

Notice is hereby given by the Borough of South New Castle, Lawrence County, Pennsylvania, that it intends to enact the Ordinance hereinafter set forth at a meeting to be held at 6:30 o'clock P.M. Saturday, September 5, 1958 at its regular meeting in the Borough building.

ORDINANCE NO. 90 1958

An ordinance prohibiting nuisances, including but not limited to accumulations of garbage and rubbish, and the storage of abandoned or junked automobiles, on private and public property, and prohibiting the carrying on of any offensive manufacture or business; and providing for removal of any nuisance or dangerous structure on public or private grounds after notice to the owner to do so, and in his default providing for the collection of the cost of such removal together with a penalty of \$10.00 from the owner by summary proceedings and authorizing the Borough to institute proceedings in courts of equity to enforce this ordinance, and prescribing penalties for the violation of this Ordinance.

The Borough of South New Castle hereby ordains as follows, under the authority of "The Borough Code," the Act of May 4, 1929, P. L. 519, Article I, Section 101, et. seq. as amended, revised, consolidated and re-enacted by the Act of July 10, 1947, P. L. 1621.

SECTION 1. The Ordinance shall be known and may be cited as "The South New Castle Borough Anti-Nuisance Act".

SECTION 2. Unless otherwise expressly stated the following terms shall have for purposes of this Ordinance the meanings herein indicated.

- A. The word "garbage" shall mean all table refuse, animal and vegetable matter, of fat from meat, fish, fowls, fruits, vegetables and parts thereof, and other articles and materials ordinarily used for food which have become unfit for such use or which are for any reason discarded.
- B. The word "rubbish" shall mean discarded articles, materials, or refuse, including garbage, ashes and combustible and non-combustible waste.
- C. The word "person" shall mean any natural person, partnership, firm or corporation.
- D. The words "offensive manufacture or business" shall mean any manufacturing enterprise or any business the conduct and continuance of which constitutes a nuisance or is detrimental to the safety, health and welfare of the community.
- E. In this ordinance the singular shall include the plural and the masculine shall include the feminine and the neuter.

SECTION 3. It shall be unlawful for a person to use or maintain any public or private property in the Borough of South New Castle, Lawrence County, Pennsylvania, from the effective date of this Ordinance, causing to exist on said property a nuisance including but not limited to accumulation of garbage and rubbish, storage of abandoned or junked automobiles and the carrying on of any offensive manufacture or business.

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- SECTION 4. Any person using or maintaining any public or private property in the Borough of South New Castle, Lawrence County, Pennsylvania and causing to exist thereon a nuisance shall, after notice to do so, remove any nuisance or dangerous structure, and in default of which the Borough may cause the same to be done at the expense of said person.
- SECTION 5. Any person who shall violate the provisions of this Ordinance shall, upon conviction as provided by law be sentenced to pay a fine of not more than One hundred (100.00) dollars and costs of prosecution, and upon failure to pay such fine and costs, be sentenced to imprisonment in the Lawrence County jail for a period not exceeding thirty (30) days.
- SECTION 6. The Borough of South New Castle is also authorized to institute proceedings in courts of equity to enforce the provisions of this Ordinance and to take other action provided and authorized by the "Borough Code."
- SECTION 7. This Ordinance shall go into effect five (5) days after its enactment or adoption.
- SECTION 8. The provisions of this Ordinance shall be severable, and if any of its provisions shall be held to be unconstitutional, illegal, or invalid, such endesion shall not effect the validity of any of the remaining provisions of this Ordinance.

Alfred V. Papa,
Solicitor

Dolores Taylor,
Secretary

Sept. 10, 1958

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