

Township of Springfield
Erie County, Pennsylvania

Ordinance Number 002 of 2025

AN ORDINANCE OF SPRINGFIELD TOWNSHIP IN THE COUNTY OF
ERIE, COMMONWEALTH OF PENNSYLVANIA, PROVIDING FOR THE
RESOLUTION OF NUISANCES WITHIN SPRINGFIELD TOWNSHIP.

Section 1. Title.

This ordinance shall be known and referred to as the “Springfield Township Nuisance Ordinance.”

Section 2. Definitions and word usage.

- A. For purposes of this chapter, the following terms, phrases, words and their derivations shall have the meaning given herein:

BOARD OF TOWNSHIP SUPERVISORS OR “SUPERVISORS”.

The Board of Supervisors of Springfield Township, Erie County, Pennsylvania.

DANGEROUS STRUCTURE.

Any building, dwelling, fence or other structure which is determined to pose a hazard to the health, safety or general welfare of the residents and/or property of residents within Springfield Township. In determining whether the building, dwelling, fence or other structure is a dangerous structure, all relevant factors, including the following, shall be considered:

1. The extent to which a structure has been neglected or allowed to deteriorate; into a state of disrepair;
2. The presence of open or broken doors or windows allowing access to the interior of the structure;
3. The extent to which the structure poses a fire hazard;
4. The presence of vermin or other pests in or about the structure;
5. The presence of hazardous or explosive chemicals or material stored in an unsafe manner in or about the structure;
6. The proximity of the structure to areas frequented by children; and
7. Whether the structure is vacant or occupied.

OWNER.

Any person owning, leasing, occupying, or having charge of any premises located within the Township.

PERSON.

Any natural born person, firm, entity, partnership, association, corporation, company or organization of any kind.

RECREATIONAL VEHICLE.

A recreational vehicle (often abbreviated as RV) is a motor vehicle or trailer that includes living quarters designed for temporary living and not permanent dwelling.

STORAGE CONTAINERS.

Shall include any shipping container, semi-trailer, or other similar type of enclosure that can be used for the purpose of putting something inside for storage or transport.

TOWNSHIP.

Springfield Township, Erie County, Pennsylvania

TOWNSHIP ENGINEER.

A duly qualified engineer appointed by the Supervisors of Springfield Township.

ABANDONED, JUNK OR INOPERABLE VEHICLE.

Any inoperable vehicle left unattended on public property for a period exceeding 48 continuous hours shall be considered abandoned. A vehicle will be considered junk when it is unable to move under its own power and/or does not have a valid registration plate or valid and current inspection sticker and includes, but is not limited to, any of the following defects:

1. Broken windshield or other glass with sharp edges;
 2. Missing doors, windows, hood, trunk or other body parts;
 3. Missing tires resulting in unsafe suspension of the motor vehicle;
 4. Upholstery which is torn or open which would permit animals or vermin;
 5. Disassembled chassis parts apart from the motor vehicle and stored in a disorderly fashion or loose in or upon the vehicle; and/or
 6. Any other defect which could threaten the health, safety and welfare of citizens.
- B. When not inconsistent with context, words used in the present tense include the future, words in plural number include the singular number, words in the singular number include the plural number, words in the masculine include the feminine, and the word "shall" is always mandatory and not merely directory.

Section 3. Declaration of nuisances.

All “nuisances” as defined herein are declared to be “public nuisances” and must be repaired, removed, vacated, demolished, eliminated or resolved as provided in this Ordinance.

Section 4. Nuisances Prohibited.

A. Nuisances shall include, but not be limited to, the following:

1. The use of any premises as a trash or garbage dump unless specifically authorized;
2. The depositing, dumping or storage of any amount of trash or garbage, junked, wrecked, abandoned, or inoperable motor vehicles or other machinery brought upon and accumulated or stored on any premises (public or private);
3. The accumulation or storage of scrap metal or other waste material as a junkyard unless specifically authorized;
4. Any use of, accumulation or activity upon property that, by reason of water flow, flames, smoke, odors, fumes, excessive noise or dust, or vegetation growth, unreasonably interferes with the reasonable use, comfort and enjoyment of a neighbor’s property or creates a potential hazard to the Township or its residents;
5. The dissemination, distribution, exhibition, selling or presentation of lewd materials within the Township, including the public display of human genitals;
6. Maintaining or allowing any dangerous structure on any premises to exist;
7. The storage and parking of more than two RV home outside of an enclosed structure on any premises. All RV’s must be registered, licensed, and inspected in accordance with Pennsylvania law or the state of residence of the owner; and/or
8. The use of individual storage containers without first obtaining a zoning permit and removing any signage, lettering or advertising on the container upon initial placement.

Section 5. Identification of a nuisance.

The existence and location of a potential nuisance shall be brought to the attention of the Supervisors by one of the following methods:

- A. By the Zoning Officer;
- B. By a complaint form signed by the complainant and presented to the Zoning Officer; or
- C. By any individual member of the Board of Supervisors

Section 6. Investigation of potential nuisance complaints.

- A. Upon notification of the existence and location of a potential nuisance, the Board of Supervisors shall instruct the Zoning Officer to make an investigation of the allegation.
- B. The Zoning Officer shall examine the allegations and promptly file a brief written report with the Board of Supervisors outlining his/her findings and recommending whether or not the issue is deemed to be a nuisance within the meaning of this Ordinance.

Section 7. Preliminary determination of a nuisance.

- A. The Board of Supervisors shall consider the written report, including the recommendation contained therein, and make a preliminary determination at a regular, monthly BOS meeting by vote whether the issue under investigation is deemed to be a violation of this Ordinance.
- B. In the event that the Supervisors determine that the issue is not actionable under this Ordinance, the owner shall be notified, and no further action shall be undertaken for at least one year unless special circumstances occur which would make it reasonable to begin new proceedings. Such special circumstance may include the subsequent actual physical injury of a person caused by the nuisance or the rapid and extreme deterioration of a structure as caused by fire, wind, flood, vandalism, or other action unrelated to mere passage of time.
- C. If the Board of Supervisors determines that the issue is a nuisance as defined in this Ordinance, a Notice of Violation/Notice of Preliminary Determination of a Nuisance will be issued to the owner, which shall include the following:

1. A statement that the Board of Supervisors has made a preliminary determination that a nuisance exists;
2. A statement that if the owner wishes to appeal this preliminary determination, he/she must apply to appear before the Zoning Hearing Board within 30 days of the notice.
3. If the owner fails to appeal, action will be pursued with the District Magistrate.

Section 8. ZHB Hearing to Appeal Preliminary Determination.

- A. If the owner appears at the time and date scheduled for the appeal, the Zoning Hearing Board shall convene a hearing and take testimony on the issue of whether, and to what extent, the activity is a nuisance. A court reporter may be present to make a record of the proceedings at the expense of the requesting party
- B. At this hearing, all interested parties, including the owner and any resident of the Township, shall have the reasonable opportunity to give testimony or otherwise introduce evidence into the record.
- C. After the hearing has concluded, the Zoning Hearing Board shall issue a final written determination.

Section 9. Final determination.

- A. Within ten (10) days after the hearing to appeal the Supervisors preliminary determination that a nuisance exists, the Zoning Hearing Board shall issue its final determination, in writing, which determination may:
 1. Reverse the Board of Supervisor's preliminary determination and find that no nuisance exists: or
 2. Affirm the Board of Supervisor's preliminary determination and find that a nuisance does exist within the meaning of this Ordinance.
- B. If the Zoning Hearing Board's final determination is that no nuisance exists, then no further action shall be taken at that time against the owner.
- C. If the Zoning Hearing Board's final determination is that a nuisance exists, then it shall so notify the owner, including a listing of the reasons for its determination, and must further state that the owner must correct the nuisance within thirty (30) days.

Section 10. Owners' failure to comply; violations and penalties.

If the owner, after receiving notice of the Zoning Hearing Board's final determination, fails to comply with the terms thereof within the allotted time:

- A. The Board of Supervisors may proceed with further court action to bring the nuisance into compliance, or otherwise eliminate the nuisance.
- B. In addition to any costs and penalties imposed pursuant to Subsection A of this Section, the creator of a nuisance who fails to comply with the terms of the Board's final determination shall, upon being found liable therefore in a civil enforcement proceeding commenced by the Township before a Magisterial District Judge, pay a daily fine of not more than \$1,000.00, plus all court costs, including reasonable attorney's fees, incurred by the Township in the enforcement of this Ordinance. No judgment shall be imposed until the date of the determination of the violation by the Magisterial District Judge. If the defendant neither pays nor timely appeals the judgment, the Township may enforce the judgment pursuant to the applicable Rules of Civil Procedure. Each day a violation exists shall constitute a separate offense. In addition, the Board of Supervisors may prescribe criminal fines not to exceed one thousand (\$1,000.00) dollars per violation per day and may prescribe imprisonment to the extent allowed by law for the punishment of a summary offense, up to a maximum of 90 days incarceration.
- C. In addition to the remedies set forth in Subsections A and B, the Township may institute appropriate actions or proceedings at law or in equity to prevent and/or restrain any nuisance, to correct or abate the violation and to prevent the use or occupancy of any dangerous structure or continuation of a public nuisance.

Section 11. Notice; penalty for removal.

- A. Whenever notice is required under this Ordinance, it shall be in writing and shall be served upon the owner in one of the following ways:
 - 1. By making personal delivery of the notice to the owner;
 - 2. By handing a copy of the notice at the residence of the owner to an adult member of the family with which he resides; but if no adult member of the family is found, then to an adult person in charge of such residence;
 - 3. By fixing a copy of the notice to the door at the entrance of an alleged dangerous structure; and/or
 - 4. By mailing a copy of the notice to the last known address of the owner by certified mail.

B. Any person removing the notice provided for in this section shall, upon conviction before the Magisterial District Judge, be subject to a fine not exceeding \$100.00 plus costs for each offense.

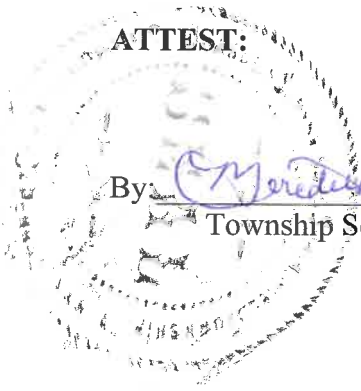
ENACTED AND ORDAINED by the Board of Supervisors of Springfield Township, Erie, County, Pennsylvania this 8th day of September 2025.

SPRINGFIELD TOWNSHIP SUPERVISORS

By: Luhe Wildon
Chairperson

By: Jeffrey Eaton
Vice Chairperson

By: _____
Member



ATTEST:

By: Mercedes Boylston
Township Secretary