

**BOROUGH OF ELLPORT, LAWRENCE COUNTY,
PENNSYLVANIA
ORDINANCE # 277**

AN ORDINANCE OF ELLPORT, LAWRENCE COUNTY, PENNSYLVANIA, IN THE SAID MUNICIPALITY FOR THE REGULATION OF PUBLIC NUISANCES.

WHEREAS, the Borough Council of the Borough of Ellport, Lawrence County, Pennsylvania, has the obligation to provide for the health and safety of its residents and all others who are present in the Borough; and,

WHEREAS, the Borough Council has become aware of a problem of public nuisances within the Borough.

NOW THEREFORE, the Borough Council hereby ordains and enacts:

The following are declared to be a public nuisance and shall be abated by the owners thereof within 30 days after written notice has been given to the owner of said property or the agent of such owner, by any officer of the borough directed by the Code Enforcement Officer.

(A) Any structure which is unoccupied for a continuous period of 30 days under the following conditions:

- (1) Having any of the windows or doors in the structure broken out and either boarded up or left open; or,
- (2) Having any of the roof open to elements or other outside part of the structure broken off, dilapidated or open so that access can be had to the building without the use of a key, or so that rain, snow, animals, vermin and other deleterious substances or things are not excluded from the building or any part thereof

(B) Any structure occupied by persons:

- (1) When the structure is not supplied with sanitary sewer service, bath facilities, water, and other sanitary services which is required by the laws of the Commonwealth or borough ordinances, and have not been inspected by a certified Plumber Inspector; or,

(C) Any structure which is abandoned, dilapidated, unsafe, unsanitary or uninhabitable and is left so that may be entered without the use of a key or by unauthorized persons or trespassers.

(D) Violation; continuation after notice to abate:

(1) Any owner or property in the borough who maintains any nuisance as herein defined and fails to abate the same within 30 days from the date when he/she receives written notice, as herein provided, shall be in violation of this ordinance.

(2) Where any action or prosecution is commenced under this ordinance, charging the owner of any property with a violation on a particular date, a maintenance of the same nuisance by the owner one week or more after that date shall constitute a new and separate violation of provisions of this ordinance, and the owner shall be subject to fine and costs for each week he/she permits the nuisance to remain unabated.

(E) Enforcement:

1. Borough Council hereby delegates enforcement of the provisions of this ordinance to any Code Enforcement Officer having jurisdiction in the Borough and, additionally, Borough Council hereby delegates enforcement of the provisions of this ordinance to any Law Enforcement Officer having jurisdiction in the Borough.

2. Any and all Code Enforcement Officer or Officers, or Law Enforcement Officers are hereby granted the authority and responsibility for inspecting conditions declared a nuisance for compliance with this Ordinance. In the event any violations of this Ordinance are found to be in existence at the time of inspection, the Code Enforcement Officer or Law Enforcement Office is hereby charged with the responsibility of issuing citations, as merited, for all violations of this Ordinance.

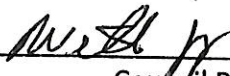
(F) VIOLATIONS AND PENALTIES

Any person who violates or permits a violation of this Ordinance shall, upon conviction in a summary proceeding under the Pennsylvania Rules or Criminal Procedure, be guilty of a summary offense and shall be punishable by a fine of not more than \$300.00 plus court costs and reasonable attorneys' fees incurred by the Borough in the enforcement proceedings. Each week that such violation exists shall constitute a separate offense, and each section of this Ordinance 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 Lawrence.

This Ordinance shall take effect upon adoption by Ellport Borough Council.

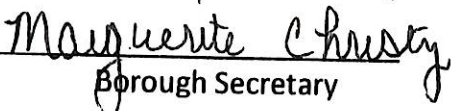
ADOPTED and APPROVED this 19 day of SEPT., 2022, by the vote of the majority of the members of the Borough Council of Ellport Borough, Lawrence County, Pennsylvania, at a

properly advertised meeting of the Borough Council where a quorum or more of the Borough Council was present.



Council President

ATTEST:



Borough Secretary

Reviewed and approved this 19 day of SEPTEMBER 2022,



Mayor