

CHAPTER VIPUBLIC SAFETY AND CONDUCTArticle 1Nuisances

53 P.S. 65708, 65712

101. DEFINITIONS. The term "nuisance" is defined to mean any condition or use of premises or of building exteriors which endangers the safety of others and/or is detrimental to the property of others which causes or tends to cause substantial diminution in the value of other property in the neighborhood in which such premises are located. This includes, but is not limited to, the existence, keeping, or maintenance upon private property of any of the following:

- A. Lumber, junk, trash, garbage, rubbish, or debris;
- B. Abandoned, discarded, or unused objects or equipment such as automobiles, appliances, or containers;

-C. Dilapidated buildings or structures.

(Ordinance enacted March 21, 1975.)

102. DUTY OF THE MAINTENANCE OF PRIVATE PROPERTY. No person owning, leasing, occupying, or having charge of any premises shall maintain or keep or allow to exist any nuisance thereon, nor shall any such person keep or maintain such premises in a manner causing substantial diminution in the value of the other property in the neighborhood in which such premises are located or in a manner endangering the safety of others. (Ordinance enacted March 21, 1975.)

103. EXTERIOR STORAGE OF NON-OPERATING VEHICLES PROHIBITED. No person in charge of or in control of premises, whether as owner, lessee, tenant, occupant or otherwise shall allow any partially dismantled, wrecked, junked, discarded, or otherwise non-operating motor vehicle to remain on such property longer than ten days; and no person shall leave any such vehicle on any property within the Township for a longer time than ten days; except that this section shall not apply with regard to any vehicle in an enclosed building or so located upon the premises as not to be readily visible from any public place or from any surrounding private property. (Ordinance enacted March 21, 1975.)

104. NUISANCES TO BE ABATED FOLLOWING NOTICE. It shall be the duty of any person creating a nuisance or responsible for the creation of a nuisance, or any owner of land upon which a nuisance, or any owner of land upon which a nuisance exists to remove such nuisance, including, but not limited to, a dangerous structure, upon notice by the Township to do so.

105. PENALTY FOR FAILURE TO REMOVE NUISANCES WITHIN TIME LIMIT. A person having the duty to remove a nuisance under the provisions of this ordinance ¹⁰ shall, upon failure to do so within a reasonable time after notice has been given by the Township, be liable to the Township for the costs of the removal of such nuisance, together with a fine of not more than three hundred dollars (\$300.00) and costs of prosecution, and in default of payment of such fine and costs, to imprisonment for not more than thirty (30) days. Provided: each day's continuance of a violation of this ordinance shall constitute a separate offense.

106. ENFORCEMENT. Sole responsibility for the enforcement of the "Nuisance Ordinance" of the Township of West Mahanoy shall lie with the West Mahanoy Township Police Department which shall initiate all prosecutions for violation of said Ordinance. (Ordinance enacted March 21, 1975, as amended by Ordinance enacted April 11, 1975 as amended by the enacted codification.)