

ORDINANCE NO. 82

AN ORDINANCE PROHIBITING THE EXISTENCE OF NUISANCES
ON PRIVATE PROPERTY IN THE TOWNSHIP OF RUSH AND
PRESCRIBING PENALTIES FOR THE VIOLATION THEREOF.

BE IT ENACTED AND ORDAINED by the Board of Supervisors of
Rush Township, Schuylkill County, Pennsylvania, as follows:

SECTION I: Definition of "nuisance". For the purposes of
this Ordinance, the term "nuisance" is defined to mean any con-
dition or use of premises or of building exteriors which is detri-
mental to the property of others or which causes or tends to cause
substantial diminution in the value of other property in the
neighborhood in which such premises are located. This includes,
but is not limited to, the keeping or the depositing, or the scat-
tering over the premises of any of the following:

- (a) Lumber, junk, trash; or debris; or old dilapidated
buildings;
- (b) Abandoned, discarded or unused objects or equipment
such as automobiles, furniture, stoves, freezers,
refrigerators, cans or containers.

SECTION II: Duty of maintenance of private property. No
person owning, leasing, occupying or having charge of any premises
shall maintain or keep any nuisance thereon, nor shall any person
keep or maintain such premises in a manner causing substantial
diminution in the value of the other property in the neighborhood
in which such premises are located.

SECTION III: Exterior storage of non-operating vehicles prohibited. No person in charge of or in control of premises, whether as owner, lessee, tenant, occupant or otherwise shall allow any partially dismantled, wrecked, junked, discarded or otherwise non-operating motor vehicle to remain on such property longer than ten (10) days; and no person shall leave any such vehicle on any property within the Township for a longer time than ten (10) days; except that this section shall not apply with regard to any vehicle in an enclosed building or so located upon the premises as not to be readily visible from any public place or from any surrounding private property. This Ordinance shall further not apply with regard to any vehicle on the premises of a business enterprise operated in a lawful place, other than in a residential district, and operated in a lawful manner, when keeping or maintaining of such a vehicle is necessary to the operation of such business enterprise; or with regard to a vehicle in an appropriate storage place or depository maintained in a lawful place and manner by the Township or any other public agency or entity.

SECTION IV: Enforcement of Ordinance. Any person or persons, firm or corporation who shall violate or permit, suffer or allow any one to violate any of the provisions of this Ordinance shall be guilty of offense and upon conviction thereof before the District Magistrate in and for the Township of Rush shall be sentenced to pay a fine of not more than Three Hundred (\$300.00) Dollars and costs of prosecution and in default of the

County Jail for a period of not more than ninety (90) days. Enforcement of this Ordinance may also be accomplished by any person who by reason of another's violation of any provision of this Ordinance, suffers special damage to himself different from that suffered by other property owners throughout the Township generally, by way of an action to enjoin or otherwise abate an existing violation.

ENACTED AND ORDAINED into an Ordinance this 2nd day of November, 1989.

BOARD OF SUPERVISORS
OF RUSH TOWNSHIP

By: George A. Pinkney
Chairman

By: S. Paul Fogley
Supervisor

By: Kenneth C. Coffey
Supervisor

ATTEST:

Carol Ann Opet
Secretary