and relief by bill in equity or by other appropriate proceeding may be sought in the discretion of the Board of Supervisors.

Section 10. Effective Date:

This Ordinance was adopted on the 13th day of November, 1990 and shall take effect on the 18th day of November, 1990.

Franklin Township Supervisors:



Benjamin J. Sitek/Chairman

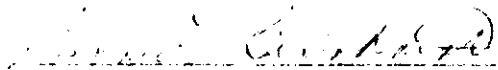


David E. Henderson/Supervisor



Herbert H. Netler/Supervisor

Attested:



Bonnie J. Bernhardt/Secretary

AUTOMOBILE GRAVEYARD

The storage of two (2) or more uninspected, junked or wrecked motorized vehicles and/or implements of husbandry, except where said vehicles are stored in a garage, barn, warehouse, or similar enclosed structure. The term "automobile graveyard" shall not include the storage of said vehicles in a commercial district in connection with an automobile repair business where said vehicles are stored for two months or less merely awaiting repair.

For the purposes of this definition:

(a) the term "junked" means a vehicle or implement of husbandry which is inoperable or unreparable to the extent that the cost of repairs would exceed the value of the repaired vehicle.

(b) The term "implement of husbandry" means a vehicle designed or adapted to be used primarily for agricultural operations and only incidentally operated or moved upon highways.

ATTEST:

FRANKLIN TOWNSHIP SUPERVISORS

Bernice J. Burdick
SECRETARY

Richard J. ...
CHAIRMAN
[Signature]
SUPERVISOR
[Signature]
SUPERVISOR