

ORDINANCE OF THE BOROUGH OF DUPONT

ORDINANCE 185-5-20F 1985

An Ordinance of the Borough of DUPONT defining nuisance and declaring it unlawful to maintain nuisances within the Borough and setting forth procedures and penalties for violations.

Be it enacted and ordained by the Council of the Borough of DUPONT and follows:

SECTION I

Definitions

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

NUISANCE - Unreasonable, unwarrantable or unlawful use of property which causes injury, damage, hurt, inconvenience, annoyance or discomfort to any person in their legitimate enjoyment of such persons reasonable rights of person or property.

PERSON - any natural person, firm, association, partnership or corporation.

SECTION II

UNLAWFUL TO MAINTAIN NUISANCES.

It shall be unlawful for any person to maintain or permit to be maintained, a nuisances on any property owned or occupied by such person within the limits of the Borough of Dupont.

SECTION III

CONDITIONS DETRIMENTAL TO HEALTH OR WELFARE PROHIBITED,

It shall be unlawful for any person to main, or permit to be maintained, on any property owned or occupied by such person within the limits of the Borough of Dupont , any condition detrimental to the health or welfare and any such condition shall constitute a nuisance.

SECTION IV

ACCUMULATION OF GARBAGE AND REFUSE AND DEBRIS.

It shall be unlawful for any person to accumulate or cause or permit the accumulation of garbage, refuse, rubbish or debris on public or private grounds within the limits of the Borough of Dupont and any such accumulation shall constitute a nuisance.

SECTION V

DANGEROUS STRUCTURES.

It shall be unlawful for any person to have, cause or permit the existence of any dangerous structure on public or private grounds within the limits of the Borough of Dupont.

SECTION VI

ABATEMENT OF NUISANCES.

In the event any person shall violate any of the provisions of this Ordinance, the Borough Council may order the abatement or removal of any such nuisance or dangerous structure by the owner, reputed owner or occupier of such grounds after thirty (30) days written notice to do so directed to such owners or occupiers personally or addressed to them at their last known residence, and upon default of the owners or occupiers of such grounds to abate or remove such nuisance or dangerous structure as so ordered the Borough shall abate or remove the same or cause its abatement or removal and collect the costs thereof with a penalty of ten percent (10%) of such costs in the manner provided by law. No action shall be taken by the Borough Council except upon the affirmative vote of a majority of the elected members.

SECTION VII

VIOLATIONS AND PENALTIES.

Any person violating the terms of this Ordinance shall be subject to a fine not in excess of the \$300 and cost of prosecution for each and every violation, which fine and costs may be in addition to other remedies hereunder, provided that each days continuance of violation of any of the provisions of this Ordinance shall constitute a separate offense.

SECTION VIII

REPEALER AND SAVING CLAUSE.

All other Ordinances or parts of Ordinances inconsistent herewith, are hereby repealed. The provisions of this Ordinance are severable and if any of its provisions or exceptions shall be held illegal, invalid or unconstitutional, the decision of the Court shall not affect or impair any of the remaining provisions of this Ordinance. It is hereby declared to be the legislative

intent that this Ordinance would have been adopted if such
illegal, invalid or unconstitutional provisions or exceptions
had not been included herein.

Duly enacted at a meeting of the Borough Council held the
29TH day of MAY 1985.

APPROVED:

MAYOR

Edward J. ...
PRESIDENT

ATTEST:

Wethersham F. ...
SECRETARY