

**MAIN TOWNSHIP**

**ORDINANCE NO. 2 OF 2016**

**AN ORDINANCE TO AMEND ORDINANCE NO. 1 OF 2014**

**REGULATING THE STORAGE OF JUNK, REFUSE, GARBAGE, RUBBISH AND  
ABANDONED/JUNKED VEHICLES**

**BACKGROUND**

**WHEREAS**, the Board of Supervisors of Main Township, Columbia County, Pennsylvania, enacted Ordinance No. 1 of 2014, on June 2, 2014; and

**WHEREAS**, the Board of Supervisors of Main Township desire to amend Ordinance No. 1 of 2014; and

**BE IT ENACTED AND ORDAINED** by the Board of Supervisors of Main Township, as follows:

1. **Section 2 of Ordinance 1 of 2014 is hereby repealed and the following shall be adopted and inserted in its place:**

**SECTION 2. FINDINGS AND PURPOSES**

The Supervisors of Main Township, Columbia County, Pennsylvania, finds and declares that the accumulation or storage of junk, refuse, garbage, rubbish, abandoned vehicles and/or junked vehicles within the Township of Main represents a unique danger to the health, welfare and safety of the residents of Main Township. In particular, the storage of junk, refuse, garbage, rubbish, abandoned vehicles and/or junked vehicles can and will, if not properly controlled, result in traffic hazards, danger from fire and explosion, threats to the health, safety and welfare of the general public, provide breeding places for insects, vermin, rodents and other animals, create substantial risks of pollution of surface and subsurface waters within the Township, create unique problems for law enforcement and firefighting and require that the Township engage in additional expense for the supervision and regulation of any such places which accumulate or store junk, refuse, garbage, rubbish, abandoned vehicles and/or junked vehicles. The Supervisors further finds that the said dangers to the health, safety and welfare of the residents of the Township of Main require the regulation of the storage and accumulation of junk, refuse, garbage, rubbish, abandoned vehicles and/or junked vehicles within the Township.

2. **That portion of Section 3 of Ordinance No. 1 of 2014 entitled "Abandoned or Junked Vehicle" is hereby repealed and the following shall be adopted and inserted in its place:**

**SECTION 3.         DEFINITIONS**

**ABANDONED OR JUNKED VEHICLE:**

- (i) Any vehicle that is inoperable and left unattended on public property for more than forty-eight (48) hours; or
- (ii) A vehicle that has remained illegally on public property for a period of more than forty-eight (48) hours; or
- (iii) a motor vehicle without a current license and registration, except for motor vehicles actively being restored or in the process of restoration or repair, which has remained stationary for a period of more than forty-eight (48) hours; or
- (iv) a vehicle without any of its four wheels or tires for normal operation and without a part necessary to make it self-propelled.

3. **The first sentence of Section 4 of Ordinance No. 1 of 2014, is hereby repealed and the following shall be adopted and inserted in its place:**

**SECTION 4.         GENERAL PROHIBITION**

It shall be unlawful for any person to accumulate or store any junk, refuse, garbage or rubbish or abandoned or junked vehicle on private or public property within the Township of Main, Columbia County, Pennsylvania unless the same are temporarily stored or left to be hauled away in a reasonable and normal manner by a local refuse hauler and are so hauled away within a reasonable time, not to exceed ten (10) days.

4. **Section 8 of Ordinance No. 1 of 2014 is hereby repealed and the following shall be adopted and inserted in its place:**

**SECTION 8. EXCEPTION**

Notwithstanding anything contained in this Ordinance to the contrary, this Ordinance shall not apply to any real property located in Main Township which is utilized for a "family farm business" or in conjunction with a "normal agricultural operation".

The following terms shall be defined as follows for purposes of the Ordinance:

(a) Family Farm Business: A corporation or association of which at least seventy-five percent (75%) of its assets are devoted to the business of agriculture and at least seventy-five percent (75%) of each class of stock of the corporation or the interests of the association is continuously owned by members of the same family. The business of agriculture shall also include the leasing to members of the same family or

the leasing to a corporation or association owned by members of the same family of property which is directly and principally used for agricultural purposes.

Members of the same family shall mean any individual, such individual's brothers and sisters, the brothers and sisters of such individual's parents and grandparents, the ancestors and lineal descendants of any of the foregoing, a spouse of any of the foregoing and the estate of the foregoing. This shall include individuals related by half-blood or legal adoption.

(b) Normal Agricultural Operation: The activities that farmers adopt, use or engage in the production and preparation for market or use of agricultural, agronomic, horticultural, silvicultural and aquacultural crops and commodities and is:

- (1) Not less than ten (10) contiguous acres in area; or
- (2) Less than ten (10) contiguous acres in area, but has an anticipated yearly gross income of at least \$10,000.00.

5. Except as otherwise provided herein, none of the other provisions of Ordinance No. 1 of 2014 shall be affected by this Amendment and the same shall remain in full force and effect.

6. This Ordinance shall become effective ten (10) days after adoption by the Board of Supervisors.

**AND NOW**, this Ordinance is adopted this 7th day of March, 2016.

Attest:

*Lisa Schell*

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MAIN TOWNSHIP SUPERVISORS

*Robert Frey*

**ROBERT FREY, SUPERVISOR**

*Thomas Shuman*

**THOMAS SHUMAN, SUPERVISOR**

*Richard Shuman*

**RICHARD SHUMAN, SUPERVISOR**