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Part 1

Grass and Weeds

§10-101. Prohibition.

No person owning or occupying any property within the Borough of Rutledge 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 6 inches or to throw off any unpleasant 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 of Rutledge in violation of any of the provisions of this Part is hereby declared to be a nuisance and detrimental to the health, safety, cleanliness and comfort of the inhabitants of the Borough.

(Ord. 321, 8/24/1976, §309.1)

§10-102. Responsibility.

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 §10-101, above.

(Ord. 321, 8/24/1976, §309.2)

§10-103. Notice; Borough May do Work and Collect Costs.

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 premise whereon grass, weeds or other vegetation is growing or remaining in violation of the provisions of §10-101 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 5 days after issuance of such notice. In case any person 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 in the manner provided by law.

(Ord. 321, 8/24/1976, §309.3)

§10-104. Penalties.

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Any person, firm or corporation who shall cause or help cause others to violate any provision of this Part shall, upon conviction thereof, be sentenced to pay a fine of not less than \$10 nor more than \$1,000 plus costs and, in default of payment of said fine and costs, to imprisonment for a term not to exceed 30 days. Each day that a violation of this Part continues shall constitute a separate offense.

(*Ord. 321, 8/24/1976, §309.4; as amended by Ord. 374, 7/11/1988; and by Ord. 428, 7/2/2001*)

Part 2

Storage of Motor Vehicles on Private Property

§10-201. Definitions.

1. As used in this Part, the following terms shall have the meanings indicated, unless a different meaning clearly appears from the context:

LESSEE - owner for a 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 semi-trailers 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 the Borough of Rutledge.

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.

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

(Ord. 377, 9/11/1989, §407.1)

§10-202. 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 the Borough of Rutledge. A motor vehicle nuisance shall include any motor vehicle which is unable to move under its own power and has any of the following physical defects:

- A. Broken windshields, mirrors or other glass, with sharp edges.
- B. One 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.

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- E. Missing tires resulting in unsafe suspension of the motor vehicle.
- F. Upholstery which is torn or open which could permit animal and/or vermin harborage.
- G. Broken head-lamps 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 pan or gas tank which could cause fire or explosion.
- L. Exposed battery containing acid.
- M. Inoperable locking mechanism for doors or trunk.
- N. Open or damaged floor boards including trunk and fire-wall.
- O. Damaged bumpers pulled away from the perimeter of 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 the Borough of Rutledge.

(*Ord. 377, 9/11/1989, §407.2*)

§10-203. Storage of Motor Vehicles Nuisances Permitted.

1. Any person, owner or lessee who has one or more motor vehicle nuisances as defined in §10-202, above, may store such vehicle(s) in the Borough of Rutledge only in strict compliance with the regulations provided herein. Such person, owner or lessee must, first apply for a permit for either temporary or permanent storage and pay a fee to the Borough of Rutledge pursuant to a resolution of the Borough of Rutledge. [*Ord. 428*]

2. With the special approval of the Borough Council motor vehicle nuisances may also be stored outside of an area enclosed by a chain link fence, at least 6 feet high, screened by shrubbery around the perimeter to the height of the fence, with an unobstructed gate capable of admitting fire or emergency equipment. Such gate shall remain locked at all times when unattended. In addition, all gas and oil or other flammable liquid shall be removed from the motor vehicle and it shall be kept free of vermin infestation while being stored. The total area of storage of motor vehicle nuisances may not exceed 200 square feet.
3. Nothing herein shall be construed to permit the storage of motor vehicle nuisances contrary to the provisions of this Part.

(*Ord. 377, 9/11/1989, §407.3; as amended by Ord. 428, 7/2/2001*)

§10-204. Inspection of Premises; Notice to Comply.

1. The Building Inspector, Health Officer, Police Department and/or Mayor are hereby empowered to inspect private property on which motor vehicles are stored to determine if there is compliance with the provisions of this Part. If noncompliance with the provisions of this Part constitutes a nuisance, or if any condition, structure or improvement poses a threat to the health, safety or welfare of the public, he 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 or structure or improvement complained of, and shall require the owner to commence to remove or otherwise rectify the condition or structure or improvement as set forth therein within 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. 377, 9/11/1989, §407.4*)

§10-205. 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 of Rutledge shall have the authority to take measures to correct the conditions and collect the cost of such corrections plus 10% of all costs. The Borough of Rutledge and its agents, 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. 377, 9/11/1989, §407.5*)

§10-206. Hearing.

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1. Any person aggrieved by the decision of the Borough Officer may request and shall then be granted a Hearing before the Borough Council; provided, he files with the Borough Council within 10 days after notice of the Borough Officer's decision, a written petition requesting such hearing and setting forth a brief statement of the grounds therefor. The hearing shall commence not later than 30 days after the date on which the petition as filed unless postponed for sufficient cause.
2. After such hearing, the Borough Council shall sustain, modify or overrule the action of the Borough Officer.

(Ord. 377, 9/11/1989, §407.6)

§10-207. Penalties.

Any person, firm or corporation who shall violate any provision of this Part shall, upon conviction thereof, be sentenced to pay a fine not more than \$1,000 plus costs and, in default of payment of said fine and costs, to imprisonment for a term not to exceed 30 days. Each day that a violation of this Part continues shall constitute a separate offense. Each day that a violation of this Part continues shall constitute a separate offense.

(Ord. 377, 9/11/1989, §407.7; as amended by Ord. 428, 7/2/2001)

§10-208. Remedies Not Mutually Exclusive.

The remedies provided herein for the enforcement of this Part, or any remedy provided by law, shall not be deemed mutually exclusive; rather they may be employed simultaneously or consecutively at the option of the Borough Council.

(Ord. 377, 9/11/1989, §407.8)

Part 3

Noise

§10-301. Loud Noises Prohibited.

No person within the Borough shall wilfully make or cause to be made any loud, boisterous or unseemly noise or disturbance to the annoyance of any person. Provided, nothing contained in this Section shall restrict or limit the normal use to be made of the park, recreation field, playing field and playground in the Borough of Rutledge.

(Ord. 321, 8/24/1976, §314.1)

§10-302. Calling or Mechanical Devices Prohibited.

No person shall make or cause to be made or permit to be made, any noise of any kind, by crying, calling or shouting, or by means of any whistle, rattle, gong, horn, drum or similar mechanical device for the purpose of advertising any goods, wares or merchandise, or of attracting the attention or inviting the patronage of any person to any business whatsoever, in the Borough of Rutledge.

(Ord. 321, 8/24/1976, §314.2)

§10-303. Commercial Mechanical Devices Prohibited.

No person in the Borough shall, for commercial purpose, or in connection with any commercial enterprise, erect or locate any device or apparatus in front of or on the exterior of premises owned or occupied by him which by mechanical or electrical means, emits any loud sounds or noises, so as to annoy or disturb passersby on the street or the general public. Provided, the provisions of this Section shall not apply in time of emergency to any announcement or broadcast of any current event of public interest.

(Ord. 321, 8/24/1976, §314.3)

§10-304. Loud Machinery and Engines Prohibited.

No person shall operate, or cause or allow to be operated, upon the premises owned or occupied by such person, within the Borough of Rutledge, any gas engine, gasoline engine or steam engine, with an exhaust, or any compressor, or any other machinery or mechanical device of any kind whatsoever, making a noise that shall be offensive to any of the inhabitants of the Borough. Any person operating any such engine or machine or mechanical device shall cause the exhaust therefrom to be so muffled, controlled or insulated that it shall make no noise that will be offensive to any of the inhabitants of the Borough of Rutledge.

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(*Ord. 321, 8/24/1976, §314.4*)

§10-305. Penalties.

Any person, firm or corporation who shall violation, or cause or help others to violate any provision of this Part shall, upon conviction thereof, be sentenced to pay a fine of not less than \$10 nor more than \$1,000 plus costs and, in default of payment of said fine and costs, to imprisonment for a term not to exceed 30 days. Each day that a violation of this Part continues shall constitute a separate offense.

(*Ord. 321, 8/24/1976, §314.5; as amended by Ord. 374, 7/11/1988; and by Ord. 428, 7/2/2001*)

Part 4

Building Nuisances

§10-401. Noxious Odors Prohibited.

No person shall possess, have custody of, or maintain, in or upon any building, lot or premises, any animal or animals which cause, produce, result in or emit odors, fumes, smells, noises or disturbances which are offensive or detrimental to the health, safety or welfare of the public or of the peaceful enjoyment of their homes or premises and the streets of the Borough, and the same shall be declared a nuisance.

(Ord. 321, 8/24/1976, §402.1)

§10-402. Infestation Prohibited.

No person shall permit any building, lot or premises to become infested with roaches, bugs, insects of any nature or vermin, which may tend to or do spread to other premises, or which are offensive or detrimental to the health, safety or welfare of the public or of the peaceful enjoyment of their homes or premises, or of the streets of the Borough, and same shall be declared a nuisance.

(Ord. 321, 8/24/1976, §402.2)

§10-403. Stagnant Water Prohibited.

No person shall permit any body of water that has or may become stagnant to remain on the premises owned or occupied by him, nor shall he permit to remain therein or thereon any material or materials which cause, produce or result in odors, fumes, smells or other conditions which are offensive or detrimental to the health, safety or welfare of the public or of the peaceful enjoyment by the public of their homes or premises or the streets of the Borough, and the same shall be declared a nuisance.

(Ord. 321, 8/24/1976, §402.3)

§10-404. Noxious Water in Streets Prohibited.

No person shall run, cast or deposit, either by means of a drain or otherwise, upon any premises or upon any street or alley in the Borough any sewage, kitchen slops, wash water, soap suds or any other nauseous, offensive liquid or substances, and the same shall be declared a nuisance.

(Ord. 321, 8/24/1976, §402.4)

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§10-405. Health Officer.

Under the direction of the Borough Council, the Health Officer, in his official capacity, shall be in charge of the enforcement of this Part and he shall act as prosecutor in all cases of violation of this Part, and of the rules and regulations relating thereto and adopted by resolution of the Borough Council from time to time.

(Ord. 321, 8/24/1976, §402.5)

§10-406. Notice.

No person shall maintain or permit to be maintained on any declared to be a nuisance hereunder and upon receipt of notice from the Health Officer that such condition exists, it shall be the duty of that person to abate the nuisance within the time limit specified in said notice.

(Ord. 321, 8/24/1976, §402.6)

§10-407. Penalties.

Any person, firm or corporation who shall violation, or cause or help others to violate any provision of this Part shall, upon conviction thereof, be sentenced to pay a fine of not less than \$10 nor more than \$1,000 plus costs and, in default of payment of said fine and costs, to imprisonment for a term not to exceed 30 days. Each day that a violation of this Part continues shall constitute a separate offense.

(Ord. 321, 8/24/1976, §402.7; as amended by Ord. 374, 7/11/1988; and by Ord. 428, 7/2/2001)

Part 5

Inspection of Professional Offices

§10-501. Inspection.

All professional offices, studios or shops conducted in the Borough of Rutledge shall be open for and subject to inspection, at any and all times during business hours, by the Borough Health Officer. No person conducting a business under the zoning laws [Chapter 27] of the Borough shall refuse admittance to the Health Officer to any part of such office, studio or shop.

(Ord. 321, 8/24/1976, §403.1)

§10-502. Penalties.

Any person, firm or corporation who shall violation, or cause or help others to violate any provision of this Part shall, upon conviction thereof, be sentenced to pay a fine of not less than \$300 nor more than \$1,000 plus costs and, in default of payment of said fine and costs, to imprisonment for a term not to exceed 30 days. Each day that a violation of this Part continues shall constitute a separate offense

(Ord. 321, 8/24/1976, §403.2; as amended by Ord. 374, 7/11/1988; and by Ord. 428, 7/2/2001)

