

CHAPTER X
HEALTH AND SAFETY

Part 1
Vegetation

- Section 1. Growth of Grass and Weeds Restricted
Section 2. Responsibility for Removal of Trimming of
Vegetation
Section 3. Borough May Do Work upon Failure to Comply with
Notice to Remove or Trim Vegetation
Section 4. Penalty for Violation
Sections 5 to 10. (Reserved for Future Use)

Part 2
Nuisances

- Section 11. Nuisances Prohibited
Section 12. Abatement
Section 13. Penalty for Violation

Part 1
Vegetation

Section 1. Growth of Grass and Weeds Restricted. No person, firm or corporation, owning or occupying any property within the Borough of Beech Creek, shall permit any grass or weeds or any vegetation whatsoever, not edible or planted for some useful or ornamental purpose, to grow or remain upon such premises so as to exceed a height of six (6) inches or to throw off any unpleasant or noxious odor or to conceal any filthy deposit or to create or produce pollen. Any grass, weeds or other vegetation growing upon any premises in the Borough in violation of any provisions of this Section is hereby declared to be a nuisance and detrimental to the health, safety, cleanliness and comfort of the inhabitants of the Borough. (Ordinance 75, September 6, 1977, Section 1)

Section 2. Responsibility for Removal or Trimming of Vegetation. The owner of any premises, as to vacant premises or premises occupied by the owner, and the occupant thereof, in case of premises occupied by other than the owner thereof, shall remove, trim or cut all grass, weeds or other vegetation growing or remaining upon such premises in violation of the provisions of the first section of this ordinance. (Ordinance 75, September 6, 1977, Section 2)

Section 3. Borough May Do Work upon Failure to Comply with Notice to Remove or Trim Vegetation. The Borough Council, or any officer or employee of the Borough designated thereby for the purpose, is hereby authorized to give notice, by personal service or by mail, to the owner or occupant, as the case may be, of any premises whereon grass, weeds or other vegetation is growing or remaining in violation of the provisions of the first section of this ordinance, directing and requiring such occupant to remove, trim or cut such grass, weeds or vegetation, so as to conform to the requirements of this ordinance, within five (5) days after issuance of such notice. In case any person, firm or corporation shall neglect, fail or refuse to comply with such notice, within the period of time stated therein, the Borough authorities may remove, trim or cut such grass, weeds or vegetation, and the costs thereof, together with ten percent (10%) additional of such costs, may be collected by the Borough from such person, firm or corporation, in the manner provided by law. (Ordinance 75, September 6, 1977, Section 3)

Section 4. Penalty for Violation. Any person, firm or corporation who or which shall violate or fail, neglect or refuse to comply with any provision of this ordinance, shall, upon conviction thereof, be sentenced to pay a fine of not more than fifty dollars (\$50.00) and costs of prosecution, or, in default of payment of such fine and costs, to undergo imprisonment for not more than ten (10) days. Provided: each day that a violation shall be permitted to continue shall constitute a separate offense. (Ordinance 75, September 6, 1977, Section 4)

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1. Section 1 of this Chapter.
 2. Section 1 of this Chapter.
 3. Sections 1 to 4 of this Chapter.

BOROUGH OF BEECH CREEK
Clinton County, Pennsylvania

ORDINANCE NO. 2018 – 02

AMENDING CHAPTER XV OF THE CODE OF BEECH CREEK BOROUGH, CLINTON COUNTY, PENNSYLVANIA ENTITLED "MOTOR VEHICLES AND TRAFFIC" TO PROHIBIT THE PARKING OF MOTOR VEHICLES ON SIDEWALKS, TO TREAT UNLICENSED AND UNINSPECTED VEHICLES AS A PUBLIC NUISANCE, AND TO PROHIBIT THE OPERATION OF UNLICENSED VEHICLES ON STREETS AND PLAYGROUNDS WITHIN THE BOROUGH OF BEECH CREEK.

The Council of the Borough of Beech Creek, Clinton County, Pennsylvania, hereby enacts and ordains as follows:

SECTION I. The title and first sentence of Chapter XV, Part 2, Section 11, is amended to be as follows:

SECTION 11. Motor Vehicles Not to be Driven or Parked on Sidewalks. No person shall operate or park a motor vehicle or tractor upon any sidewalk in the Borough; nor shall any person operate a motor vehicle upon or across any sidewalk except in order to gain access to or egress from a driveway or alley at such location where the curb, if such sidewalk is curbed, shall have been properly cut down for the purpose.

The remainder of Chapter XV, Part 2, Section 11, is not amended and shall remain in full force and effect.

SECTION II. Chapter XV, Part 4 is amended to add Section 53 as follows:

SECTION 53. Certain Vehicles to be Treated as a Nuisance. Disabled, dismantled or unlicensed vehicles, or vehicles without current inspection stickers, are hereby deemed to be a public nuisance and as such are subject to the provisions of Chapter X, Part 2, of the Beech Creek Borough Code of Ordinances. As nuisances, such vehicles are prohibited, subject to being abated as a nuisance, and subject to penalty for violation, all as set forth in Chapter X, Part 2.

SECTION III. Chapter XV, Part 4, is amended to add Section 54.

Operation of Unlicensed Vehicles on Streets and Playgrounds. The operation of unlicensed motorized vehicles including but not limited to all terrain vehicles, golf carts, and scooters is prohibited upon all streets, highways, and other public right-of-ways within the Borough of Beech Creek and from operating within or upon playgrounds or other unenclosed recreational areas within the Borough of Beech Creek. The penalty for violation of this provision shall be as set forth in Section 52 of this Part 4 of Chapter XV.

SECTION IV. The provisions of this Ordinance shall become effective on the 1st day allowable under the Commonwealth of Pennsylvania Borough Code.

DULY ENACTED and ORDAINED this 6th day of February, 2018, by the Council of the Borough of Beech Creek, Clinton County, Pennsylvania.

ATTEST:

BOROUGH OF BEECH CREEK

Veronica Rosen
Secretary

By: William T. Kuzner
President

Approved this 6th day of February, 2018.

Michael B. DePina
Mayor

Part 2
Nuisances

Section 11. Nuisances Prohibited. No person or municipality shall cause or permit to exist upon land which he owns or cause to exist upon public land or lands which are leased or occupied, any nuisance including, but not limited to, the accumulation of garbage, rubbish and the storage of abandoned or junked automobiles, the carrying on of offensive manufacture or business and the maintenance of any dangerous structure, including any dwelling that is unfit for human habitation or commercial building which is unfit for public occupancy and beyond repair. However, nothing contained herein shall be construed to prevent the development of natural resources or the establishment of an industrial plant or plants for the processing of natural resources or other manufacturing business in the Borough of Beech Creek. (Ordinance 80-4, December 2, 1980, Section 1)

Section 12. Abatement. It shall be the duty of any person creating a nuisance or responsible for the creation of a nuisance, or any owner of land upon which a nuisance exists, or any tenant upon land upon which a nuisance exists to remove such nuisance including, but not limited to, a dangerous structure by notice of the Borough Council, to do so. Upon failure to comply with such notice the Borough may remove the nuisance and collect the costs of such removal plus an additional ten (10%) percent from either the tenant occupying the land upon which a nuisance exists, the owner of land upon which a nuisance exists, or from any other person responsible for removal. Such amount may be collected as provided by law. (Ordinance 80-4, December 2, 1980, Section 2)

Section 13. Penalty for Violation. Any person, firm or corporation who or which shall violate any provision of this Part shall upon conviction thereof be sentenced to pay a fine of not more than three hundred dollars (\$300.00) plus costs of prosecution, or in default of payment of such fine and costs to undergo imprisonment for not more than thirty (30) days in the county jail provided each violation of any provision of this Part and each day the same is continued shall be deemed a separate offense. (Ordinance 80-4, December 2, 1980, Section 3)