

## **NUISANCE CODE**

### **I. ENUMERATION OF PARTICULAR NUISANCES**

The presence of the following within the Township is declared to be detrimental to the public health, safety, and welfare and constitutes a nuisance:

- A. Sound, animals or things which interfere with the peace or comfort or disturb the quiet enjoyment of any person in the Township;
- B. Anything which is made, permitted, used, kept, maintained, operated, or any building or any animal that is kept in a manner which is offensive, nauseous, dangerous to life, limb or property, or detrimental to the health and/or safety of the persons residing in or traveling through that area;
- C. Any filthy, foul or offensive matter or liquid of any kind discharged into any street, alley or public place or on any adjacent lot or ground;
- D. Any lot, ground, or premises, within the Township, on which stagnant water may be standing so as to become or likely to become foul, putrid, offensive, harborage for insect and/or rodents or detrimental to the health and comfort of persons residing in the vicinity thereof;
- E. The emission of dense smoke from the chimney or smokestack of any building or premise or from any garbage or rubbish container;
- F. Any accumulation of debris, refuse, garbage, trash, tires, buckets, cans, wheelbarrows, garbage cans or other containers stored or dumped in a manner that may harbor mosquitoes, flies, insects, rodents, nuisance birds or any other animal pests that are offensive, injurious or dangerous to the health of individuals or the public;
- G. The presence of brush, weeds, or grass at a height of ten inches or more, dead or dying trees, stumps or roots
- H. Trees and scrubs as set forth in Section II;
- I. Any abandoned, unattended, wrecked, burned or partially dismantled, abandoned or derelict motor vehicle or solid waste material on land within the Township;

- J. In addition to what is herein declared to be a nuisance, those offenses known to the common law or of the state or federal statutes as nuisances may, in case the same exist within the Township, be treated as such and proceeded against as provided in this Code;

## II. TREES AND SHRUBS

- A. Trees, shrubs, bushes, weeds of plants permitted to grow or accumulate on premises adjacent to any street or alley or other public way in a manner so as to obstruct the view, impede public service vehicles and/or endanger traffic conditions, shall constitute a nuisance. Further, any limbs and foliage of trees planted on any premises that abut any street, alley or sidewalk that are not trimmed at least ten feet above the ground of a sidewalk and 15 feet above any street or alley, or other vegetation that hinders, obstructs, or endangers the passage of persons or vehicles along any street alley or sidewalk so as to obstruct the view of any traffic control sign or electronic device or the illumination of any public street light by any person traversing any street, alley or sidewalk is declared to be a nuisance.
- B. Any owner, occupant or person having control over any premises that abuts any street, alley or sidewalk that is in the condition described in subsection (II. A) shall trim the same. Any owner, occupant or person having control that does not trim may be served with a health violation ticket as provided in this Code.
- C. Any person violating the provisions of this sub-chapter shall be liable to the Township and to private persons or entities for any injury or damage arising therefrom.

## III. NUISANCES TO BE REMOVED

Any person causing a nuisance as defined in this code or recognized by the common law, and the owner, occupant or lessee of land on which any nuisance exists, are required to correct the nuisance. The correction shall be made within ten calendar days enumerated in the notice of violation from the Township. In all cases it shall be the ultimate responsibility of the owner of the premises on which a nuisance exists to correct the violation.

## IV. PENALTY-LIEN

- A. Any person who violates any provisions of this chapter shall, on conviction thereof, be punished by a fine not to exceed \$500 for each violation. Each during which a violation continues beyond the specified time for correction shall constitute a separate punishable offense.

- B. If the Township corrects the violation itself or causes the violation to be corrected on its behalf, a lien for the amount of time and expense to include, but not be limited to court costs and attorneys fees involved in correcting the violation shall be imposed against the land where the violation occurred. A minimum charge of \$100 for each hour, or part of an hour, shall be imposed for any work done by the Township, or on behalf of the Township in correcting a violation. This lien shall be recorded with the County Recorder of Deeds within 60 days after the work is done by the Township or on behalf of the Township and suit to collect the cost of the lien shall be filed after the recording of the lien.
  
- C. Where the Township itself corrects the violation or causes the violation to be corrected on its behalf, the violator shall be subject to both Division A. and B. of this section.