

ORDINANCE NO. 109

AN ORDINANCE OF THE TOWNSHIP OF WHITE,  
EMPOWERING THE TOWNSHIP TO PROHIBIT AND  
REMOVE ANY ACCUMULATIONS OF GARBAGE AND  
RUBBISH OR OTHER UNHEALTHY AND/OR UNSAN-  
ITARY CONDITION; AND PROVIDING FOR LIENS  
OR PENALTIES FOR VIOLATION THEREOF.

SECTION I. The Board of Township Supervisors hereby declares that the accumulation of garbage and rubbish, except in a proper container for the purpose of prompt disposal, constitutes a nuisance and is hereby prohibited.

SECTION II. Both the owner and/or occupier of all grounds within the Township are hereby prohibited from maintaining any nuisance, including but not limited to the items herein set forth and the violation thereof shall be subject to all the terms, conditions and penalties provided for in this Ordinance.

SECTION III. Upon determination of the existence of a nuisance under the terms and provisions of this Ordinance, the Township Secretary shall, by Certified Mail addressed to the last known address of the owner and/or occupier of such property, give notice requiring the removal of said nuisance within such period of time as is set forth in the Notice, but in no event will said period be less than ten (10) days. If property is not occupied and the whereabouts or identity of the owner is unknown then notice shall be given by posting said notice on the property. Upon failure of the owner and/or occupier to remove the nuisance, the Township may cause the same to be done and shall be intitled to collect the cost of removal or abatement of such nuisance. Collection of said cost shall be accomplished by summary proceedings or in the manner provided for the collection of municipal claims or by an action of assumpsit without the filing of a claim. In the exercise of the powers herein conferred, the Township may seek relief by bill inequity.

SECTION IV. Upon determination of the existance of a nuisance under the terms and provisions of this Ordinance, the owner and/or occupier of the premises shall be deemed in

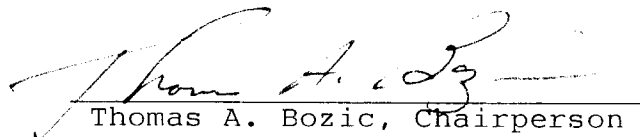
violation of this Ordinance and shall be sentenced to pay a fine of not less than Two Hundred (\$200.00) Dollars and not more than Six Hundred (\$600.00) Dollars and the costs of prosecution thereof in manner provided by The Second Class Township Code, and upon failure to pay said fine and costs shall be committed to jail as provided by The Second Class Township Code. It is further provided that each day's violation after expiration of the time set forth in the Notice to abate or remove the nuisance shall constitute a separate offense. The fine and costs herein provided shall be in addition to the cost of removal permitted to be recovered by the terms and provisions of Pamphlet Law No. 103.

SECTION V. All sections, paragraphs or parts of this Ordinance are severable and if any section, paragraph or portion shall be declared invalid or unconstitutional, the same shall not affect the validity of any or all other provisions, sections, paragraphs and portions or parts of this Ordinance. It is hereby declared that it is the intent of the Township that this Ordinance would have been adopted as if such unconstitutional, illegal, of invalid, sentence, clause or section or part thereof had not been included herein.

SECTION VI. Any Ordinance or part of any Ordinance conflicting with this Ordinance is hereby repealed insofar as the same is inconsistent herewith.

ENACTED and ORDAINED this 1<sup>st</sup> day of June, 2004 by the Board of Supervisors of the Township of White, County of Beaver and commonwealth of Pennsylvania.

SIGNED:

  
Thomas A. Bozic, Chairperson

  
Therese G. Pamer, Supervisor

Kathleen A. Porter, Supervisor

ATTEST:

  
Deborah A. Kaszer, Secretary