

Chapter 10

Health and Safety

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Part 1**Public Health and Sanitation****§10-101. Definitions.**

The word "person" as used in this Part shall mean any natural person, partnership, association, firm, or corporation. The singular shall include the plural, and the masculine shall include the feminine and the neuter.

(*Ord. 57-1, 2/6/1957, Chapter I, §I*)

§10-102. Nuisances Prohibited.

No person shall maintain or permit to be maintained on any property owned or occupied by him within the Borough any condition productive of a nuisance detrimental to the public health, and upon receipt of a written notice from the Mayor that such a condition exists on a property owned or occupied by him, it shall be his duty to abate the nuisance created thereby within the time limit specified in said notice. If the said nuisance is not abated within the time limit specified in said notice, the Borough may abate the said nuisance.

(*Ord. 57-1, 2/6/1957, Chapter I, §2; as amended by Ord. 2006-1, 12/6/2006*)

§10-103. Dangers to Human Life Declared Nuisances.

A condition which is injurious to the health or interferes with the repose, health, safety, or life of any person or considerable number of persons, or which is dangerous to human life or health, or which renders the air or food or drink unwholesome, and any cellar, erection, building, or part thereof which is unsafe, unsanitary, overcrowded, or not provided with adequate means of ingress or egress, or is not sufficiently ventilated, sewerred, drained, cleaned, lighted, or supported either by its own construction or connection, is hereby declared to be a public or common nuisance detrimental to the public health.

(*Ord. 57-1, 2/6/1957, Chapter I, §3*)

§10-104. Wastewater Discharge Declared a Nuisance.

No person shall run, cast, or deposit either by means of a drain or otherwise, in any gutter on any public highway, or upon any street or alley in the Borough, any kitchen slops, unclean water, wash water, soap subs, or any other nauseous or offensive liquids or substances.

(*Ord. 57-1, 2/6/1957, Chapter I, §4*)

§10-105. Penalties.

Any person, firm or corporation who shall violate any provision of this Part, upon conviction thereof, shall be sentenced to pay a fine of not more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 30 days. Each day that a violation of this Part continues or each Section of this Part which shall be found to have been violated shall constitute a separate offense. Provided, such fine and costs shall be in addition to the cost and expenses of abatement

of any nuisance created or maintained as a result of such violation, in cases where the abatement thereof is done by the Borough.

(*Ord. 57-1, 2/6/1957; Chapter I, §5; as amended by Ord. 2006-1, 12/6/2006*)

Part 2**Nuisances****§10-201. Definitions.**

The word "person" as used Part shall mean any natural person, partnership, association, firm, or corporation. The singular shall include the plural, and the masculine shall include the feminine and the neuter.

(*Ord. 57-1, 2/6/1957, Chapter II, §1*)

§10-202. Nuisances Defined.

From and after the passage of this Part the following acts or offenses are hereby declared to be nuisances:

A. Any person who shall obstruct the sidewalks, pavements, gutters, drainage ditches, streams, or highways, or shall cast or place any wood or coal ashes, or other debris in or upon said sidewalks, pavements, gutters, drainage ditches, streams, or highways shall be deemed guilty of a nuisance.

B. Any person who shall be lounging, loitering or loafing upon the street corners, curbs or sidewalks; in front of or at the doors of any private residence, stores, shops, or business places; in or about churches or hallways or alleyways, or entrances or exits, or passageways of public buildings or theaters, shall be deemed guilty of a nuisance.

C. Any person who shall indecently expose his person, or shall urinate or defecate himself against or near any building, wall, or fence, at or near any dwelling house or in, or upon any sidewalk, street, or gutter shall be deemed guilty of a nuisance. [*Ord. 2006-1*]

D. Any person who shall travel about the Borough begging from door to door, upon the streets or by entering any premises, private dwellings, public buildings, schools, asking or subsisting upon charity and for the purpose of acquiring money or a living and who shall have no fixed place of residence or lawful occupation in said Borough, shall be deemed guilty of a nuisance.

E. Any person who shall use indecent, vile, or profane language upon the public streets or in public places, or in any public or private house or building, or any place whatsoever so as to be heard by any person standing or passing on any highway, shall be deemed guilty of a nuisance.

F. Any person who shall be congregating or assembling at, near, or about a place where a fire is in progress, or where the fire or police apparatus has been summoned by an alarm or necessity, hinder, delay, or obstruct any such apparatus, its men and equipment or render dangerous by such assembling the management or handling of such apparatus, shall be deemed guilty as a nuisance.

G. Any person who, without obtaining a permit from the Mayor to do so, shall dispose or dump or place any garbage, tin cans, ashes or other debris on any lot within the Borough, shall be deemed guilty of a nuisance. [*Ord. 2006-1*]

H. Any person who shall permit any weeds, Canadian thistles, etc., to remain

growing on any lot after the 15th day of June of each and every year without cutting the same so that they shall not go to seed, shall be deemed guilty of a nuisance. [Ord. 84-2]

I. Any person who shall cast or lay any carcass of any animal, or any filth whatsoever, in or upon any of the footways, pavements, streets, lanes, alleys, or streams within the Borough, or into or upon any private ground without burying the same deep enough so that it will permit no stench, shall be deemed guilty of a nuisance.

J. Any person who shall willfully cut, mark or deface any tree, building, fence, or other structure within the Borough shall be deemed guilty of a nuisance.

K. Any person who shall play any game of ball or pitch any game of quoits, or ride any hand sleds by gravitation on any of the public streets, alleys, footways, or pavements in the Borough shall be deemed guilty of a nuisance.

L. Any person who shall willfully or wantonly cause or aid in causing any false alarm of fire, shall be deemed guilty of a nuisance.

M. Any person who shall permit snow to remain more than 24 hours after the same shall have ceased to fall on any footway or pavement or street in the Borough in front of or adjoining any church, public building, house, store, shop, garage, or tenement of any kind, or the adjoining side yard thereof or in front of any vacant lot owned or occupied by him shall be deemed guilty of a nuisance. [Ord. 2006-1]

N. Any person who shall blast rocks or other material with powder or other explosives in the Borough without first having obtained written permission from the Mayor, or having obtained such permission, to blast without complying with such conditions as the Mayor may prescribe shall be deemed guilty of a nuisance. [Ord. 2006-1]

O. Any person who shall keep or maintain blasting powder or dynamite within the Borough limits, except in such places that shall be specially designated by Borough Council or by permit issued by the Mayor shall be deemed guilty of a nuisance. [Ord. 2006-1]

P. Any person who shall engage in unnecessary horn blowing of any motor vehicle, shall be deemed guilty of a nuisance.

Q. Any person who shall unnecessarily use glaring headlights while operating a motor vehicle within the Borough, shall be deemed guilty of a nuisance.

(Ord. 57-1, 2/6/1957, Chapter II, §2; as amended by Ord. 84-2, 8/1/1984; and by Ord. 2006-1, 12/6/2006)

§10-203. Junked Automobiles.

1. From and after the passage of this Part, the storage of abandoned or junked automobiles within the Borough limits is declared to be a nuisance.

2. Any person, who shall permit abandoned or junked automobiles to be stored on grounds which he owns or occupies shall be deemed guilty of a nuisance and shall be subject to the penalty imposed by §10-204.

3. If, after being found guilty of violation of subsection .1, above, the person does not remove the abandoned or junked automobile from the Borough limits within 30 days, the Mayor on behalf of the Borough, may cause the same to be done, and collect

the cost thereof, together with a penalty of 10% of such cost, in the manner provided by law for the collection of municipal claims, or by action of assumpsit, or may seek relief by bill in equity.

4. This Section shall not apply to automobiles stored in buildings.

(*Ord. 57-1, 2/6/1957, Chapter II; as added by Ord. 67-3, 11/1/1967*)

§10-204. Penalties.

Any person, firm or corporation who shall violate any provision of this Part, upon conviction thereof, shall be sentenced to pay a fine of not more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 30 days. Each day that a violation of this Part continues or each Section of this Part which shall be found to have been violated shall constitute a separate offense.

(*Ord. 57-1, 2/6/1957, Chapter II, §3; as amended by Ord. 2006-1, 12/6/2006*)

Part 3**Abandoned Appliances****§10-301. Definitions.**

1. As used in this Part, the following terms shall have the meanings indicated, unless a different meaning clearly appears from the context:

Lessee - owner for the purpose of this Part when the lessor holds the lessee responsible for maintenance and repairs.

Nuisance - any condition, structure, or improvement which shall constitute a threat or potential threat to the health, safety, or welfare of the citizens of the Borough.

Owner - the actual owner, agent or custodian of the property on which machinery, equipment or materials are stored, whether individual or partnership, association, or corporation.

Person - a natural person, firm, partnership, association, corporation, or other legal entity.

2. In this Part, the singular shall include the plural; the plural shall include the singular; and the masculine shall include the feminine and the neuter.

(Ord. 2006-1, 12/6/2006)

§10-302. Storage of Nuisances Prohibited.

It shall be unlawful for any person to store or maintain abandoned, unused, stripped, damaged and generally unusable appliances, machinery or equipment, or construction materials in the open on private property. Such storage shall constitute a nuisance and/or health hazard if any of the following conditions exist:

A. Broken glass or metal parts with sharp or protruding edges.

B. Containers which are conducive to the harboring and growth of vermin or animals.

C. Storage in any manner which would allow the equipment, machinery, material or any parts thereof to easily shift, tilt, or fall from its original storage position.

D. Containers of any liquid or material of a hazardous or potentially hazardous nature, including, but not limited to, gasoline, oil, battery acids, refrigeration agents, and poisons.

E. Any other condition which shall threaten the health, safety or welfare of the citizens.

F. Refrigerators with the doors remaining attached.

(Ord. 2006-1, 12/6/2006)

§10-303. Inspection of Premises; Notice to Comply.

1. The Mayor is hereby empowered to inspect private property on which appliances, machinery, equipment, and/or various construction materials are stored to

determine if there is compliance with the provisions of this Part. If noncompliance with the provisions of this Part constitutes a nuisance, or if any condition, structure, or improvement poses a danger to the health, safety, or welfare of the public, he shall issue a written notice to be served by registered or certified mail upon the owner of said premises, or, if the owner's whereabouts or identity be unknown, by posting the notice conspicuously upon the offending premises.

2. Said notice shall specify the condition considered to be a hazard and/or nuisance and shall require the owner to commence to remove or otherwise rectify the condition as set forth in the notice within 10 days of mailing or posting of said notice, and thereafter, to fully comply with the requirements of the notice within a reasonable time as designated by the Mayor.

(Ord. 2006-1, 12/6/2006)

§10-304. Authority to Remedy Noncompliance.

If the owner of property on which appliances, machinery, equipment, and/or construction materials are stored does not comply with the notice to abate the nuisance, within the time limit prescribed, the Borough shall have the authority to take measures to correct the conditions and collect the cost of such corrections plus 10% of all costs. The Borough, in such event and pursuant to its statutory or otherwise authorized police powers, shall have the right and power to enter upon the offending premises to accomplish the foregoing.

(Ord. 2006-1, 12/6/2006)

§10-305. Hearing.

1. Any person aggrieved by the decision of the Mayor may request and shall then be granted a hearing before the Borough Council; provided, he files with the Borough Council within 10 days after notice of the Mayor's decision, a written petition requesting such hearing and setting forth a brief statement of the grounds therefor. The hearing shall commence not later than 30 days after the date on which the petition was filed unless postponed for sufficient cause.

2. After such hearing, the Borough Council shall sustain, modify or overrule the action of the Mayor.

(Ord. 2006-1, 12/6/2006)

§10-306. Penalties.

Any person who shall violate any provision of this Part shall, upon conviction thereof, be sentenced to pay a fine not more than \$1,000, and in default of payment, to undergo imprisonment for a term not to exceed 30 days. Each day that a violation of this Part continues or each Section of this Part which shall be found to have been violated shall constitute a separate offense.

(Ord. 2006-1, 12/6/2006)

§10-307. Remedies not Mutually Exclusive.

The remedies provided herein for the enforcement of this Part, or any remedy provided by law, shall not be deemed mutually exclusive; rather they may be employed

simultaneously or consecutively, at the option of the Borough Council.
(*Ord. 2006-1, 12/6/2006*)

Part 4**Vermin Control****§10-401. Definitions and Terms.**

Eradication - the elimination of rodents or insects and other pest life from any building, lot or premises through the use of traps, baiting, fumigation, or any other method of extermination approved by the Pennsylvania Department of Health or the Mayor of the Borough of Glendon and subject to applicable laws relating to poisonous substances and fumigants. [Ord. 2006-1]

Harborage - any condition which provides shelter or protection for rodents, insects, or other pest life.

Person in control - the owner or part owner of a building, lot or premises, whether an individual, partnership or corporation, the agent or occupant of a building, lot or premises, or any person who has the use or custody of the same, or any part thereof, whether an individual, partnership or corporation.

Rat proofing - the treatment or shielding, with material impervious to rodent gnawing, of all actual or potential openings in the exterior and interior walls, ground or first floors, roofs, foundations, basements, sidewalk gratings and other places that may be reached by rodents from the ground or by climbing or burrowing.

(Ord. 71-1, 4/7/1971, §I; as amended by Ord. 2006-1, 12/6/2006)

§10-402. Elimination of Harborages.

1. All buildings, lots or premises within the corporate limits of the Borough of Glendon, shall be kept free from any condition conducive to rodent, insect and other pest life. The person in control shall not allow the storage of an automobile or truck without a current license plate or a current inspection sticker, or accumulate garbage, refuse, or any material which may afford harborage or provide food for rodents, insects, or other pest life.

2. Whenever conditions inside or under unoccupied buildings provide extensive harborage for rodents, insects or other pests the Mayor is empowered, if said conditions are not corrected in a period of 60 days after written notification to the owner, to institute condemnation and demolition proceedings. The cost of such proceedings is to be borne by the owner.

(Ord. 71-1, 4/7/1971, §II; as amended by Ord. 2006-1, 12/6/2006)

§10-403. Prohibiting Conditions Conducive to Rodent, Insect, or Pest Life.

1. No person in control shall feed wild birds other than in a suitable, properly shielded container for the food, installed in such a manner as to be inaccessible to rodents and to prevent the scattering of food on the ground.

2. No person shall place food in the open for feeding any animal except in a container which will prevent the scattering of food upon the ground. Unconsumed food shall not be allowed to remain where it is accessible to rodents, insects, or other pest life.

3. Garbage and waste material shall be placed in nonleaking containers with tight-fitting lids and stored in such a manner as not to create an attraction or harborage for rodents, insects, or other pest life. [*Ord. 2006-1*]

4. When the Mayor notifies the occupant or occupants of a building in writing that there is evidence of rodent, insect or pest infestation on the premises, the said occupant or occupants shall immediately institute rat-eradication measures and shall continuously maintain such measures in a satisfactory manner until the premises is declared by the Mayor to be free of rat infestation. Unless said measures are undertaken within 5 days after receipt of notice, it shall be construed as a violation of the provisions of this Part and the occupant shall be held responsible thereof. [*Ord. 2006-1*]

(*Ord. 71-1, 4/7/1971, §III; as amended by Ord. 2006-1, 12/6/2006*)

§10-404. Eradication Measures.

1. When any building, lot, or premises is subject to infestation by rodents, insects, or other pest life, the person in control shall apply continuous or repeated eradication measures, as required by the Pennsylvania Department of Health or the Mayor of the Borough of Glendon, until there is no evidence of infestation remaining.

2. No building shall be demolished until the Pennsylvania Department of Health or the Mayor of the Borough of Glendon certifies to the Borough of Glendon that the building and premises are free from the infestation of rodents, insects, or other pest life.

(*Ord. 71-1, 4/7/1971, §IV; as amended by Ord. 2006-1, 12/6/2006*)

§10-405. Rodent Proofing.

1. Whenever conditions inside, outside, or under a building, or on any lot or premises, provide harborage for rodents, the Pennsylvania Department of Health or the Mayor of the Borough of Glendon may require any one or more buildings to be rodent-proofed.

2. The person in control of a building or premises required to be rodent-proofed shall maintain the rodent-proofing in good repair. No person shall damage or interfere with the rodent-proofing. When the rodent-proofing is injured, in making alterations, installations, additions, or repairs to the building, the person in control shall restore the rodent-proofing in good condition.

(*Ord. 71-1, 4/7/1971, §V; as amended by Ord. 2006-1, 12/6/2006*)

§10-406. Violations and Penalties.

Any person, firm or corporation who shall violate any provision of this Part, upon conviction thereof, shall be sentenced to pay a fine of not more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 30 days. Each day that a violation of this Part continues or each Section of this Part which shall be found to have been violated shall constitute a separate offense.

(*Ord. 71-1, 4/7/1971, §VI; as amended by Ord. 2006-1, 12/6/2006*)