

ORDINANCE NO. 2005 - 1

AN ORDINANCE OF THE BOROUGH OF NORTHUMBERLAND REGARDING THE REMOVAL OF GARBAGE, JUNK AND RUBBISH AND THE PLACEMENT OF DUMPSTERS;

WHEREAS, it is recognized that garbage and refuse containers placed for an extended period of time in front of structures, where they are open to the public and and/or adjacent to sidewalks utilized by the public, are detrimental to the health and safety of the public; and

WHEREAS, the Borough Council finds that implementation and enforcement of its nuisance ordinance will be facilitated by amending the same to include certain criteria to be used in determining whether an abandoned vehicle constitutes a nuisance;

NOW, THEREFORE BE IT ENACTED AND ORDAINED by the Borough of Northumberland, Northumberland County, Pennsylvania, and it is hereby enacted and ordained as follows:

"Section 42-7. Declaration of nuisance" shall be amended to read:

It is declared as a nuisance to accumulate garbage, junk and rubbish and to store abandoned or junked automobiles in the Borough of Northumberland, except on public dumping grounds; and it is directed that all dangerous structures on public or private grounds shall be prohibited in the Borough of Northumberland, Pennsylvania.

All porches, carports, sheds and yards, open and visible to the public eye or adjacent to sidewalks utilized by the public shall remain free of discarded or broken household furnishings, dumpsters, appliances, junk, etc. and similar items, excluding the type designed for use in such structures. Such structures and areas shall be kept in a sanitary and orderly manner, free of litter, rubbish and garbage not stored in approved covered containers as required by law. All such discarded items and their containers shall be removed from such structures or areas within 24 hours.

For purposes of this Section, an abandoned or junked automobile shall be deemed to include any automobile, trailer or other titled vehicle whose state of disrepair is such that it poses a risk of harm to children or other members of the public, or poses a risk of attracting and/or serving as shelter for snakes, vermin, insects or other wild animals.

Repeal. All ordinances or resolutions or parts of ordinances or resolutions, insofar as they are inconsistent herewith, be and the same are hereby repealed.

Severability. If any sentence, clause, section or part of this Ordinance is for any reason found to be unconstitutional, illegal or invalid shall not affect or impair any of the remaining provisions, sentences, clauses, section, or part of this Ordinance. It is hereby declared as the intention of the Council Members of the Borough of Northumberland, that this Ordinance would have been adopted had such constitutional, illegal or invalid sentence, clause, section or part thereof not been included.

Effective Date. This Ordinance shall be effective in _____ days.

ENACTED AND ORDAINED into an Ordinance this _____ day of _____, 2005 by the Borough Council in the lawful session duly assembled.

ATTEST:

BOROUGH OF NORTHUMBERLAND

Secretary

President, Borough Council

Approved this _____ day of _____, 2005.

Mayor