

## Chapter 186

### NUISANCES

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#### § 186-1. Nuisances prohibited.

#### § 186-3. Violations and penalties.

#### § 186-2. Abatement.

[HISTORY: Adopted by the Borough Council of the Borough of Beech Creek 12-2-1980 by Ord. No. 80-4 (Ch. X, Part 2, of the 1978 Code of Ordinances). Amendments noted where applicable.]

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#### § 186-1. 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.

#### § 186-2. 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 10% 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.

#### § 186-3. Violations and penalties. [Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I)]

Any person who violates or permits a violation of this chapter shall, upon conviction in a summary proceeding under the Pennsylvania Rules of Criminal Procedure, be guilty of a summary offense and shall be punishable by a fine of not more than \$1,000, plus court costs and reasonable attorneys' fees incurred by the Borough in the enforcement proceedings. Upon judgment against any person by summary conviction, or by proceedings by summons on default of the payment of the fine or penalty imposed and the costs, the defendant may be sentenced and committed to the county correctional facility for a period not exceeding 90 days. Each day that such violation exists shall constitute a separate offense, and each section of this chapter that is violated shall also constitute a separate offense. In addition to or in lieu

of enforcement under this section, the Borough may enforce this chapter in equity in the Court of Common Pleas of Clinton County.