

CHAPTER 4

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## Part 1

## Nuisances and Dangerous Structures

§101. Notice. The Building Inspector shall, upon his finding that a condition of any premises within the Borough constitutes a nuisance or dangerous structure, give notice of such findings to the owner or occupier to remove the nuisance or dangerous structure within a period of fifteen (15) days from the date of notice, and in default thereof, the Building Inspector may cause the same to be done. (Ord. 229, 2/1/1983, §1)

§102. Appeal. The finding of the Building Inspector that a condition is in fact a nuisance or dangerous structure shall be binding upon the owner or occupier of such premises unless an appeal is made by the owner or occupier to the Borough Council within said period of fifteen (15) days, in which case all proceedings shall be stayed pending the action of the Borough Council on the finding of the Building Inspector. (Ord. 229, 2/1/1983, §2; as amended by Ord. 263, 4/7/1992)

§103. Hearing. The Borough Council at its next regular meeting shall hear the appeal and make such order regarding the premises as they consider proper and such decision shall be final. (Ord. 229, 2/1/1983, §3; as amended by Ord. 263, 4/7/1992)

§104. Default in Removal. In the event of the default in the removal of such nuisance or dangerous structure by the owner or occupier of the premises upon which it is found, within the further period of fifteen (15) days from the action of the Borough Council in sustaining such findings of nuisance or dangerous structure, the Building Inspector is hereby authorized to proceed with the removal thereof for and on behalf of the Borough and collect the cost thereof, together with a penalty of ten (10%) percent of such cost in the manner provided by law. (Ord. 229, 2/1/1983, §4; as amended by Ord. 263, 4/7/1992)

§105. Definitions.

ACCUMULATION and OPEN STORAGE OF GARBAGE AND RUBBISH - includes but is not limited to non-licensed vehicles, refrigerators, stoves and household appliances and other items of personal property shall be conditions which may be determined to be a nuisance as defined above.

DANGEROUS STRUCTURE - shall include but not be limited to a building or structure destroyed or partially destroyed by fire, explosion or other cause.

NUISANCE - any use of property within the Borough or any condition upon any property within the Borough that, other than infrequently or occasionally, shall cause or result in:

(1) Annoyance or disturbance to persons beyond the boundaries of such property.

(2) Danger and interference to the public health and/or safety of persons in the Borough.

(3) Disturbance to or interference with the peaceful use of the property of others in the Borough, provided however, that in any case, consideration of the location of the use or condition and nature and condition of the surrounding neighborhood shall be taken.

PERSON - any natural person, partnership, association, firm or corporation.

(Ord. 229, 2/1/1983, §5)

§106. Unlawful to Create or Maintain Any Nuisance or Dangerous Structure. It shall be unlawful for any person to create or maintain any nuisance or dangerous structure anywhere within the Borough. (Ord. 229, 2/1/1983, §6)

§107. Penalties. Any person who shall violate any provision of this Part shall, upon conviction thereof, be sentenced to pay a fine not exceeding one thousand (\$1,000.00) dollars and costs and, in default of payment thereof, shall be subject to imprisonment for a term not to exceed thirty (30) days. Each day that a violation of this Part continues shall constitute a separate offense. (Ord. 229, 2/1/1983, §7; as amended by Ord. 263, 4/7/1992)

§108. Abatement. The Borough Council may upon its determination seek relief to abate any nuisance that is determined pursuant to this Part in the courts of equity. (Ord. 229, 2/1/1983, §8; as amended by Ord. 263, 4/7/1992)

Part 2  
Demolition

§201. Permit Required. It shall be unlawful to demolish, or to commence the demolition or removal, of any building or structure erected or used for residential, storeroom, commercial, industrial or storage purposes without first securing a demolition permit from the Building Permit Officer of the Borough of East Rochester. The cost of said permit shall be in an amount as established, from time to time, by resolution of Borough Council. (Ord. 263, 4/7/1992)

§202. Disconnection of Utilities. Before a permit may be issued by the Building Permit Officer of the Borough for the demolition or removal of a building or structure the owner of the premises, or his agent or contractor in the event the demolition work is being undertaken by a party other than the owner, shall have all utilities having service connections within the building such as electric, gas, telephone and TV cable disconnected and all equipment such as meters and regulators removed, and all water and sewer lines sealed or plugged in a safe manner. Certificates or releases are to be secured from all utilities and submitted to the building permit officer. (Ord. 263, 4/7/1992)

§203. Removal of Unsafe or Hazardous Conditions. Whenever a building is demolished or removed the premises shall be left free from all unsafe or hazardous conditions and all basement openings or other excavations shall be filled with non-inflammable materials or dirt to the normal ground level of the lot upon which said building or structure was erected. (Ord. 263, 4/7/1992)

§204. Method of Demolition. Except where there is adequate space and special permission has been received from the Building Permit Officer, the demolition of buildings or structures other than wood-frame structures shall be carried out in such a manner that only one (1) story at a time shall be removed. No wall, chimney or other construction shall be allowed to fall in mass on an upper floor, and building materials such as beams and columns shall be lowered and not allowed to fall. Barricades shall be erected along the public sidewalks and highways, if in the opinion of the Building Permit Officer or the Chief of Police of the municipality with which the Borough has contracted, the same are necessary for the protection of the public. (Ord. 263, 4/7/1992)

§205. Completion of Demolitions. When the demolition or removal has been completed the basement or other openings are to be backfilled to ground level and the premises left clean and in a safe condition. The party securing the demolition permit shall notify the Building Permit Officer that the premises are ready for inspection. (Ord. 263, 4/7/1992)

§206. Penalties. Any person who shall violate any provision of this Part shall, upon conviction thereof, be sentenced to pay a fine not exceeding one thousand dollars (\$1,000.00) and costs, and in default of payment of said fine and costs, shall be subject to imprisonment for a term not to exceed thirty (30) days. (Ord. 263, 4/7/1992)

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The first part of the report is devoted to a general description of the country and its resources. It is followed by a detailed account of the various industries and occupations of the people. The author then proceeds to a description of the climate and the soil, and finally to a description of the government and the laws of the country.

The second part of the report is devoted to a description of the various industries and occupations of the people. It is followed by a detailed account of the climate and the soil, and finally to a description of the government and the laws of the country.

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