

Chapter 142

NUISANCES

§ 142-1. Definitions and word usage.

§ 142-3. Abatement.

§ 142-2. Nuisances prohibited.

§ 142-4. Violations and penalties.

[HISTORY: Adopted by the Borough Council of the Borough of Edgewood as Ch. XI, Part 3, of the 1972 Code. Amendments noted where applicable.]

GENERAL REFERENCES

Sanitary standards for animals — See Ch. 84, Art. I.
Brush, grass and weeds — See Ch. 93.

Disorderly conduct — See Ch. 114.

§ 142-1. Definitions and word usage.

A. As used in this chapter, the following terms shall have the meanings indicated:

PERSON — Includes any natural person, partnership, association, firm or corporation.

B. In this chapter, the singular shall include the plural, the plural shall include the singular, and the masculine shall include the feminine and the neuter.

§ 142-2. Nuisances prohibited.

It shall be unlawful for any person to maintain anywhere within the Borough of Edgewood any condition, structure or place that shall constitute a nuisance or a menace to the public health, safety or general welfare.

§ 142-3. Abatement.

Whenever any condition, structure or place in the Borough is found by the Board of Health to be a nuisance or a danger or menace to the public health, safety or general welfare of the people of the Borough, the said Board shall issue a written order of abatement directed to the owner, or agent of the owner, or occupier of the premises, as the case may be, stating that the conditions specified therein constitute a nuisance or a menace to the public health, safety or general welfare, and ordering an abatement or removal thereof within such time as shall be specified by the Board in such order. Except in those cases which the Board shall deem prejudicial to the public health or safety and require sooner action, an appeal from such order of abatement or removal may be taken to Borough Council, which, after hearing upon such appeal, shall make such order as the Council considers proper, all proceedings to be stayed pending action of the Council. In the event there should be a default in compliance with the order of abatement or removal issued, as hereinabove set forth, 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 a bill in equity.

§ 142-4. Violations and penalties.¹

Any person who shall violate any provision of this chapter shall, for each and every such violation, be sentenced to pay a fine of not more than \$600 and costs of prosecution, and, in default of payment of such fine and costs, to imprisonment for not more than 30 days. Provided that each day that a nuisance or condition constituting a menace to health or safety shall be permitted to continue after the time fixed for abatement or removal of the same shall constitute a separate violation. Provided, further, that the fine and costs prescribed by this section may be in addition to any amounts collectible under chapter.

1. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).