

ORDINANCE NO. 9.2-19

ORDINANCE REINSTATING AND PROHIBITING THE OUTSIDE STORAGE OF JUNK, GARBAGE, DEBRIS, TRASH AND RUBBISH ON PUBLIC OR PRIVATE PROPERTY WITHIN THE LIMITS OF THE BOROUGH OF TURBOTVILLE.

WHEREAS, the Borough of Turbotville is desirous of prohibiting the storage of junk on Improved and unimproved properties within the Borough for health reasons and to promote the general health of the Borough.

NOW THEREFORE be it enacted and ordained by the Council of the Borough of Turbotville and is hereby enacted and ordained by the authority of the same as follows:

SECTION 1. Definitions - Unless otherwise stated, the following words and phrases shall be construed throughout this ordinance to have the meanings herein indicated:

- A. "Person" shall include an individual, partnership, association, firm or corporation.
- B. "Junk" shall mean any scrap metal or scrap metal alloy, scrapped, abandoned or junked motor vehicles, bones, ashes, severed brush, paper, rags, used cloth, used rubber, used rope, used tinfoil, used bottles, old or used machinery, used tools, used appliances, used fixtures, used utensils, used lumber, broken blocks, broken bricks, used metal and cardboard drums, used boxes or crates, used pipe or pipe fittings, used tires, used chemicals and other manufactured goods that are so worn, deteriorated or obsolete as to make them unusable in their existing condition for their original use. It shall not include, however, refuse or garbage kept in a proper container for the purpose of prompt disposal or the closed container used for such temporary storage.

SECTION 2. No person shall deposit, dump, permit to accumulate or maintain junk, garbage, debris, trash or rubbish outside of a fully enclosed structure or container on any private or public property within the Borough of Turbotville.

Section 3. The keeping of junk, garbage, debris, trash or rubbish on any private or public property within the Borough of Turbotville, outside an enclosed structure or container is hereby declared to be a nuisance and a detriment to the health, safety and welfare of the citizens of the Borough of Turbotville and is unlawful.

Section 4. Any and all Borough Enforcement Officers are hereby granted the authority and are hereby charged with the responsibility of issuing warnings, fines and citations, as merited, for all violations of this Ordinance.

Section 5. Any person, corporation or other entity who violates the provision of this Ordinance shall pay a ticket for a fine of \$100 issued by the Borough Enforcement Officer to the violator, and in default therewith, shall be subject to a citation with the District Magistrate's office and upon conviction thereof shall be subject to a fine not to exceed \$1,000 plus cost.

Section 6. In addition to the remedies provided in section 5 and continued violation which constitutes a nuisance under this ordinance may be removed or abated by the Borough of Turbotville which shall collect from the person in violation, the cost thereby together with a penalty of ten (10%) per cent of such cost, in the manner provided by law for the collection of municipal claims, or by action of assumpsit, or by seeking relief by proceedings in equity in the Court of Northumberland County.

Section 6. If any of the sections of this ordinance shall be found to be invalid the other sections of the ordinance shall not be affected thereby.

Section 7. All ordinances including Ordinance #1-72 or parts of Ordinances in conflict herewith, be and the same are hereby repealed.


ENACTED and ORDAINED into an Ordinance this 7<sup>th</sup> day of Oct., 2019.

ATTEST:

  
Borough Secretary

  
President of Council

APPROVED the 7<sup>th</sup> day of October, 2019

  
Mayor