

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)