

ORDINANCE NO. 1990- 910

AN ORDINANCE OF THE TOWNSHIP OF TAYLOR, COMMONWEALTH OF PENNSYLVANIA, FOR THE PROTECTION OF THE PUBLIC HEALTH: DEFINING NUISANCES AND DECLARING CERTAIN CONDITIONS, PLACES AND THINGS TO BE NUISANCES AND PROHIBITING THE SAME, AND PROVIDING FOR THE ABATEMENT THEREOF AND PENALTIES FOR THE VIOLATION THEREOF:

BE IT ORDAINED AND ENACTED, and it is hereby ordained and enacted by the Supervisors of the Township of Taylor, Commonwealth of Pennsylvania.

Section 1. That for the purposes of this Ordinance, the word "person" wherever used in this Ordinance shall be held and construed to mean and include natural persons of either sex, firms, co-partnerships and corporations and all associations of natural persons, whether acting by themselves or by a servant or employee.

Section 2. Nuisance-Generally Defined. A nuisance consists in doing an unlawful act or omitting to perform a duty or suffering or permitting any condition or thing to be or exist, which act, omission, condition or thing either:

- (1) Annoys, injures or endangers the comfort, repose, health or safety of other persons.
- (2) Is offensive to any of the senses of any persons.
- (3) Unlawfully interferes with, obstructs or tends to obstruct or render dangerous for passage any streams, public park, square, street or highway in the Township of Taylor.
- (4) In any way renders other persons insecure in life or the use of property.
- (5) Obstructs the free use of property so as to essentially interfere with the comfortable enjoyment of life and property.

Section 3. Nuisance-Specifically Defined. Without limiting the foregoing general definition, the following specific acts, omissions, places conditions and things are hereby declared to be nuisances:

The erecting, maintaining, using, placing, depositing, leaving or permitting to be or remain in or upon any private lot, building, structure

or premises, or in or upon any street, avenue, alley, parkway or other private or public place in the Township of Taylor or any one or more of the following disorderly, disturbing, unsanitary, fly-producing, rat harboring, disease-causing places, conditions or things, that is to say:

(1) Any putrid or unwholesome remains of any part of any dead animal, fish or fowl.

(2) The maintaining of any open pits or other excavations which are two (2) feet or more in depth and which are not protected by a suitable means.

(3) Privies, vaults, cesspools, dumps, pits or like places which are unsightly and/or unhealthy and are not securely protected from flies, rats, rodents or other vermin.

(4) Filthy, littered or trash-covered cellars, house yards, barn yards, stable yards, factory yards, vacant areas in rear of stores, vacant lots, houses, buildings or premises which constitute a peril to the health, welfare and safety of nearby neighbors.

(5) The allowance of any grass, weeds or any type of plant growth which shall be left to grow in excess of eight (8) inches above the ground with the exception of trees, shrubs, bushes, flowering plants or vegetable plants or any legitimate farm crops which are properly trimmed and maintained, shall constitute a nuisance.

(6) Any loud, offensive noises made by any means including but not limited to motor vehicles, planes, boats or cycles, engines, all-terrain vehicles, motorcycles, three wheelers or similar type of bike, whether moving or stationary, or any loud or offensive noise made by any animal which is owned or under the control of any citizen of Taylor Township shall constitute a nuisance.

(7) Tin cans, bottles, glass, cans, ashes, small pieces of scrap iron, wire, metal articles, bric-a-brac, broken stone or cement, broken crockery, broken glass, broken plaster and all such trash or abandoned material, unless the same may be kept in covered bins, or galvanized iron receptacles or other covering material approved in writing by the Supervisors of Taylor Township.

EVEY, ROUTH, BLACK,
DOREZAS & MACEE
ATTORNEYS AT LAW
401-02 ALLEGHENY STREET
HOLLIDAYSBURG, PENNSYLVANIA
10648

(8) Trash, litter, rags, accumulation of empty barrels, boxes, containers, crates, packing crates, mattresses, bedding, excelsior, packing hay, straw or other packing material, timber not neatly piled, scrap iron, tin or any other metal not neatly piled, or anything whatsoever in which flies, rats, rodents, snakes or other dangerous creatures may breed or multiply; or which may be a fire hazard.

(9) Any unsightly building, billboards or other structures or any unguarded or unprotected foundation or other similar structure which are not maintained so as to prevent shall children or persons from falling in the same.

(10) All places used or maintained as junk yards without a junk yard license, or dumping grounds, or for the wrecking or dissembling of automobiles, trucks, tractors or machinery of any kind, or for the storing or leaving of worn out, wrecked or abandoned automobiles, trucks, tractors or machinery of any kind, or of any of the parts thereof, for the storing or leaving of any machinery or equipment used by a contractor or building or by other persons which said places are kept so as to interfere with the comfortable enjoyment of life or property by others.

(11) A motor vehicle nuisance shall include any motor vehicle unable to move under its own power and has any of the following physical defects:

- (a) Broken windshields, mirrors or other glass, or sharp edges.
- (b) One or more flat or open tires or tubes which could permit vermin harborage.
- (c) Missing doors, windows, hood, truck or other body parts which could permit animal harborage.
- (d) Any body parts with sharp edges, including holes resulting from rust.
- (e) Missing tires resulting in unsafe

suspension of the vehicle.

(f) Upholstery which is torn open which could permit animal and/or vermin harborage.

(g) Broken headlamps or tail-lamps with sharp edges.

(h) Disassembled chassis parts apart from the motor vehicle stores in a disorderly fashion or loose in or on vehicle.

(i) Protruding sharp objects from the chassis.

(j) Broken vehicle frame suspended from the ground in an unstable manner.

(k) Leaking or damaged oil pan or gas tank which could cause fire or explosion.

(l) Exposed battery containing acid.

(m) Inoperable locking mechanism for doors or trunk.

(n) Open or damaged floor boards, including trunk and firewall.

(o) Damaged bumpers pulled away from the perimeter of vehicle.

(p) Broken grill with protruding edges.

(q) Loose or damaged metal trim and clips.

(r) Broken communication equipment antennae.

(s) Suspended or unstable supports.

Section 4. Every agent or owner of any unoccupied building in the Township of Taylor shall keep the same securely closed at all times

against persons who may enter and commit a nuisance therein.

Section 5. It shall be unlawful for any person to enter any unoccupied building and commit a nuisance therein.

Section 6. Every successive owner of property who neglects to abate a continuing nuisance upon or in the use of such property caused by the former owner, is liable therefor in the same manner as the owner who created it.

Section 7. It shall be unlawful for any person to erect, contrive, cause, suffer, permit, continue or maintain a nuisance as herein defined or prohibited.

Section 8. Every person who shall violate any of the provisions of this Ordinance shall be guilty of an offense, and upon conviction thereof, shall be punished by a fine not exceeding Six Hundred (\$600.00) Dollars, including such sums as may be fixed for the abatement thereof, or in default of payment thereof, to imprisonment in the county prison for a period not exceeding thirty (30) days, or both.

Section 9. In the event an owner and/or occupant of any premises violates this Ordinance by causing, maintaining or permitting to exist a public nuisance on said premises, the Supervisors may give or cause to be given written notice to said owner and/or occupant to remove or abate said public nuisance. The notice shall state that unless the said public nuisance shall have been removed or abated within such reasonable time as specified therein (but not less than ten (10) days) after giving of notice, the Supervisors may remove or abate the public nuisance or cause it to be removed or abated at the cost and expense of said owner and/or occupant. The Supervisors are hereby authorized to collect the cost of such removal or abatement, together with a penalty of not more than ten (10%) percent thereof, from the owner and/or occupant by summary proceedings or in the manner provided for the collection of municipal or by an action of assumpsit without the filing of a claim. The ten (10) day notice provision herein shall not apply to Section 3 (6); that is, ten (10) day notice shall not be required to be sent to a person violating Section 3 (6) prior to arrest.

Section 10. Each day's continuance of anything prohibited by this Ordinance shall be a separate offense thereunder.

Section 11. If any section or provision of this Ordinance shall be held void or unconstitutional, all other sections and all other provisions of the Ordinance which are not so held void or unconstitutional shall continue in full force and effect.

Section 12. The provisions of the Ordinance shall be cumulative, and in addition to the provision of the now existing Ordinance of the Township of Taylor and shall not have the effect of repealing any Ordinance of the Township of Taylor now in effect.

ADOPTED THIS 10th day of Sept., 1990.

TAYLOR TOWNSHIP

By J. M. Thompson
By Elmer L. Keith
By M. D. Brumbaugh

ATTEST:

Thomas G. Frye