

CHAPTER 10

HEALTH AND SAFETY

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## Part 1

## Grass, Weeds and Other Vegetation

§101. Grass, Weeds and Other Vegetation a Nuisance Under Certain Conditions. No person, firm or corporation, owning or occupying any property within the Borough 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 so 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 the provisions of this §101 is hereby declared to be a nuisance and detrimental to the health, safety, cleanliness and comfort of the inhabitants of this Borough. (Ord. 113, 7/2/1956, §1)

§102. Responsibility of Owners and Occupants of Premises. The owner of any premises, as to vacant premises or premises occupied by the owner, and 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 §101 of this Part. (Ord. 113, 7/2/1956, §2)

§103. Notice to Remove, Trim or Cut; Authority for Borough to do Work and Collect Cost and Additional Amount. 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 United States mail 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 §101 of this Part, directing and requiring such occupant to remove, trim or cut such grass, weeds or vegetation, so as to conform to the requirements of this Part, 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 any additional penalty authorized by the law may be collected by the Borough from such person, firm or corporation in the manner provided by law. (Ord. 113, 7/2/1956, §3)

§104. Penalties. Any person who shall violate any provision of this Part shall, upon conviction thereof, be sentenced to pay a fine not exceeding six hundred (\$600.00) dollars and costs and, in default of payment thereof, shall be subject to imprisonment for a term not to exceed thirty (30) days. Each day that a violation of this Part continues shall constitute a separate offense. (Ord. 113, 7/2/1956, §4; as amended by Ord. 357, 10/16/1991)

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The information pertains to the activities of certain individuals who are active in the area of [redacted]. The source has advised that the information is accurate and reliable.

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Part 2

Storage of Motor Vehicles or Parts Thereof  
in the Open on Private Property

§201. Definitions. As used in the Part the following terms shall have the meanings indicated, unless a different meaning clearly appears from the context.

LESSEE - owner for the purpose of this Part when the lessor holds the lessee responsible for maintenance and repairs.

MOTOR VEHICLE - any type of mechanical device, propelled by a motor, in which persons or property may be transported upon public streets or highways and including trailers or semitrailers pulled thereby.

NUISANCE - any condition, structure or improvement which shall constitute a danger or potential danger to the health, safety or welfare of the citizens of Hatfield.

OWNER - the actual owner, agent or custodian of the property on which motor vehicles are stored, whether individual or partnership, association or corporation.

PERSON - a natural person, firm, partnership, association, corporation or other legal entity.

In this Part the singular shall include the plural, the plural shall include the singular and the masculine shall include the feminine and neuter.

(Ord. 415, 7/19/2000, §201)

§202. Motor Vehicle Nuisances Prohibited. It shall be unlawful for any person, owner or lessee to maintain a motor vehicle nuisance upon the open private grounds of such person, owner or lessee within Hatfield Borough. A motor vehicle nuisance shall include any motor vehicle which does not have a current registration or inspection sticker or which is unable to move under its own power or one which has any of the following physical defects:

- A. Broken windshields, mirrors or other glass with sharp edges.
- B. One (1) or more flat or open tires or tubes which could permit vermin harborage.
- C. Missing doors, windows, hoods, trunk or other body parts which could permit animal harborage.
- D. Any body parts with sharp edges including holes resulting from rust.
- E. Missing tires resulting in unsafe suspension of the motor vehicles.

- F. Upholstery, which is torn or open which could permit animal and/or vermin harborage.
- G. Broken headlamps or tail lamps with sharp edges.
- H. Disassembled chassis parts apart from the motor vehicle stored in a disorderly fashion or loose in or on the vehicle.
- I. Protruding sharp objects from the chassis.
- J. Broken vehicle frame suspended from the ground in an unstable manner.
- K. Leaking or damaged oil pans or gases tanks, which could cause fire or explosion.
- L. Exposed battery containing acid.
- M. Inoperable locking mechanism for doors or trunk.
- N. Open or damaged floorboards including truck and fire wall.
- O. Damaged bumpers pulled away from the perimeter of the vehicle.
- P. Broken grill with protruding edges.
- Q. Loose or damaged metal trim and clips.
- R. Broken communication equipment antennae.
- S. Suspended on unstable supports.
- T. Such other defects which could threaten the health, safety and welfare of the citizens of Hatfield Borough.

(Ord. 415, 7/19/2000, §202)

§203. Exemptions. Notwithstanding any provision to the contrary herein, the Code Enforcement Officer may, for a reasonable period of time, exempt from the strict enforcement of this Part any historic or classic vehicle in the process of restoration and repair which, by reason of special circumstances, is deemed by him not to be a nuisance or an abandoned vehicle. (Ord. 415, 7/19/2000, §203)

§204. Inspection of Premises; Notice to Comply.

1. The Code Enforcement Officer is hereby empowered to inspect private property on which motor vehicles are stored to determine if there is compliance with the provisions of this Part. Noncompliance with the provisions of this Part creates a presumption that the condition constitutes a nuisance, and if such condition exists or if the property otherwise poses a threat to the health, safety or welfare of the public, the Code Enforcement Officer shall issue a written notice to be served by registered or certified

mail upon the owner of said premises, or, if the owner's whereabouts or identity be unknown, by posting the notice conspicuously upon the offending premises.

2. Said notice shall specify the condition complained of, and shall require the owner to commence to remove or otherwise rectify the condition as set forth therein within ten (10) days of mailing or posting of said notice, and thereafter, to fully comply with the requirements of the notice within a reasonable time.

(Ord. 415, 7/19/2000, §204)

§205. Authority to Remedy Noncompliance. If the owner of grounds on which motor vehicles are stored does not comply with the notice to abate the nuisance within the time limit prescribed, the Borough shall have the authority to take measures to correct the conditions and collect the cost of such corrections plus ten (10) percent of all costs. The Borough, in such event and pursuant to its statutory or otherwise authorized police powers, shall have the right and power to enter upon the offending premises to accomplish the foregoing. (Ord. 415, 7/19/2000, §205)

§206. Hearing.

1. Any person aggrieved by the decision of the Code Enforcement Officer may request and shall then be granted a hearing before the Borough Council provided he files with the Borough Council within ten (10) days after notice of the Enforcement Officer's decision, a written petition requesting such hearing and setting forth a brief statement of the grounds thereof. The hearing shall commence not later than thirty (30) days after the date on which the petition was filed unless postponed for sufficient cause.

2. After such hearing, a Borough Council shall sustain, modify or overrule the action of the Code Enforcement Officer.

(Ord. 415, 7/19/2000, §206)

§207. Penalties. Any person who shall violate any provision of this Part shall, upon conviction thereof, be sentenced to pay a fine of not more than three hundred (\$300.00), and in default of payment, to undergo imprisonment for a term not to exceed thirty (30) days. Each day that a violation of this Part continues shall constitute a separate offense. (Ord. 415, 7/19/2000, §207)

§208. Remedies Not Mutually Exclusive. The remedies provided herein for the enforcement of this Part, or any remedy provided by the law, shall not be deemed mutually exclusive, rather they may be employed simultaneously or consecutively, at the option of the Borough Council. (Ord. 415, 7/19/2000, §208)

