

BOROUGH OF EAST BANGOR  
COUNTY OF NORTHAMPTON  
COMMONWEALTH OF PENNSYLVANIA

ORDINANCE NO. 3-2015

AN ORDINANCE OF THE BOROUGH OF EAST BANGOR, NORTHAMPTON COUNTY, PENNSYLVANIA, AMENDING ORDINANCE NO. 1-2012 DECLARING NUISANCES; PROVIDING REMEDIES FOR FAILURE OR REFUSAL TO ACT; PROVIDING PENALTIES FOR VIOLATIONS HEREOF.

BE IT ORDERED AND ENACTED at a duly convened public meeting of the Borough of East Bangor Council, Northampton County, Pennsylvania, held on December 1, 2015, as follows:

**Section 1:**

Ordinance No. 1-2102, enacted on August 7, 2012, is amended as follows:

**Section 2: Nuisances Declared.**

Immediate menace. Shall be subject to penalties under this Ordinance when he or she:

(A) annoys, injures or endangers the comfort, repose, health, or safety of others,

(B) offends decency,

(C) is offensive to the senses and interferes with the prosperity and quiet enjoyment of property, welfare of others,

(D) unlawfully interferes with, obstructs or tends to obstruct or renders dangerous for passengers any stream, public park, parkway, square, street or highway in the Borough of East Bangor,

(E) in any way renders other persons insecure in life or the use of property,

(F) obstructs the free use of property so as to essentially interfere with the reasonable and comfortable use thereof,

(G) normal accepted practices of agriculture and mineral resource activities shall not be considered a nuisance unless the activity has a substantial adverse effect on the public health and safety.

**Section 3: Failure or refusal to act.**

A. Failure to act. If the owner or occupier fails to eliminate the nuisance after receiving the proper notice, certified mail notice shall be sent to the owner and occupier in all cases involving a structure or improvement to real estate and in all other cases to the occupier of the premises, following which the Borough Council may proceed to remove the nuisance as authorized below.

B. Refusal to act. Upon refusal by the owner or occupier to eliminate any nuisance within seven (7) days of notice of violation, the Borough may cause the nuisance to be eliminated and collect the costs thereof, together with a penalty of twenty-five percent (25%) of such cost, in the manner provided by law for the

collection of municipal claims or by civil action, or may seek relief in equity.

**Section 4: Violations and penalties.**

Any person in violation of this Ordinance is subject to a fine of not more than Five Hundred (\$500.00) Dollars for the first offence thereof. Each twenty-four (24) hour period after the receipt of notice of any violation shall be deemed a separate offense. The second offense hereunder is subject to a fine of not more than One Thousand (\$1,000.00) Dollars. Third violation of this Ordinance is subject to a fine or not more than Five Thousand (\$5,000.00) Dollars. Each twenty-four (24) hour period after the third offense of notice of violation shall double the previously imposed fine. This provision shall supplement the provisions in Section 3, but shall not supersede same.

**Section 5:**

All the provisions of Ordinance 1-2102 enacted on August 7, 2012 shall remain in full force and effect.

**Section 6:**

This Ordinance shall be placed into effect immediately upon enactment hereof. Should any provision of this Ordinance be deemed unenforceable or illegal, the remaining provisions of this Ordinance shall remain in full force and effect.

ORDAINED AND ENACTED into an Ordinance this 1st day of  
December, 2015.

BOROUGH OF EAST BANGOR

By: Stephen F. Toth  
Stephen F. Toth, President

ATTEST:

By: Bonnie L. Due  
Bonnie L. Due, Secretary

APPROVED this 1st day of December, 2015.

By: Renee Friedman  
Renee Friedman, Mayor

ATTEST:

By: Bonnie L. Due  
Bonnie L. Due, Secretary