

BOROUGH OF EAST BANGOR
COUNTY OF NORTHAMPTON
COMMONWEALTH OF PENNSYLVANIA

ORDINANCE NO. ~~2012-T~~ #1-2012

AN ORDINANCE OF THE BOROUGH OF EAST BANGOR, NORTHAMPTON COUNTY, PENNSYLVANIA, DECLARING NUISANCES; PROVIDING REMEDIES FOR FAILURE OR REFUSAL TO ACT; AND PROVIDING PENALTIES FOR VIOLATIONS HEREOF.

BE IT ORDAINED AND ENACTED at a duly convened public meeting of the Borough of East Bangor Council, Northampton County, Pennsylvania, held on August 7, 2012, as follows:

Section 1: Definitions.

As used in this Ordinance, the following terms shall have the meanings indicated:

NUISANCE - That which endangers life or health, gives unreasonable offense to senses, violates the public right to propriety and decency or obstructs reasonable and ordinary use of the property of others.

OCCUPIER - One who is in possession of the premises. A tenant, even though absent, shall be deemed to be in possession of the premises and shall be deemed to be the occupier.

OWNER - The person in whom title of the property is vested.

Section 2: Nuisances Declared.

A. Immediate menace.

(1) Whenever a nuisance is found to exist, whether on public or private land, which in the opinion of the Mayor or any Police Chief constitutes an immediate menace to the health or safety of persons residing in the community, the Mayor or Police Chief or Zoning Officer shall provide written notice of the existence of the nuisance to the owner or occupier.

(2) The owner or occupier shall cause the nuisance to be removed within twenty-four (24) hours of the receipt of such notice. The owner or occupier shall be liable for the costs of the issuance of any permits required by other provisions of the Borough Code and Zoning Ordinance, and such costs, if not paid voluntarily, shall be added to the additional costs set forth below.

B. In general, any person, whether owner or occupier of any real estate within the borough, shall cause the elimination of any nuisance immediately after receiving either written or oral notice of the existence of such nuisance from any authorized Borough official, including but not limited to the Mayor, Borough Manager, any Police Chief or Zoning Officer.

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 ten percent (10%) 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. Each twenty-four (24) hour period after the receipt of notice of any violation shall be deemed a separate offense. This provision shall supplement the provisions in Section 3, but shall not supersede same.

Section 5: Health Nuisances.

All furniture, materials and other similar products designed, built and manufactured exclusively for indoor living use shall not be stored on exterior porches, in yards or any part of an exterior property in residential and non-residential areas. The storage of automobile car seats and other non-weather-resistant materials shall also be prohibited. Allowing weeds and vegetation to grow in violation of the Borough's Weed Ordinance shall also be subject to this Ordinance.

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Section 6: Repealer.

Any Ordinance of the Borough of Bangor, or part thereof, inconsistent with this Ordinance is hereby repealed.

Section 7: Effective date.

This Ordinance shall be placed into effect immediately upon enactment hereof.

ORDAINED AND ENACTED into an Ordinance this 7th day of August, 2012.

ATTEST:

By Bonnie L. Due
Bonnie L. Due, Secretary

BOROUGH OF EAST BANGOR

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

APPROVED AND CERTIFIED this 7th day of August 2012.

By Gaylord Weidlick, Mayor
Gaylord Weidlick, Mayor

ATTEST:

By Bonnie L. Due
Bonnie L. Due, Secretary

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