

**Chapter 124****VEHICLES ABANDONED OR ILLEGALLY PARKED**

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[**HISTORY: Adopted by the Board of Commissioners of the Township of Upper St. Clair 3-14-77 as Ord. No. 680. Amendments noted where applicable.**]

**GENERAL REFERENCES**

**Parking and storage of recreational vehicles - See Ch. 102.**  
**Parking restrictions and other traffic regulations - See Ch. 125.**

**§ 124.1. Applicability.**

For the purposes of this chapter, all automobiles, tractors, trucks, truck-tractors, trailers and other vehicles of any kind shall hereafter be referred to as "vehicles."

**§ 124.2. Removal and impounding.**

Whenever any vehicle shall be found wrecked, abandoned (including left unattended at public places) or parked or is unable to proceed on any of the streets, highways or public

property of the township in violation of laws and ordinances now or hereafter enacted by the township or the Commonwealth of Pennsylvania, it may be removed, either by township operated towing equipment or by contract tower, upon the authorization of the Township Manager or an officer of the Township Police Department.

**§ 124.3. Voluntary removal by owner.**

No vehicle shall be removed under the authority of this chapter if, at the time of the intended removal thereof, the owner or person for the time being in charge of such vehicle is present and expresses a willingness and intention to remove such vehicle immediately.

**§ 124.4. Designation of approved storage garage.**

An approved storage garage or approved storage garages, as a pound or as pounds for the storage of such impounded vehicles, shall be selected and designated by the Township Manager.

**§ 124.5. Storage garage bond.**

Each approved storage garage shall post a bond in the amount determined and required by the Township Manager, which bond is to be filed with the township for the indemnification of the owner of any such impounded vehicle against the loss thereof or damages thereto while in the custody of such poundkeeper.

**§ 124.6. Notice to owner.**

Within twenty-four (24) hours from the time of removal of any vehicle under authority granted by this chapter, notice of the fact that such vehicle has been impounded shall be sent via certified mail, return receipt requested, by the Township Manager to the owner of record of such vehicle. Such notice shall designate the place from which said vehicle was removed the reason for its removal and impoundage, the name and location of the approved storage garage in which it shall have been impounded and the fact that payment of any towing and storage charges may be made under protest, with the offender entitled to a hearing in accordance with § 124.9. of this chapter.

**§ 124.7. Release by payment of charges. [Amended 4-4-83 by Ord. No. 1026]**

No vehicle which is impounded shall be released until payment by or on behalf of the owner thereof of the applicable charges, which charges for such services shall be as provided in Ch. 57, Fees.

**§ 124.8. Payment of charges.**

The payment of any towing and storage charges authorized by this chapter shall, unless such payment shall have been made under protest, be final and conclusive and shall constitute a waiver of any right to recover the money so paid.

**§ 124.9. Payment under protest.**

In the event that any towing and storage charges so imposed shall be paid under protest, the offender shall be entitled to a hearing before a Magistrate of the court of record having jurisdiction, in which case such offender shall be proceeded against and shall receive such notice as is provided by law in other cases of summary offenses and shall have the same rights as to appeal and waiver of hearing.

**§ 124.10. Effect of payment on other penalties.**

The payment of towing and storage charges shall not operate to relieve the owner or operator of any vehicle from liability for any fine or penalty for the violation of any law or ordinance on account of which the said vehicle was removed and impounded.

**§ 124.11. Record of impounded vehicles.**

The Township Manager shall keep a record of all vehicles impounded and shall be able at all reasonable times to furnish the owners or agents of the owners thereof with the information as to the place of storage of such vehicles.