

## **Chapter 10**

### **Health and Safety**

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**Part 1****Junked or Abandoned Motor Vehicles****§10-101. Definitions.**

1. As used in this Part, the following terms shall have the meanings indicated, unless a different meaning clearly appears from the context:

*Lessee* - owner for the purpose of this Part when the lessor holds the lessee responsible for maintenance and repairs.

*Motor vehicle* - any type of mechanical device, propelled by a motor, in which persons or property may be transported upon public streets or highways, and including trailers or semi-trailers pulled thereby.

*Nuisance* - any condition, structure, or improvement which shall constitute a danger or potential danger to the health, safety, or welfare of the citizens of the Township of Cambria.

*Owner* - the actual owner, agent, or custodian of the property on which motor vehicles are stored, whether individual or partnership, association, or corporation.

*Person* - a natural person, firm, partnership, association, corporation, or other legal entity.

2. In this Part, the singular shall include the plural; the plural shall include the singular; and the masculine shall include the feminine and the neuter.

(Ord. 199, 2/9/2009)

**§10-102. Motor Vehicle Nuisances Prohibited.**

It shall be unlawful for any person, owner, or lessee to maintain a motor vehicle nuisance upon the open private grounds of such person, owner, or lessee within the Township of Cambria. A motor vehicle nuisance shall include any motor vehicle which is unable to move under its own power and has any of the following physical defects:

- A. Broken windshields, mirrors, or other glass, with sharp edges.
- B. One or more flat or open tires or tubes which could permit vermin harborage.
- C. Missing doors, windows, hood, trunk, or other body parts which could permit animal harborage.
- D. Any body parts with sharp edges including holes resulting from rust.
- E. Missing tires resulting in unsafe suspension of the motor vehicle.
- F. Upholstery which is torn or open which could permit animal and/or vermin harborage.
- G. Broken head-lamps or tail-lamps with sharp edges.
- H. Disassembled chassis parts apart from the motor vehicle stored in a disorderly fashion or loose in or on the vehicle.
- I. Protruding sharp objects from the chassis.
- J. Broken vehicle frame suspended from the ground in an unstable manner.

- K. Leaking or damaged oil pan or gas tank which could cause fire or explosion.
- L. Exposed battery containing acid.
- M. Inoperable locking mechanism for doors or trunk.
- N. Open or damaged floor boards including trunk and firewall.
- O. Damaged bumpers pulled away from the perimeter of vehicle.
- P. Broken grill with protruding edges.
- Q. Loose or damaged metal trim and clips.
- R. Broken communication equipment antennae.
- S. Suspended on unstable supports.
- T. Such other defects which could threaten the health, safety, and welfare of the citizens of the Township of Cambria.

(Ord. 199, 2/9/2009)

#### **§10-103. Storage of Motor Vehicle Nuisances Permitted.**

1. Any person, owner, or lessee who has one or more motor vehicle nuisances as defined in §10-102 above may store such vehicle(s) in the Township of Cambria only in strict compliance with the regulations provided herein. Such person, owner, or lessee must, first, apply for a permit for either temporary or permanent storage and pay a fee to the Township of Cambria pursuant to a resolution of the Board of Supervisors. The motor vehicle nuisance(s) must be stored within a garage or other enclosed building or, outside within an opaque fence at least 6 feet high which is locked at all times when unattended.

2. With the special approval of the Board of Supervisors motor vehicle nuisances may also be stored outside in an area enclosed by a chain link fence, at least 6 feet high, screened by shrubbery around the perimeter to the height of the fence, with an unobstructed gate capable of admitting fire or emergency equipment. Such gate shall remain locked at all times when unattended. In addition, all gas and oil or other flammable liquid shall be removed from the motor vehicle and it shall be kept free of vermin infestation while being stored. The total area of storage of motor vehicle nuisances may not exceed [ ] square feet.

3. Nothing herein shall be construed to permit the storage of motor vehicle nuisances contrary to the provisions of the Township of Cambria Zoning Ordinance [Chapter 27].

(Ord. 199, 2/9/2009)

#### **§10-104. Inspection of Premises; Notice to Comply.**

1. The Cambria Township Police Department is hereby empowered to inspect private property on which motor vehicles are stored to determine if there is compliance with the provisions of this Part. If noncompliance with the provisions of this Part constitutes a nuisance, or if any condition, structure, or improvement poses a threat to the health, safety, or welfare of the public, he shall issue a written notice to be served by registered or certified mail upon the owner of said premises, or, if the owner's whereabouts or identity be unknown, by posting the notice conspicuously upon the

offending premises.

2. Said notice shall specify the condition or structure or improvement complained of, and shall require the owner to commence to remove or otherwise rectify the condition or structure or improvement as set forth therein within 10 days of mailing or posting of said notice, and thereafter, to fully comply with the requirements of the notice within a reasonable time.

*(Ord. 199, 2/9/2009)*

**§10-105. Authority to Remedy Noncompliance.**

If the owner of grounds on which motor vehicles are stored does not comply with the notice to abate the nuisance, within the time limit prescribed, the Township shall have the authority to take measures to correct the conditions and collect the cost of such corrections plus 10 percent of all costs. The Township, in such event and pursuant to its statutory or otherwise authorized police powers, shall have the right and power to enter upon the offending premises to accomplish the foregoing.

*(Ord. 199, 2/9/2009)*

**§10-106. Hearing.**

1. Any person aggrieved by the decision of the Cambria Township Police Department may request and shall then be granted a hearing before the Board of Supervisors; provided, he files with the Board of Supervisors within 10 days after notice of the Cambria Township Police Department's decision, a written petition requesting such hearing and setting forth a brief statement of the grounds therefor. The hearing shall commence not later than 30 days after the date on which the petition was filed unless postponed for sufficient cause.

2. After such hearing, the Board of Supervisors shall sustain, modify, or overrule the action of the Cambria Township Police Department.

*(Ord. 199, 2/9/2009)*

**§10-107. Penalties.**

Any person, firm, or corporation who shall violate any provision of this Part, upon conviction thereof in an action brought before a magisterial district judge in the manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure, shall be sentenced to pay a fine of not more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 90 days. Each day that a violation of this Part continues or each Section of this Part which shall be found to have been violated shall constitute a separate offense.

*(Ord. 199, 2/9/2009)*

**§10-108. Remedies Not Mutually Exclusive.**

The remedies provided herein for the enforcement of this Part, or any remedy provided by law, shall not be deemed mutually exclusive; rather they may be employed simultaneously or consecutively, at the option of the Board of Supervisors.

*(Ord. 199, 2/9/2009)*



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**Part 2****Property Maintenance****§10-201. Statement of Purpose.**

The Supervisors of the Township of Cambria, for proper protection of the public health, safety and welfare, and to prevent the occurrence and spread of disease, which may be occasioned by the lack of maintenance and attendance of certain tracts of real estate, have deemed it necessary to provide for regulation and upkeep of lands within the Township of Cambria, and the said Supervisors do ordain and enact the following Part.

(*Ord. 27, 11/13/1972, Art. I*)

**§10-202. Regulation of Real Estate.**

It shall hereafter be unlawful for any owner or lessee of any real, property, located in a residential area within the limits of the Township of Cambria to permit said real property to become overgrown with weeds, grass, underbrush, vines, plants or other similar vegetation. Real property shall be deemed to be overgrown with weeds, grass, underbrush, vines, plants or vegetation when the height thereof shall exceed 6 inches measured from the surface of the ground.

(*Ord. 27, 11/13/1972, Art. II*)

**§10-203. Exceptions.**

1. The provisions of this Section shall not apply to any trees, decorative shrubbery, hedges, or bushes growing upon any real property, nor shall the same apply to any plantings of flowers, vegetables, fruit, shrubbery, bushes, or other vegetation planted on any tract of residential real property when the same are planted as part of the general landscaping scheme of said real property or when the same are planted as part of any garden or orchard upon said real property, nor shall the same apply to any farm, agricultural, horticultural, or nursery business in active use insofar as any vegetation thereon exceeding the height of 6 inches is part of any crop or vegetation grown as part of the business of said operation, or used as any pasture, meadow or fallow field as part of the business of said operation, nor shall the same apply to any unoccupied forest or land located more than ½ mile from any residential dwelling, any commercial or business establishment, or any other building occupied or frequented by human beings.

2. Real property shall be deemed to be located in a residential area if within a radius of 600 feet from said real property there shall be located at least one building or structure used for human habitation as a dwelling place.

(*Ord. 27, 11/13/1972, Art. III*)

**§10-204. Penalties.**

Any person, firm, or corporation who shall violate any provision of this Part, upon conviction thereof in an action brought before a magisterial district judge in the manner provided for the enforcement of summary offenses under the Pennsylvania Rules of

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Criminal Procedure, shall be sentenced to pay a fine of not more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 90 days. Each day that a violation of this Part continues or each Section of this Part which shall be found to have been violated shall constitute a separate offense.

(*Ord. 27, 11/13/1972, Art. IV; as amended by Ord. 199, 2/9/2009*)

**Part 3****Outdoor Furnaces****§10-301. Purpose.**

It is the purpose of this Part to establish and impose restrictions upon the construction and operation of outdoor furnaces within the limits of Cambria Township for the purpose of securing and promoting the public health, comfort, convenience, safety, welfare, and prosperity of the Township of Cambria and its inhabitants. It is generally recognized that the types of fuel used, and the sale and duration of the burning by such furnaces create noxious and hazardous smoke, soot, fumes, odor, air pollution, particles, and other products of combination that can be detrimental to citizens' health and can deprive neighboring residents of the enjoyment of their property or premises.

(*Ord. 187, 6/26/2006, §I*)

**§10-302. Definition.**

An outdoor furnace is defined as “any equipment, device, apparatus or structure or any part thereof which is installed, affixed, or situated outdoors for the purpose of combustion of any type of fuel to produce heat or energy used as a component of a heating system providing heat for an interior space or water source.”

(*Ord. 187, 6/26/2006, §II*)

**§10-303. Regulation.**

1. Outdoor furnaces shall have a chimney stack of at least 20 feet and/or at least 2 feet above the roof line of the highest structure within 200 feet, when installed. Said chimney stack shall also have a spark arrestor installed on top.

2. Outdoor furnaces shall not be placed less than 70 feet from the nearest point of intersection of a property line of another property owner.

3. An area of 20 feet around the outdoor furnace structure shall be free of vegetation, except grass not exceeding 4 inches in height.

4. The minimum required lot size for an outdoor furnace is 43,263 square feet, a complete acre.

5. No other fuel other than natural wood without additive, wood pellets without additive and agricultural seeds in their natural state may be burned. Processed wood products and other non-wood products, recyclable materials, plastics, rubber, paper products, garbage, and painted or treated wood are prohibited.

6. Outdoor furnaces which are designed to heat structures 10 percent greater than the size of the structure (s) to be heated are not permitted.

7. Outdoor furnaces and associated installation shall be subject to inspection by the compliance enforcement officer and building codes enforcement officer at any reasonable time to assure compliance with the terms hereof.

8. Outdoor furnace installation is subject to the permit provisions of the Zoning [Chapter 27] and Land Development [Chapter 22] Ordinances and Building Code

Ordinances [Chapter 5, Part 1] including furnishing the following information:

A. A drawing providing and identifying all of the information necessary to assure compliance herewith, including property lines, location of neighboring properties and structures, height of nearby building, etc.

B. Manufacturer's specifications for the outdoor furnace.

C. Compliance with all applicable State and Federal statutes including the Environmental Protection Agency (EPA) and the Underwriter's Laboratory (UL) listing.

9. Nothing contained herein shall authorize any installation and/or operation of a furnace that is a public or private nuisance, regardless of compliance herewith.

10. This Part shall not be a defense to any civil claims.

11. All outdoor furnaces shall comply with National Fire Protection Association (NFPA) and Uniform Building Standards (UBS).

(*Ord. 187, 6/26/2006, §III*)

#### **§10-304. Enforcement.**

1. If noncompliance with the provisions of this Part constitutes a nuisance or if any condition poses a threat to the health, safety, or welfare of the public, the Police Department shall issue a written notice to be served by registered or certified mail upon the owner of said premises, or, if the owner's whereabouts or identify be unknown, by posting the notice conspicuously upon the offending premises.

2. Said notice shall specify the condition complained of and shall require the owner to commence to remove or otherwise rectify the condition as set forth therein within 10 days of mailing or posting of said notice, thereafter, to fully comply with the requirements of the notice within a reasonable time.

(*Ord. 187, 6/26/2006, §IV*)

#### **§10-305. Penalty.**

Any person, firm, or corporation who shall violate any provision of this Part, upon conviction thereof in an action brought before a magisterial district judge in the manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure, shall be sentenced to pay a fine of not more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 90 days. Each day that a violation of this Part continues or each Section of this Part which shall be found to have been violated shall constitute a separate offense.

(*Ord. 187, 6/26/2006, §V; as amended by Ord. 199, 2/9/2009*)

#### **§10-306. Grandfather Clause.**

This Part shall not be construed to be retroactive and shall not require that removal of any outdoor furnace in existence within the Township as the effective date of this Part. All outdoor furnaces in existence at the effective date of this Part shall have or must erect a flue or chimney in accordance with the height requirements contained herein. If an outdoor furnace is more than 50 percent torn down, damaged, deteriorated, or otherwise reduced to 50 percent of its original design, any rebuilding

or restoration of said outdoor furnace shall be a violation of this Part.  
(*Ord. 187, 6/26/2006, §VI*)



**Part 4****Burial of Deceased Persons****§10-401. Definitions.**

*Cemetery / burial ground*—a place or area of ground set apart for the burial of the dead.

*Vault*—a cave-proof concrete/metal/polyurethane enclosure that protects the environment around the deceased.

(Ord. 210, 2/11/2011, §1)

**§10-402. Burial of Deceased Persons.**

No person, firm, corporation or other entity owning or occupying any property within the Township of Cambria shall permit the burial or interment of a deceased person within the Township of Cambria unless:

A. Said burial or interment shall be within a cemetery established and in use for such purpose prior to the effective date of this Part.

B. It was heretofore or is hereafter specifically authorized in accordance with this Part.

(Ord. 210, 2/11/2011, §2)

**§10-403. Penalties.**

Any person who violates any provision of this Part shall be guilty of an offense and, upon conviction, shall pay a fine to the Township of not less than \$25 nor more than \$1,000 plus costs of prosecution. In default of such payment, such person shall be imprisoned in county prison for a period not to exceed 10 days. Each day during which any violation of this Part continues shall constitute a separate offense. In addition to the above penalties all other actions are hereby reserved including an action in equity for the proper enforcement of this Part. The imposition of a fine or penalty for any violation of, or noncompliance with, this Part shall not excuse the violation or noncompliance or permit it to continue and all such persons shall be required to correct or remedy such violations and noncompliances within a reasonable period of time.

(Ord. 210, 2/11/2011, §3)

**§10-404. Application for Burial Permit.**

1. Any resident wishing to inter a deceased person in the Township of Cambria on private land must obtain a burial permit if:

A. At the time of this Part passing said person/family does not have an established cemetery.

B. Said person/family wishes to establish a private cemetery/burial ground.

2. Application for cemetery/burial grounds must be obtained at the Cambria Township Municipal Building.

(Ord. 210, 2/11/2011, §4)

**§10-405. Application Requirements.**

1. Applicant's name, address, and phone number.
2. Property owner (if different than applicant), phone number.
3. Proposed burial location/address.
4. Tax map no., parcel no., zoning.
5. Parcel size.
6. Size of burial plot (height, width).
7. Setback requirements—front, rear, each side, building or structure, water source.
8. Vault dimensions/specifications.
9. Future access to burial plot/separate deed for land.
10. Location of fencing, signs, etc. around burial plot.
11. Death certificate (Department of Health) if applicable.
12. Burial permit (Department of Health) if applicable.

(*Ord. 210, 2/11/2011, §5*)

**§10-406. Application Fee.**

With the submission of the application a fee of \$300 will be required for review. Any expenses required for review (professional services) of the cemetery/burial ground will be deducted from the application fee.

(*Ord. 210, 2/11/2011, §6*)

**§10-407. Private Cemetery/Burial Grounds Requirements.**

1. The deceased must be interred in a vault.
2. "Depth-of-grave" must be 6 feet at the base of the vault. This depth will prevent the rising of the vault to the surface with the freezing and thawing of the ground.
3. Cemetery/burial grounds must be appropriately marked by fence or otherwise designating the area of burial.
4. The cemetery/burial grounds must be marked in some manner as to designate it as an area containing the last remains of the deceased.
5. The cemetery/burial grounds shall be set back a distance of 50 yards from any adjoining property owner.
6. The cemetery/burial grounds shall be set back a distance of 50 yards from any structure.
7. The cemetery/burial grounds shall be set back a distance of 50 yards from any street right-of-way line.
8. The cemetery/burial ground shall be set back a distance of 300 yards from any water source.
9. The cemetery/burial ground shall not be located in any area where water drainage would pass into a stream furnishing the whole or any portion of the water supply of any city/township/municipality unless such cemetery/burial ground is a

distance of 1 mile from said source.

10. The cemetery/burial ground shall contain no more than ten interred deceased persons.

11. The cemetery/burial ground shall be limited to the immediate family of the property owner.

12. To ensure ease of future visitation and transfer of the surrounding property the cemetery/burial ground may be titled separately from the applicant's parcel of land.

13. The applicant's parcel of land shall be no less than 10 acres.

*(Ord. 210, 2/11/2011, §7)*

**§10-408. Approval of Outside Agencies.**

The applicant must obtain all necessary State and Federal certificates if needed from the Department of Health, etc.

*(Ord. 210, 2/11/2011, §8)*



CAMBRIA TOWNSHIP  
CAMBRIA COUNTY, PENNSYLVANIA  
APPLICATION FOR FAMILY CEMETERY/BURIAL GROUNDS

1. Applicant Name:  
Address, City, State & Zip Code:  
Phone:
2. Property Owner: (if different than Applicant)  
Phone:
3. Proposed Burial Location/Address:
4. Tax Map# \_\_\_\_\_
5. Parcel# \_\_\_\_\_
6. Zoning \_\_\_\_\_
7. Parcel size \_\_\_\_\_
8. Size of Burial Plot h \_\_\_\_\_ x w \_\_\_\_\_
9. Setbacks  
North \_\_\_\_\_  
South \_\_\_\_\_  
West \_\_\_\_\_  
East \_\_\_\_\_  
Building or structure \_\_\_\_\_  
Water Source \_\_\_\_\_
10. Owner/applicant agrees to place persons interred in a vault Yes/NO
11. The Owner/Applicant agrees that the perpetual access to the Cemetery/Burial Ground will be made available to other family members and the County. Yes/NO

12. Location of separate Deed for Cemetery/Burial Ground in the Cambria County Recorder of Deeds Office. Deed Book Volume \_\_\_\_\_ Page \_\_\_\_\_.

13. The owner/applicant agrees to preserve and protect the cemetery by placing fencing, signs, etc., if necessary, and further to maintain and upkeep the site. Yes/NO

Date: \_\_\_\_\_

\_\_\_\_\_  
Signature

## Sketch of Property

<i>Please check:</i>	CONVENTIONAL	MANUFACTURED HOME	COMMERCIAL
	ACCESSORY BUILDING OR ADDITIONS	OTHER: _____	

- ⇒ Provide a sketch of proposed building location, driveway, septic tank location and all additional structures.
- ⇒ Show the *dimensions* of the lot and all setbacks from the house and other structures to all property lines.
- ⇒ The front setback shall always be measured from the centerline of the frontage road(s).
- ⇒ Show location of any wells, trash pits and all easements (drainage or utility) located on the property.
- ⇒ Show distance to nearest stream or lake on property, or if not within 200 feet of a stream or lake, please note.

Provide a complete listing of all existing structures that are now on the property: \_\_\_\_\_

Describe the type of structure that you plan to build: \_\_\_\_\_

Is this a Multiple Road Frontage Lot: \_\_\_\_\_

