

ORDINANCE NO. 2001-7  
FRACKVILLE BOROUGH

AN ORDINANCE OF THE BOROUGH OF FRACKVILLE PROHIBITING THE REPAIR OF MOTOR VEHICLES ON PUBLIC STREETS; PERMITTING MAINTENANCE OF MOTOR VEHICLES ON PUBLIC STREETS; PROHIBITING THE STORAGE OF MOTOR VEHICLES PARTS ON PUBLIC STREETS AND PRESCRIBING PENALTIES FOR VIOLATION.

BE IT ENACTED AND ORDAINED BY THE COUNCIL OF THE BOROUGH OF FRACKVILLE, COUNTY OF SCHUYLKILL, PENNSYLVANIA, AS FOLLOWS:

**Section 1. Definitions.** The following words shall have the meaning set forth herein, unless the context clearly indicates a different meaning.

**MAINTENANCE** – Those activities which are required to keep a motor vehicle in operating condition under the state inspection laws or to maintain a clean cosmetic appearance including: washing and waxing; the replacement of minor exterior parts including wiper blades, light fixtures and changing tires; and, the performance of minor tune-ups involving, only, replacement of points, plugs, engine fluids and other minor exterior components, so long as no hazard or nuisance to passersby result.

**PERSON** – Any individual person, firm or corporation.

**REPAIRS** – Any mechanical work on a motor vehicle, which is not herein, defined as **MAINTENANCE**.

**STREET, PUBLIC** – All of the roads, streets, alleys, sidewalks or grass plots within the legal rights-of-way of the Borough of Frackville.

**Section 2. Motor Vehicle Repairs Prohibited.** It shall be unlawful for any person to make repairs to any motor vehicle in the public streets or the Borough of Frackville.

**Section 3. Maintenance of Motor Vehicles Permitted.** Unless it poses a nuisance or safety hazard to passersby, the routine maintenance of motor vehicles in the public streets as defined herein is hereby permitted.

**Section 4. Storage of Motor Vehicle Parts Prohibited.** It shall be unlawful for any person to store new or used motor vehicles parts on the public streets.

**Section 5. Penalties.** Any person, firm or corporation who shall violate any provision of this Part shall, upon consideration thereof, be sentenced to pay a fine of not more than one thousand dollars (\$1,000.00); and in default of payment to imprisonment for a term not to exceed thirty (30) days. Every day that a violation of this Part continues shall constitute a separate offense.

**Section 6. Severability.** If any sentence, clause, section, or part of this ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts of this ordinance. It is hereby declared as the intent of the Borough of Frackville that this ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein.

**Section 7. Repealer.** All ordinances or parts of ordinances, which are inconsistent herewith, are hereby repealed. The following ordinances or parts thereof are specifically repealed.

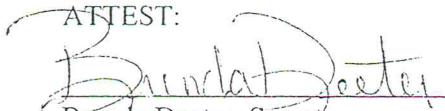
**Section 8. Effective Date.** This Ordinance shall become effective on this 9<sup>th</sup> day of July, 2001, by the Council of the Borough of Frackville, in lawful session duly assembled.

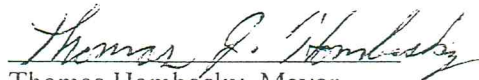
BOROUGH COUNCIL OF THE  
BOROUGH OF FRACKVILLE

BY:

  
Adele Matern, President

ATTEST:

  
Brenda Deeter, Secretary

  
Thomas Hombosky, Mayor