

CHAPTER 10

HEALTH AND SAFETY

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PART I**GARBAGE AND REFUSE****SECTION 10-101. Definitions.**

For the purpose of this Chapter, the following terms shall have the meanings herein indicated:

A. Ashes means the residue from the burning of wood, coal, coke or other combustible material.

B. Garbage means putrescible animal and vegetable wastes resulting from the handling, preparation, cooking and consumption of food.

C. Refuse means all putrescible and nonputrescible solid wastes, except bodily wastes, including garbage, rubbish, ashes, street cleanings, dead animals and solid market and industrial wastes.

D. Rubbish means nonputrescible solid wastes, including ashes, consisting of both combustible and noncombustible ashes, including but not limited to paper, cardboard, tin cans, dirt, gravel, construction materials, yard clippings, wood, glass, sweepings and similar materials.

(Ord. 256, 12/15/1977, §1, Ord. 372, 6/6/2006)

SECTION 10-102. Littering Prohibited; Unlawful Storage of Refuse.

No person, firm or corporation shall cast, place upon, sweep or deposit in or on any of the public streets, alleys, ways or Borough-owned or controlled property, or sidewalks or waterways in the Borough of Harmony any ashes, garbage, refuse or rubbish, or so deposit the same in such a manner that it may be carried or deposited by the elements upon any public street, alley, way, sidewalk, sewer, waterway, parkway or other public place, or into any occupied premises within the Borough. Nor shall any person, firm or corporation store any ashes, garbage, refuse or rubbish out of doors, upon property owned or occupied by him or it, except for a reasonable time while awaiting scheduled collection or regular removal.

(Ord. 256, 12/15/1977, §2)

SECTION 10-103. Penalty for Violation.

Any person, firm or corporation violating any provision of this ordinance shall, for each and every such violation, upon conviction thereof, be sentenced to pay a fine of not less than TwoHundred Dollars (\$200.00) or more than Three Hundred Dollars (\$300.00), plus costs of prosecution, and, in default of payment of such fine and costs, to imprisonment for not more than five (5) days. Each day upon which such violation continues shall constitute a separate offense. Provided further that any violation of any provision of this Chapter which is also a violation of any provision of the laws of Pennsylvania may be prosecuted under the Pennsylvania law and/or under this Chapter.

(Ord. 256, 12/15/1977, §3, Ord. 372, 6/6/2006)

PART II**REGULATION OF CERTAIN VEGETATION****SECTION 10-201. Vegetation Regulation.**

No person, firm or corporation owning or occupying any property within the Borough of Harmony 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 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 of the 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.

(Ord. 361, 01/02/2001, §3)

SECTION 10-202. Required Removal.

(a) The owner of any premises as to vacant premises or (b) the owner of premises occupied by the owner or (c) 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 §10-201.

(Ord. 361, 01/02/2001, §3)

SECTION 10-203. Notice.

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 the United States Mail Service 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 §10-201, directing and requiring such owner or occupant to remove, trim or cut such grass, weeds or vegetation so as to conform to the requirements of this chapter 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 cost thereof, together with a penalty of ten percent (10%) of such cost, may be collected by the Borough from such person, firm or corporation in the manner provided by law.

(Ord. 361, 01/02/2001, §3)

SECTION 10-204. Violation.

Any person, firm or corporation who or which shall violate or fail, neglect or refuse to comply with any of the provisions of this chapter shall, upon conviction thereof, be sentenced to pay a fine of not more than \$25.00 and costs of persecution. Provided: each day's violation shall constitute a separate offense, and notice to the offender shall not be necessary in order to constitute an offense.

(Ord. 361, 01/02/2001, §3)

PART III**SNOW REMOVAL****SECTION 10-301. Snow Removal by owner, occupant or tenant.**

- A. The owner, occupant or tenant of every property fronting upon or alongside of any of the streets in the Borough of Harmony is hereby required to remove or cause to be removed from all of the important sidewalks in front of or alongside of such property all snow or ice thereon fallen or formed within twelve (12) hours after the same shall have ceased to fall or form; provided that snow or ice which has ceased to fall or to be formed after 6:00 p.m. of any evening may be removed at any time before 12:00 noon of the next day. The owner, occupant or tenant shall be prohibited from moving, depositing or placing any snow onto any of the streets in the Borough of Harmony.
- B. The owner of a property shall be solely responsible for complying with the requirements hereof when the property is unoccupied or is occupied either by the owner alone or by the owner and tenants or occupants concurrently.
- C. The tenant or occupier shall be solely responsible when such property is occupied by such tenant or occupant only.
- D. The owner shall be solely responsible when the property is a multi-dwelling property, occupied by more than one (1) tenant or occupant.

(Ord. 372, 6/6/2006)

SECTION 10-302. Violation.

Any person, firm or corporation who or which shall violate or fail, neglect or refuse to comply with any of the provisions of this Chapter and Part shall, upon conviction thereof, be sentenced to pay a fine of not more than \$100.00 and costs of prosecution. Provided: each day's violation shall constitute a separate offense, and notice to the offender shall not be necessary in order to constitute an offense.

(Ord. 372, 6/6/2006)