

ORDINANCE NO. A-206-81

AN ORDINANCE OF THE BOROUGH OF APOLLO, COUNTY OF ARMSTRONG, STATE OF PENNSYLVANIA, TO PROHIBIT NUISANCES; PRESCRIBING PENALTIES FOR VIOLATIONS; MEANS TO PROVIDE FOR THE REMOVAL OF NUISANCES BY THE BOROUGH COUNCIL

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BE IT ORDAINED AND ENACTED BY COUNCIL OF THE BOROUGH OF APOLLO, and it is hereby ordained as follows:

SECTION 1: DEFINITIONS

(a) The term "Person" as used in this Ordinance shall include all natural persons, associations, firms, partnerships and corporations.

(b) The term "Nuisance" as used in this Ordinance shall include, but not be limited to, accumulations of garbage and rubbish, storage of abandoned or junked motor vehicles, delapidated or unsteady structures which pose a danger to public health or safety, on public or private grounds, and the carrying on of an offensive manufacture of business.

SECTION 2

After the effective date of this Ordinance, it shall be unlawful for any person to maintain or permit to be maintained any nuisance within the limits of the Borough of Apollo.

SECTION 3

Any person who shall violate Section 2 of this Ordinance shall, upon conviction thereof in a summary proceeding, be sentenced to pay a fine

not more than Three Hundred Dollars (\$300.00) and costs of prosecution, and in default of payment thereof, to imprisonment in the County jail for not more than thirty (30) days.

#### SECTION 4

(a) Notwithstanding Section 3 of this Ordinance, the Council of the Borough of Apollo or its designated representative may give notice to the owner of the public or private grounds of which a nuisance is maintained or allowed to be maintained to remove or remedy the nuisance within thirty (30) days of receipt of such notice. Notice shall be sent to the owner at his residence by certified mail.

(b) In the event the owner fails to remove or remedy the nuisance within thirty (30) days of receipt of notice to do so, the Council of the Borough of Apollo may remove or remedy the nuisance or may institute proceedings in a Court of Equity to secure the relief which the Court may deem just and proper.

#### SECTION 5

In the event that the owner of public or private grounds on which a nuisance is maintained fails to remove or remedy the nuisance as directed by the Council of the Borough of Apollo or its designated representative, or by a Court of Equity, the Council of the Borough of Apollo or its designated representative may remove or remedy the nuisance and collect the cost of removal or remedy together with a penalty of Three Hundred Dollars (\$300.00)

for the use of Apollo Borough from the owner by summary proceedings or in the manner provided for the collection of municipal claims or by an action of assumpsit without the filing of a claim.

SECTION 6

Council of the Borough of Apollo hereby declares that should any section, subsection, sentence or word of this Ordinance be declared for any reason to be invalid, it is the intent of the Council of Apollo Borough that it would have passed all other portions of this Ordinance independent of the elimination herefrom of any such portion as may be declared invalid.

SECTION 7

The effective date of this Ordinance shall be the 5th day of October, 1981.

DONE, ORDAINED AND ENACTED at a regular meeting of the Borough Council of the Borough of Apollo held at Council Chambers on the 5th day of October, 1981.

BOROUGH OF APOLLO

ATTEST:

George A. P.  
Borough Secretary

By

William D. ...  
President of Council

Approved this 5th day of October, 1981.

William D. ...  
Mayor of the Borough of Apollo