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## CHAPTER 14

### HEALTH AND SAFETY

#### Part 1

#### Administration

Editorial Note:The Borough does not have its own Board of Health or Health Officer. The Health Laws are currently enforced and administered in the Borough by the Pennsylvania Department of Health and the Department of Agriculture. However, Luzerne County has opted to create a health department, wherein it may be enforcing some of the Health Laws in the future. Nevertheless, it is the intention of the Borough that the Health and Safety Codes of this Chapter are to be enforced by either the Police Department or the Code Enforcement Officer, or both.

**Part 2**  
**Grass, Weeds and Other Vegetation**

**§201. Grass, Weeds and Certain Other Vegetation Unlawful and a Nuisance under Certain Conditions.** No person owning or occupying any property within the Borough, shall permit any grass or weeds or any vegetation whatsoever, not edible or planted for a useful or ornamental purpose, to grow or remain upon such property so as to exceed a height of six (6) inches or to throw off any unpleasant or noxious odor or to conceal any filthy deposit or to create or produce pollen. Any grass, weeds or other vegetation growing upon any property in the Borough in violation of any of the provisions of this Section is hereby declared to be a nuisance and detrimental to the health, safety, cleanliness and comfort of the residents of the Borough.

**§202. Responsibility for Cutting or Removing.** The owner of any property, vacant or occupied, and the occupant, in case of premises occupied by someone other than the owner, shall remove, trim or cut all grass, weeds or other vegetation growing or remaining upon or adjacent to the property in violation of any provision of Section 201.

**§203. Notice to Remove, Trim or Cut; Authority for Borough to do so.** The Code Enforcement Officer or a Police Officer shall have authority to give notice, by personal service or by United States mail, to the owner and/or occupant, as the case may be of any property on which grass, weeds or other vegetation is growing or remaining in violation of Section 201, directing and requiring that owner or occupant to remove, trim or cut the grass, weeds or vegetation so as to conform to the requirements of Section 201, within five (5) days after issuance of the notice. Whenever, in the judgment of the Borough Council it shall appear to be impracticable to give notice as above provided, either because the owner or occupant cannot readily be found or because a search for the owner or occupant would entail unreasonable delay, the Borough Council, or any officer or employee of the Borough designated thereby for that purpose, may give notice by posting conspicuously on the property where such a nuisance exists, a notice or order directing and requiring that such nuisance be abated within five (5) days. In case any person, firm or corporation shall neglect, fail or refuse to comply with such notice within the period of time stated herein, the Borough Council may order the removal, trimming or cutting of such grass, weeds or vegetation and the cost thereof, together with a penalty of ten (10) percent of the cost thereof shall be collected by the Borough from such person, firm or corporation, in the manner provided by law.

Any notice issued for a violation of this Part shall be sufficient to constitute notice of any subsequent violation provided that the violation occurs within the same calendar year for the same property owner and the same property.

**§204. Penalty for Violation.** Any person who fails to comply with the provisions of Section 201 or Section 202 or with any notice issued under Section 203 shall be guilty of a violation of this Part, and, upon conviction, shall be sentenced to pay a fine of not less than One Hundred (\$100.00) Dollars and no more than Six Hundred (\$600.00) Dollars and costs of prosecution, and, in default of payment of fine and costs, to imprisonment for not more than thirty (30) days. The fine or penalty imposed under this Section may be in addition to any expenses and additional amounts collectible under Section 203 above. Each day that a violation continues shall be deemed a separate offense.

**Part 3**  
**Restriction on Open Storage of Unused or Unusable Personal Property**

**§301. Definitions.** As used in this Ordinance, the following terms shall have the meanings indicated, unless a different meaning clearly appears from the context:

(a) Lessee – means the owner for the purpose of this Ordinance when the lessor holds the lessee responsible for maintenance and repairs.

(b) Nuisance – means any condition, structure, or improvement which shall constitute a threat or potential threat to the health, safety, or welfare of the citizens of the Borough.

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

**§302. Storage of Nuisances Prohibited.** It shall be unlawful for any person to store or maintain abandoned, unused, stripped, damaged and generally unusable appliances, machinery or equipment, or construction materials in the open on a private property. Such storage shall constitute a nuisance and/or health hazard if any of the following conditions exist:

(a) Broken glass or metal parts with sharp or protruding edges.

(b) Containers which are conducive to the harboring and growth of vermin or animals.

(c) Storage in any manner which would allow the equipment, machinery, material or any parts thereof to easily shift, tilt, or fall from its original storage.

(d) Containers of any liquid or material of a hazardous or potentially hazardous nature, including, but not limited to, gasoline, oil, battery acids, refrigerator agents, and poisons.

(e) Refrigerators with the doors remaining attached and unlocked.

(f) Any other condition which shall threaten the health, safety or welfare of the citizens.

**§303. Inspection of Premises; Notice to Comply.**

(a) The Code Enforcement Officer or a Police Officer is hereby empowered to inspect private property to determine if there is compliance with the provisions of this Ordinance. If noncompliance with the provisions of this Ordinance constitutes a nuisance, or if any condition, structure, or improvement poses a threat to the health, safety, or welfare of the public, he or she shall issue a written notice to be served by

registered or certified mail upon the owner of the property, or, if the owner's whereabouts or identity is unknown, by posting the notice conspicuously upon the offending property.

(b) The 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 ten (10) days of mailing or posting of said notice, and thereafter, to fully comply with the requirements of the notice within a reasonable time.

**§304. Hearing.**

(a) Any person aggrieved by the decision of the Code Enforcement Officer or a Police Officer may request a hearing before Borough Council within ten (10) days after notice under Section 303 above. The request shall set forth a brief statement of the grounds for appeal. The hearing shall commence not later than thirty (30) days after the date on which the request was filed unless postponed for sufficient cause.

(b) After such hearing, the Borough Council shall sustain, modify or overrule the action of the Code Enforcement Officer or Police Officer.

**§305. Penalties.** Any person who shall violate any provision of this Ordinance shall, upon conviction thereof, be sentenced to pay a fine not more than six hundred dollars (\$600.00), and in default of payment, to undergo imprisonment for a term not to exceed thirty (30) days. Each day that a violation of this Ordinance continues shall constitute a separate offense.

**§306. Remedies not Mutually Exclusive.** The remedies provide herein for the enforcement of this ordinance, or any remedy provided by law, shall not be deemed mutually exclusive; rather they may be employed simultaneously or consecutively, at the option of Borough Council.

**§307. 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 Council that this ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein.

**§308. Repealer.** All ordinances or parts of ordinances which are inconsistent herewith are hereby repealed.

**Part 4**  
**Regulation for Vector Control Program**

**§401. Definitions.** As used in this Ordinance, the following terms shall have the meanings indicated, unless a different meaning clearly appears from the context:

(a) Accessory Structure – means a detached structure which is not used or not intended to be used for living or sleeping by human occupants and which is located on or partially on any premises.

(b) Breeding Area – means any condition which provides the necessary environment of the birth or hatching of vectors.

(c) Collection of Water – includes water contained in ditches, pools ponds, streams, excavations, holes, depressions, open cesspools, privy vaults, fountains, cisterns, tanks, shallow wells, barrels, troughs, urns, cans, boxes, bottles, tubs, buckets, roof gutters, tanks of flush closets, reservoirs, vessels, receptacles of any kind, or other containers or devices which may hold water.

(d) Cover Receptacle – means a container of metal, wood heavy-duty plastic or synthetic material of solid construction, with a tight-fitting cover secured against wind and leakage.

(e) DEP – means the Department of Environmental Protection, Commonwealth of Pennsylvania.

(f) Dilapidated – means fallen into partial ruin of decay.

(g) Disposal – means storage, collection, disposal or handling of refuse.

(h) Extermination – means the control and elimination of vectors by eliminating their harborage places; by removing or making inaccessible materials that may serve as their food; by poisoning, spraying, fumigating, fogging, larviciding, trapping or by any other recognized and legal vector control elimination methods approved by the local or State authority.

(i) Garbage – means all animal and vegetable wastes resulting from the handling, preparation, cooking or consumption of food.

(j) Harborage – means any place where vectors can live, nest or seek shelter.

(k) Occupant – means any person, over one (1) year of age, living, sleeping, cooking or eating in or actually having possession of a dwelling unit or a rooming unit; in dwelling units a guest will not be considered and occupant.



(l) Refuse – includes all solid wastes, except human body wastes, and including handling of refuse.

(m) Rubbish – includes glass, metal, paper, plant growth, wood, or non-putrescible solid wastes.

(n) Vector – includes any rodent, arthropod, or insect capable of transmitting a disease or infection, including but not limited to rats, mosquitoes, cockroaches, flies and ticks.

(o) Vector-proofing – means a form of construction to prevent ingress or egress of vectors to or from a given space or building or gaining access to food, water, or harborage, including, but not limited to, rat-proofing, fly-proofing and mosquito-proofing.

**§402. Prohibited Acts.** It shall be unlawful:

(a) for any person to deposit or to knowingly permit any person acting as agent, employee, or servant of said person to deposit any refuse, offal, pomace, dead animals, decaying matter, or organic substance of any kind in or upon any private lot, building, structure, accessory structure, premises, or in or upon any street, avenue, alley, parkway, ravine, ditch, gutter, or into any of the waters of the Commonwealth so that the same shall or may afford food, harborage or breeding areas for vectors.

(b) for any person to deposit or permit to accumulate in or upon any premises, improved or vacant, or on any open lot, or alley, any lumber, boxes, barrels, bottles, cans, glass, scrap iron, wire, metal articles, pipe, broken stone or cement, broken crockery, broken plaster, or rubbish of any kind, unless the same is kept in covered receptacles or placed on open racks that are elevated not less than eighteen (18) inches above the ground, and evenly piled or stacked; or unless disposed of in a manner approved by DEP.

(c) to maintain a junkyard or a place for the dumping or wrecking or disassembling of automobiles, trucks, tractors, or machinery of any kind or of any of the parts thereof, or for the storing or leaving of any machinery or equipment used by contractors or builders or by other persons, in such a manner as to afford harborages or breeding areas for vectors.

(d) to store refuse in containers other than covered receptacles, which shall be kept clean by rinsing and draining as often as necessary so as not to provide food or breeding areas for vectors.

(e) to dump, burn, bury, destroy, or otherwise dispose of refuse except at an approved refuse disposal site.

(f) to collect, haul, transport, or convey garbage in open, unenclosed, nonleakproof vehicles.

(g) to construct, maintain or use a sewage system, privy, urinal, cesspool, or other receptacle for human excrement so that vectors have access to the excrementitious matter contained therein.

(h) to have, keep, maintain, cause or permit any collection of standing or flowing water except for agricultural or industrial purposes in which mosquitoes breed or are likely to breed, unless such collection of water is treated or maintained so as effectually to prevent such breeding.

#### **§403. Responsibilities of Owners and Occupants.**

(a) Every owner of a dwelling containing two or more dwelling units shall maintain in a clean and sanitary condition the shared or public areas of the dwelling and premises thereof, in such a manner as to prevent breeding areas and harborage for vectors.

(b) Every occupant of a dwelling unit in a dwelling containing more than one dwelling unit shall be responsible for extermination within his or her dwelling unit. Notwithstanding the foregoing provisions of this subsection, whenever infestation is caused by failure of the owner to maintain a dwelling in a rodent-proof or reasonable insect-proof condition, extermination shall be the responsibility of the owner. Whenever infestation exists in two or more of the dwelling units in any dwelling, or in the shared or public parts of any dwelling containing two or more dwelling units, extermination shall be the responsibility of the owner.

#### **§404. Vector-Proofing.**

(a) Any dwelling, building, structure, accessory structure, premises or any other place shall be required to be vector-proofed when found to provide harborage or breeding areas for vectors, upon written notice at least ten (10) days prior to an inspection thereof.

(b) It shall be unlawful for the owner, occupant, contractor, Public Utility Company, plumber or any other person to remove and fail to restore in like condition the vector-proofing from any building, structure or accessory structure for any purpose.

(c) Within ten (10) days after notice the owner may petition for a hearing by the Borough Council with an opportunity for him or her to be present, to cross-examine witnesses, and to receive a written decision to be rendered within thirty (30) days after the hearing. An appeal of this decision may be filed with a court of competent jurisdiction in accordance with the rules of civil procedure.

**§405. Private Vector Control Programs.** A program plan and specifications for private vector control programs shall be required to be submitted by the owner to the Borough upon determination of the necessity by the Code Enforcement Officer or a Police Officer.

Said determination shall be served on the owner personally or by certified mail. Within ten (10) days of said service the owner may contest the necessity of the program by requesting a hearing to be conducted in accordance with Section 404 of this ordinance. Said program plan shall be submitted by the owner to the Borough Council within thirty (30) days of notice. The program plan shall state the type of vectors to be controlled, the name of the company contracted to carry out the program, if any, and any and all work to be conducted in an effort to control said vectors. The Code Enforcement Officer or a Police Officer shall review the program plan, and if the plan is found to be inadequate or incomplete, additional information may be required as well as additional control methods. The owner may request a hearing on the Code Enforcement Officer's or a Police Officer's determination in accordance with Section 404 of this Part.

**§406. Authority to Abate Vector Problems.**

(a) From and after passage of this ordinance, the Code Enforcement Officer or a Police Officer and/or a representative of the vector control program is empowered to make periodic inspections of the interior and exterior of all dwellings, buildings, structures, and accessory structures, premises, collections of water, or any other places to determine full compliance with the ordinance, and to determine evidence of vector infestation and the need for vector-proofing or additions or repairs to existing vector-proofing.

(b) Whenever it shall be determined by the Code Enforcement Officer or a Police Officer that any dwelling, building, structure, accessory structure, premises, collection of water, or any other place that is in violation of this ordinance, a notice shall be issued setting forth the alleged violation(s), and advising the owner, occupant, operator, or agent that such violation(s) must be given as well as the necessary methods to be employed in the correction.

(c) Whenever any violation(s) shall fail to be corrected within the time set forth, and an extension of time is not deemed to be necessary, the Borough may proceed to abate the violation(s) in the manner provided by law.

(d) The owner shall have the right to appeal from said determination by a hearing in accordance with Section 404(c) of this Part.

**§407. 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 Council that this ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein.

**§408. Repealer.** All ordinances or parts of ordinances which are inconsistent herewith are hereby repealed.

**§409. Penalties.** Any person who shall violate any provision of this Ordinance shall, upon conviction thereof, be sentenced to pay a fine not more than six hundred dollars (\$600.00), and in default of payment, to undergo imprisonment for a term not to exceed thirty (30) days. Each day that a violation of this Ordinance continues shall constitute a separate offense.

**Part 5**  
**Community and Individual Sewage Disposal Systems**

**§501. Purpose.** The purpose of this Part is to provide for the planning and regulation of community and individual sewage disposal systems consistent with applicable State statutes and regulations, including the Pennsylvania Sewage Facilities Act of January 24, 1966 P.L. (1965) 1535, as amended, to require permits for the installation, change or alteration of those disposal systems; to provide for the inspection of those systems and to provide remedies and prescribe penalties.

**§502. Definitions.** The definitions set forth in the Pennsylvania Sewage Facilities Act of January 24, 1966, P.L. (1965) 1535, as previously and in the future amended are incorporated into this article and shall have the same meaning as set forth in that act as previously and in the future amended.

**§503. Permit Required.** No person shall install, construct or request to bid proposals for construction, or alter, change or modify an individual sewage disposal system or community sewage disposal system, or construct or request bids for construction or install or occupy any building or structure for which any individual or community sewage disposal system is to be installed without first obtaining a permit indicating that the site and the plans and specifications of the system are in compliance with this part, the rules and regulations under this part, the applicable state laws, and regulations under those laws. A permit shall be required in every instance where a person desires to install, construct, alter, modify or change an individual or community sewage disposal system on any tract of land of any size or any location in the Borough.

**§504. Application for Permit; Issuance.** All permits for the construction, installation, alteration, modification or change of an individual or community sewage disposal system shall be obtained from the Borough Sewage Enforcement Officer or any other person lawfully designated by council to issue the permit, and shall be subject to all the conditions that may be required by this Part, the rules and regulations under this Part, the applicable state laws and regulations under those laws. The application form shall require the information that the Borough deems necessary in accordance with the rules and regulations adopted in accordance with this Part. No permit shall be issued until the owner of the property on which the sewage disposal system is located or is proposed to be located shall first have paid all prescribed permit fees, which shall be for the use of the Borough.

**§505. System not to be Covered until Inspected and Approved.** No part of any installation, construction, alteration, modification or change of an individual or community sewage disposal system shall be covered until it has been inspected and given final written approval by the Borough Sewage Enforcement Officer, or any other person lawfully designated by the Borough to inspect the work. The applicant shall notify the Borough when the sewage system is completed and ready for inspection. The applicant may cover the installation upon approval or disapproval, at the expiration of 96 hours, excepting Sundays and those legal holidays when Borough employees may inspect and

make tests at any time either before, during or after construction, installation, alteration, modification or change of the sewage system to be uncovered at the expense of the applicant if the system has been covered contrary to the foregoing provisions.

**§506. Hearing on Denial or Revocation of Permit.** Upon receipt by an applicant of a notice of denial or revocation of a permit, he or she may request in writing a hearing before Council which shall hold the hearing within 15 days after receipt of the request. At that time, the applicant may be represented by counsel, and may present evidence as to why a permit should be issued or retained, as the case may be. No transcript of testimony shall be required, but the applicant shall be notified in writing within seven (7) days after the hearing of the decision and the reasons for it.

**§507. Standards for Work.** Construction, installation, alteration, modification and change of individual and community sewage disposal systems and the maintenance of individual and community sewage disposal systems shall be in accordance with this Part, the rules and regulations promulgated under it; the Pennsylvania Sewage Facilities Act, as amended; the applicable standards, rules and regulations adopted in accordance with the Pennsylvania Sewage Facilities Act, as amended; and other applicable laws and regulations.

**§508. Sewage Enforcement Officer.** Council shall designate a properly qualified Sewage Enforcement Officer or another properly qualified person to receive applications for permits, issue permits, inspect installations and enforce the provisions of this Part.

**§509. Fees.** Council shall by resolution fix the applicable application and inspection fees and any other fees and costs associated with this Part and its enforcement and also by resolution may change and modify those fees from time to time.

**§510. Authority for Additional Standards and Regulations.** Council may adopt standards and regulations governing and regulating the subject matter of this Part.

**§511. Abatement of Nuisances.** In addition to any other remedies provided by this Part, any violation of this Part shall constitute a nuisance and may be abated by the borough by seeking appropriate equitable or legal relief from a court of competent jurisdiction.

**§512. Penalty for Violation.** Any person who shall violate any provision of this ordinance shall, upon conviction thereof, be sentenced to pay a fine not more than six hundred dollars (\$600.00), and in default of payment, to undergo imprisonment for a term not to exceed thirty (30) days. Each day that a violation of this ordinance continues shall constitute a separate offense.

**Part 6**  
**Hazardous Materials**

**§601. Identification of Hazards by Placarding Required; Periodic Inspection of Buildings.** Hazardous materials on premises in the Borough shall be identified by color and order of severity indicated numerically on placards made of metal, 18 inches by 18 inches in size, and paid for and installed by the owner or occupant of the premises on the exterior of any structure containing same.

(a) Identification of the health hazard shall be made on a placard as indicated hereinbefore which is blue in color and marked numerically as to severity as follows:

(1) Materials which on very short exposure could cause death or major residual injury even though prompt medical treatment was given are to be marked as #4.

(2) Materials which on short exposure could cause serious temporary or residual injury even though prompt medical treatment was given are to be marked as #3.

(3) Materials which on intense or continued exposure could cause temporary incapacity or possible residual injury unless prompt medical treatment is given are to be marked as #2.

(4) Materials which on exposure would cause irritation but only minor residual injury even if no treatment is given are to be marked as #1.

(5) If there is no special hazard it is to be marked zero.

(b) Identification of flammability shall be made on a placard as indicated hereinbefore which is red in color and marked numerically as to severity as follows:

(1) Materials which will rapidly or completely vaporize at atmospheric pressure and normal ambient temperature or which are readily dispersed in air which will burn rapidly are to be marked as #4.

(2) Liquids and solids that can be ignited under almost all ambient temperature conditions are to be marked as #3.

(3) Materials that must be moderately heated or exposed to relatively high ambient temperatures before ignition can occur are to be marked as #2.

(4) Materials that must be preheated before ignition can occur are to be marked as #1.

(5) If there is no special hazard it is to be marked zero.

(c) Identification of reactivity shall be made on a placard as indicated hereinbefore which is yellow in color and marked numerically as to severity as follows:

(1) Materials which in themselves are readily capable of detonation or of explosive decomposition or reaction at normal temperatures and pressures are to be marked as #4.

(2) Material which in themselves are capable of detonation or of explosive reaction but require a strong initiating source of which must be heated under confinement before initiation of which react explosively with water are to be marked as #3.

(3) Materials which in themselves are normally unstable and readily undergo violent chemical change but do not detonate and also materials which may violently react with water or which may form potentially explosive mixtures with water are to be marked as #2.

(4) Materials which in themselves are normally stable but which can become unstable at elevated temperatures and pressures or which may react with water with some release of energy but not violently is to be marked as #1.

(5) If there is no special hazard it is to be marked zero.

(d) Identification of materials indicating unusual activity with water shall be made on a placard as indicated hereinbefore which is white in color.

(e) The aforesaid placards are to be installed on at least two sides of the building in which the hazardous materials are contained and of which at least one of the placards can be easily seen and identified by anyone without trespassing on said premises.

(f) A Police Officer of the Code Enforcement Officer shall inspect all buildings containing hazardous materials whether they are commercial, industrial or domestic, at least once a year, to ascertain whether there is compliance with the provisions of this chapter.

(Ord. No. 7-1981, 10/15/81, Sec. 1)

Editorial Note: Section 3 of Ord. No. 7-1981 repealed all inconsistent ordinances and parts of ordinances. This codification changed inspection from twice a year to once a year and named a Police Officer or the Code Enforcement Officer as the inspector in Section 601(f).



**§602. Penalties for Violation.** Any person, partnership, association, syndicate, company, firm, or corporation violating any provisions of this chapter shall, upon summary conviction thereof, be sentenced to pay a fine not exceeding Three Hundred (\$300.00) Dollars and costs of prosecution, and in default of the payment of such fine and costs of prosecution, may be sentenced to imprisonment for a period of time not exceeding 30 days. Each day a violation exists shall constitute a separate offense. (Ord. No. 7-1981, 10/15/81, Sec. 1)

**Part 7**  
**Storage of Abandoned, Junked or Discarded Property**

**§701. Findings.**

(a) The accumulation or storage of junked, abandoned or discarded vehicles, trailers, boats, appliances and household furnishings creates a hazard and danger to the health and welfare of the citizens of the Borough.

(b) The accumulation or storage of junked, abandoned or discarded vehicles, trailers, boats, appliances or household furnishings provides a breeding area for rodents and other unhealthy animals.

(c) The accumulation or storage of junked, abandoned or discarded vehicles, trailers, boats, appliances or household furnishings creates an attractive nuisance for children who are not aware of the danger involved in them.

(d) The accumulation or storage of junked, abandoned or discarded vehicles, trailers, boats, appliances, or household furnishings violates all concepts of ecological and environmental principles.

**§702. Definitions.** As used in this article, the following words and terms shall have the meanings ascribed to them in this section:

(a) Abandoned – means any item resting for 96 hours or more and which is inoperable, without current registration plates, or certificate of inspection, or in such a condition as to be unusable.

(b) Appliance – includes a stove, refrigerator, television, furnace, water heater, water softener, washer, dryer or mangle, household articles used to perform any of the necessary work in a household, and articles used in business to increase production or to speed, ease or eliminate work.

(c) Boat – means any vessel capable of transporting a person on any river, stream, creek, lake or ocean;

(d) Discarded – means any item resting for 96 hours or more with no known or apparent owner.

(e) Household furnishing – means all items normally found and used in a home.

(f) Junked – means items sold or to be sold for scrap, being stripped or being used or sold for parts.

(g) Trailer – means a wheeled device used as a means of carrying, hauling or conveying any vehicle, person, animal, object or boat.

(h) Vehicle – means an automobile, motorcycle, motorbike, minibike, bicycle, go-cart, truck or other wheeled means of conveyance, motorized or self-propelled.

**§703. Unlawful to Accumulate or Store Certain Junked, Abandoned or Discarded Property.** It shall be unlawful for any person to accumulate or store any junked, abandoned or discarded vehicle, trailer, boat, appliance or household furnishing on private or public property within the Borough, except when being stored in the ordinary case of a permitted commercial business or when a person is storing it with the intent to repair it when none of the findings in 701 are present.

**§704. Penalty for Violation.** Any person who shall violate any provision of this Part shall upon conviction be sentenced to pay a fine of not less than Three Hundred (\$300.00) Dollars nor more than Six Hundred (\$600.00) Dollars and costs, and in default of payment of the fine and costs, shall undergo imprisonment for a term not more than thirty (30) days. Each day that a violation of this Part continues shall constitute a separate offense.