

ORDINANCE NO. 2010- 2

**BOROUGH OF SEVEN VALLEYS
YORK COUNTY, PENNSYLVANIA**

**AN ORDINANCE OF SEVEN VALLEYS BOROUGH,
YORK COUNTY, PENNSYLVANIA, CREATING
CHAPTER 75 OF THE CODE OF ORDINANCES OF THE
BOROUGH OF SEVEN VALLEYS BOROUGH TO
PROHIBIT NUISANCES; DEFINING NUISANCES,
SETTING FORTH VIOLATIONS AND PENALTIES; AND
PROVIDING FOR AN EFFECTIVE DATE**

BE IT ENACTED AND ORDAINED by the Council of the Borough of Seven Valleys, and it is hereby enacted and ordained, that the Code of Ordinances of the Borough of Seven Valleys is amended as follows:

SECTION 1: A new Chapter 75 of the Code of Ordinances is created to read as follows:

**CHAPTER 75
NUISANCES**

s. 75-1. Nuisances Prohibited.

It shall be unlawful for any person to create, continue, cause, maintain or permit to exist any nuisance at any place with the Borough of Seven Valleys.

s. 75-2. Nuisance Defined.

The word "nuisance" as used in this ordinance, shall mean any use of property within the borough or any condition upon property within the borough that, other than infrequently, causes or results in annoyance or discomfort to persons beyond the boundaries of that property; interference with the health and/or safety of persons beyond the boundaries of that property or of persons who might be reasonable expected to enter upon or be at that property; and/or disturbance to or interference with the peaceful use of property of others within the borough, in any case taking into consideration the location of the use or condition and the nature and condition of the surrounding neighborhood. Specifically, the word nuisance shall include but not be limited to the following:

- A. Keeping on any road or open yard area of private property any motor vehicle, camper, travel trailer or other similar item to which any of the following apply:
- (1) is partially dismantled.
 - (2) is in a state of disrepair.
 - (3) is missing doors or windows.

(4) contains broken glass, sharp metal edges or any other dangerous condition likely to cause injury.

(5) is kept in such a way as to allow vegetation to grow in or around it.

(6) is kept in such a way as to allow animals, insects or vermin to occupy it or the area around it.

(7) This sub-section shall not be applicable to vehicles being used by emergency service organizations for training, provided that the vehicles in the condition described above are not on the premises longer than seven (7) days prior to the date of the training and are removed not more than two (2) days after the end of the training. In addition, such vehicles shall be covered by a tarp or other secure covering when not in use for training.

- B. Allowing the accumulation of trash, garbage, wood, debris, or solid waste in such a way as to cause odor or allow animals, insects or vermin to occupy it or the area around it.
- C. Permitting the accumulation of stagnant water in any manner in which mosquitoes, flies or insects breed and multiply.
- D. Maintaining or permitting to maintain and building, shed, fence or other man-made structure which, by reason of faulty construction, age, lack of proper repair or any other cause, constitutes an imminent threat of injury or damage by collapsing or by collapse or fall of any part of such structure, or allows animals, insects or vermin to occupy it or the area around it.

s. 75-3. Procedure to remove and abate nuisance

Any person who creates, continues, causes maintains or permits to exist any nuisance at any place with the borough shall, within ten (10) days after notice for the Borough to do so, remove or abate the nuisance. If said person fails, neglects or refuses to abate the nuisance within the time limit, the Borough shall have the authority, through its agents, employees or designees, to remove or abate the nuisance and, in doing so, shall have authority to enter upon the property of the person in default. The council shall collect the cost and expense of the abatement or removal from the person who created, continued, caused or maintained the nuisance and/or permitted it to exist, in such manner as provided for the collections of municipal claims or any other legal action.

s. 75-4. Penalties

Any person who shall violate any provision of this ordinance shall, upon conviction before a magisterial district judge, be sentenced to pay a criminal fine of not more than \$1,000.00, plus costs of prosecution, and, in default of payment thereof, to undergo imprisonment to the extent allowed by law for the punishment of summary offenses. Each continuing day of violation of this ordinance shall constitute a separate offense.

SECTION 2. This Ordinance shall become effective immediately upon enactment and approval.

Enacted and Ordained by the Council of the Borough of Seven Valleys, County of York, Pennsylvania, this 7th day of July, 2010.

SEVEN VALLEYS BOROUGH COUNCIL

Attest:

/s/ Cheryl D. Bahn
Secretary

BY: /s/ Lynn W. Krebs
President

APPROVED/DISAPPROVED this 7th day of July, 2010.

/s/ Steven A. Venable
Mayor