
BOROUGH OF WILSON

ORDINANCE NO. 807

**AN ORDINANCE ADOPTING THE QUALITY OF LIFE AND VIOLATIONS TICKET
PROCESS IN THE BOROUGH OF WILSON, NORTHAMPTON COUNTY,
PENNSYLVANIA**

PROPERTY MAINTENANCE RULES AND REGULATIONS

The Borough of Wilson ("the Borough"), by and through its elected officials, do hereby set forth this Ordinance, and do hereby propose that through this Ordinance, the Borough & duly appointed officials is empowered to Govern & enforce these laws in order to provide an improved community-wide standard of living within the Borough of Wilson. The Borough of Wilson shall be empowered to complete those acts, which are in the best interests of the residents of the Borough, to enhance the quality of life within the jurisdictional boundaries of the Borough of Wilson.

Section 1. Purpose.

It is the stated purpose of this Ordinance to promote the health, safety and general welfare of the Borough by helping to create a clean environment for the citizens of Wilson. Lack of maintenance of properties, littering, improper storage of trash and rubbish, storage of inoperable/non-registered vehicles, vendor operations without permits, and accumulation of snow and ice are costly problems contributing to the deterioration of property values and general appearance and safety within this community. These problems degrade the physical appearance of the Borough, which reduces business and tax revenue stifling economic development. The quality of life and community pride of the citizens of Wilson are negatively impacted by continued existence of these problems if not addressed with a plan to abate and/or eliminate these concerns.

Section 2. Definitions.

The following words, terms, and phrases, when used in this Part, shall be defined as follows, unless context clearly indicates otherwise:

AUTHORIZED LITTER RECEPTACLE - a litter collection receptacle which is placed on the public right-of-way or on public property by the Borough for use by the public to deposit small quantities of hand-held trash, not including household or commercial waste.

DEBRIS - any material upon the premises that is a residue of structural demolition, or any other material that is not neatly stored, stacked, or piled in such a manner so as to avoid the creation of a nuisance or become a harboring place and potential food supply for insects, rodents and vermin.

DUMPING - includes, but is not limited to, depositing of litter, durable goods (refrigerators, washers, dryers, etc.) small appliances, furniture, carpets, tires, vehicles, vehicle parts and automotive products, and other such municipal waste, hazardous waste, residual waste and construction or demolition debris on public or private property, except as authorized by law.

GARBAGE - animal or vegetable waste resulting from the handling, preparation, cooking, and/or consumption of food or food products.

GRAFFITI - any unauthorized inscription, word, figure, mark, adhesive label patch or design that is written, marked, etched, scratched, drawn, painted or engraved on, or otherwise affixed to, any surface of public or private property, including but not limited to, buildings, homes, structures, store fronts and the like.

HAZARDOUS WASTE - any waste material or a combination of solid, liquid, semisolid, or contained gaseous material that because of its quantity, concentration, physical, chemical, or infectious characteristics may:

- (1) Cause, or significantly contribute to, an increase in mortality or in serious irreversible and/or incapacitating conditions.
- (2) Pose a substantial present or potential hazard to human health or the environment when improperly treated, stored, transported, or disposed of or otherwise managed.

HOUSEHOLD HAZARDOUS WASTE (HHW) - waste which would be chemically or otherwise classified as a hazardous waste by any Governmental Agency, but excluding from regulation as a hazardous waste because it is produced in quantities smaller than those regulated by the Pennsylvania Department of Environmental Protection, and because it is generated by persons not otherwise covered as hazardous waste generators by those regulations. Such HHW materials meet one of the following four classifications: toxic, flammable, reactive, or corrosive. HHW consists of numerous products that are common to the average household such as: pesticides and herbicides, cleaners, automotive products, oil-based paints, fluorescent light bulbs, acids and other products meeting DEP list of household hazardous materials.

IMMINENT DANGER -- A condition which may cause serious or life-threatening injury or death for any reason as determined by a Law Officer acting in that capacity.

INDOOR FURNITURE - any and all pieces of furniture which are made for only inside use including, but not limited to, upholstered chairs and sofas, etc.

JUNKED VEHICLE -- a motor vehicle which presents a hazard or danger to the public or is a public nuisance by virtue of its state, condition level of disrepair or its location.

The following conditions, if present, constitute examples of a condition of disrepair:

- (1) Rusted and /or jagged metal on or protruding from the body of the vehicle.
- (2) Broken glass or windows on or in the vehicle.
- (3) Leaking of any fluids from the vehicle or deflated or flat tire(s).
- (4) Unsecured and /or unlocked doors, hood, or trunk.
- (5) Storage or placement of the vehicle in an unbalanced condition, on blocks, or jacks or other similar apparatus. (See Motor Vehicle Nuisance).
- (6) Harboring of rodents, insects, or other pests;
- (7) Any other noxious or offensive material, as determined by a Governmental Agency.

The foregoing examples are not inclusive of all conditions which may constitute a state or condition of disrepair. See also "motor vehicle nuisance."

LITTER - all waste material, garbage, trash, i.e. waste paper, tobacco products, wrappers, food or beverage containers, newspapers, etc., municipal waste, human waste, domestic animal waste, furniture or motor vehicle seats, vehicle parts, automotive products, shopping carts, construction or demolition material, recyclable material, and dirt, mud and yard waste that has been abandoned or improperly discarded, deposited, or disposed of.

LOCAL RESPONSIBLE AGENT - any person residing or working within the County of Northampton designated to accept service on behalf of a legal owner or operator of a rental dwelling unit.

MOTOR VEHICLE - any type of mechanical device, capable or at one time capable of being 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, motorcycles, ATV's, snowmobiles and mopeds.

MOTOR VEHICLE NUISANCE - a motor vehicle with one or more of the following defects or conditions:

- (1) Broken windshields, mirrors, or other glass, with or without sharp edges.
- (2) Broken headlamps, tail lamps, bumpers, or grills.
- (3) Any body parts, truck, firewall, or floorboards with sharp edges or large holes resulting from rust.
- (4) Protruding sharp objects from any part of the vehicle.
- (5) Missing doors, windows, hood, trunks, or other body parts that could permit animal harborage.
- (6) One or more open tires or tubes which could permit animal harborage.
- (7) Any vehicle suspended by blocks, jacks, or other such materials in a location which has the potential to pose a danger to the public, property owners, visitors, or residents of the property on which said vehicle is found.
- (8) Fluids leaking from a vehicle which is determined harmful to the public or the environment.
- (9) Disassembled body or chassis parts stored in on or about the vehicle.
- (10) Vehicles that do not display a current valid license and registration, or otherwise not in compliances with any and all relating to the licensing and operation of motor vehicles.
- (11) Such other defects or conditions which the Fire Department determines to have the potential of causing damage to public or private property.
- (12) Motor vehicles parked, drifted, or otherwise located which may interfere with flow of pedestrians and where a duly authorized Officer of the Law resulted in automobile traffic or impede emergency efforts.

MUNICIPAL WASTE - any garbage, refuse, industrial, lunchroom, or office waste, and

other material including solid, liquid, semisolid, or contained gaseous material resulting from operation of residential, municipal, commercial, or institutional establishments or from community activities, and which is not classified as residual waste or hazardous waste as defined herein. The term does not include source separated recyclable materials or organic waste.

NOTICE OF VIOLATION - a written document issued to a person in violation of a Borough ordinance which specifies the violation and contains a directive to take corrective action within a specified time frame or face further legal action.

NUISANCE - any condition, structure, or improvement which constitutes a danger or potential danger to the health, safety, or welfare of citizens of the Borough, or causes a blight in Borough neighborhoods as determined by a duly authorized Officer of the Law offers after reasonable inspection. See also "public nuisance."

OWNER – the owner of record of the property as set forth in the Office of the Recorder of Deeds in Northampton County.

PERSON – Any individual residing in or having occasion to appear within the jurisdiction boundaries of Wilson Borough and shall specifically include any and all Business Entities, firms, corporations, partnerships, associations, or institutions.

PLANTER STRIP - the non-concrete space between the sidewalk and the curb.

PRIVATE PROPERTY - any land, and improvements thereon, owned by any person and includes front, side, and rear yards; vacant lots, buildings, and other structural improvements; walkways and alleyways; and parking areas, designed or used either wholly or in part for private residential, industrial, or commercial purposes, whether inhabited, temporary, continuously uninhabited, or vacant, including any yard, grounds, walk, driveway, porch, steps, vestibule, or mailbox belonging to or appurtenant to such dwelling, house, building, or other structure.

PROPERTY – a legal or equitable interest in real or personal property, including but not limited to the interest of a tenant or lessee.

PUBLIC OFFICER - any police officer, code officer, authorized inspector, or public official designated by the Borough to enforce the Borough Ordinances.

PUBLIC NUISANCE – in addition any conditions or premises which are unsafe or unsanitary.

PUBLIC RIGHT-OF-WAY - the total width of any land used, reserved, or dedicated as a street, alley, driveway, sidewalk, or utility easement, including curb and gutter areas.

RECYCLABLE MATERIAL - material which would otherwise become municipal waste, which can be collected, separated, or processed, and returned to the economic main-stream in the form of raw materials or products. These materials shall include, but not necessarily be limited to, aluminum cans, ferrous and bi-metal cans, glass containers, plastic bottles and containers, mixed paper, white goods, major appliances, televisions, tires, batteries, fluorescent bulbs, and large auto parts.

RESIDUAL WASTE - any discarded material or other waste including solid, semisolid, or contained gaseous materials resulting from construction, industrial, mining, and agricultural operations, excluding municipal water and sewer operations.

RESPONSIBLE PARTY – an owner, entity or person acting as an agent for another, which has authority over the property or is responsible for the property's maintenance or management, irrespective of any arrangement to the contrary with any other party, each owner shall always be a responsible party for the purpose of this chapter. There may be more than one responsible party for a particular property.

RUBBISH - combustible and noncombustible waste materials, except garbage; the term shall include the residue from the burning of wood, coal, coke, and other combustible materials, paper, rags, cartons, boxes, wood, excelsior, rubber, leather, tree branches, yard trimmings, tin cans, metals, mineral matter, glass, crockery, and dust and other similar materials.

SHADE TREE - unless otherwise specified, includes all trees, shrubs, and woody vegetation in the public right-of-way or which falls within the provisions.

SIDEWALK AREA - the public right-of-way between the property line and the curb line or the established edge of the roadway.

SOLID WASTE - any waste including, but not limited to, municipal, residual, or hazardous wastes, including solid, liquid, semisolid, or contained gaseous materials.

STORAGE - the containment of any municipal waste on a temporary basis in such a manner as to constitute disposal as such waste. It shall be presumed that the containment of any municipal waste in excess of three (3) months constitutes disposal.

TREE WELL - the non-concrete area surrounding a shade tree planted between the sidewalk and the curb.

VEGETATION - any planting that is cultivated and managed for edible or ornamental purposes such as vegetable gardens, trees, shrubs, hedges, flowers, and other organic living vegetation, etc.

VIOLATION TICKET - a form issued by a police officer or other authorized person to a person who violates a provision of this Section. The violation ticket is an offer by the Borough of Wilson extended to a person to resolve a violation by paying the fine in lieu of a citation being issued against the violator.

WEEDS - shall be defined as all grasses, annual plants, and vegetation, which meet any of the following criteria:

- (1) Exceed ten (10) inches in height.
- (2) Emits foul or odorous scents or pollen such as ragweed, dandelion, and similar vegetation commonly referred to as weeds, brush or non-decorative vegetation.
- (3) May conceal filthy deposits or serve as breeding places for mosquitoes, other insects, or vermin.
- (4) Cause a public nuisance in the sound discretion of a Public Official.

Weeds shall not include cultivated and managed vegetation planted for edible or ornamental purposes such as vegetable gardens, trees, shrubs, flowers, etc.

YARD - an open space on the same lot along with a structure as part of a lot or other condition ancillary to the structure.

Section 3. Quality Of Life Violations.

1. Accumulation of Rubbish or Garbage. All exterior property and premises, and the interior of every structure, shall be free from any accumulation of waste, trash, rubbish, or garbage.
2. Animal Maintenance and Waste/Feces Clean-Up. People owning, harboring, or keeping an animal within the Borough of Wilson shall not permit any waste matter/feces from the animal to collect and remain on the property so as to cause or create an unhealthy, unsanitary, dangerous, or offensive living condition. All waste from animals must be removed on a daily basis. Fecal matter remaining for more than 24 hours shall be subject to daily fines. This provision shall apply to the owner or caretaker of an animal on property which is the home of the animal or where the animal may come to be with the owner.
3. Disposal of Rubbish or Garbage/Dumping. Improper disposal of rubbish or garbage, or dumping or disposing of rubbish or garbage on vacant, unoccupied, or other property.

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4. **High Weeds, Grass or Plant Growth.** All premises and exterior property shall be maintained free from weeds or plant growth in excess of ten (10) inches (254 mm). All noxious weeds shall be prohibited. Weeds shall be defined as all grasses, annual plants, and vegetation. Cultivated flowers, gardens, trees, and shrubs shall not be included as a violation of this Part.
 5. **Littering or Scattering Rubbish.** No person shall throw, dump, place, sweep, or dispose of any waste, trash, garbage, or rubbish upon any public sidewalk, alley, street, bridge, public passageway, public parking area, or on any public property.
 6. **Motor Vehicles.** It shall be unlawful to store, park, or maintain any unregistered, uninspected, inoperative, unlicensed, or inoperable motor vehicle on any property. Painting of vehicles shall take place only inside an approved spray garage, structure or other place with a permit issued by the Borough.
 7. **Operating a Food Cart Illegally.** It shall be unlawful to operate any food cart without the proper permits and/or health inspections. It shall also be unlawful to operate any food cart while any portion of the cart is inoperable or uninspected.
 8. **Operating or Vending Without the Proper Permit/License.** It shall be unlawful for any person, business, partnership, or entity to operate or engage in a business including, but not limited to, any business, vending cart, store, or establishment without the proper permits.
 9. **Outside Placement of Indoor Appliances/Furniture.** It is prohibited to store or place any/all appliances or furniture including, but not limited to, ranges, refrigerators, air conditioners, ovens, washers, dryers, microwaves, dishwashers, mattresses, recliners, sofas, interior chairs, or interior tables on the exterior of any property for the purpose of sale or any other reason, except for the temporary purpose to perform maintenance on said property.
 10. **Ownership Presumption of Waste, Trash, and/or Recyclables for Illegal Dumping and Illegal Hauling.** It shall be the responsibility of every owner and/or occupant to dispose of their waste, trash, or recyclables in a manner consistent with this Ordinance. Any business or person who is unable to demonstrate the proper manner of deposing waste will be in violation of this section. Should any person or business engage an unlicensed hauler to dispose of their waste, trash, or recyclables, said person or business shall be in violation of this Part. Upon request of the Public Officer, any owner or occupant must demonstrate their appropriate trash and/or recyclable hauler. Any parts found within a municipal waste container, recycling container, garbage bag, or loose trash/waste displaying the name and/or address of a person and/or persons, that trash or waste shall be presumed to be the property of such person and/or persons. It shall be unlawful for any person, business, partnership, or entity to remove or haul waste, trash, or recyclables without the proper approval or license. Any waste, trash, or recyclables found not to be disposed of in accordance with this Part will be a violation of this Part.

11. Placement or Littering by Private Advertising Matter. No person shall throw, place, sweep, or dispose of litter or private advertising matter upon any public sidewalk, alley, street, bridge, public passageway, public parking area, or any public property. No person, group, organization, or entity will hang, place, or advertise on any public property in any manner. No person, group, organization, or entity will hang, place, or advertise on any property that they do not have any ownership rights to without the written approval of said owner.

12. Snow and Ice Removal from Sidewalks. Every owner, tenant, occupant, lessee, property agent, or any other person who is occupying, managing, or maintaining any property within the Borough of Wilson, is required to remove any snow or ice from their sidewalk and other areas used for public walkways, within fifteen (15) hours of the cessation of said snow and ice falling. They must create a travelable path, free of snow or ice, of three (3) feet on said sidewalk. Should any property be a place of business within the Borough of Wilson, all snow and ice must be removed within four (4) hours of the cessation of said snow and ice falling. Any property that is deemed a business must have the entire sidewalk free from any snow and ice. If and/or when the snow and/or ice cessation happens during the hours of darkness, the time limit of removal of all snow and ice begins at daybreak or 7:00 a.m., whichever is later.

13. Storage Containers for Waste or Trash. The owner of every premises shall supply approved containers for waste /trash, as well as be responsible for the removal of rubbish. All containers that store waste or trash shall be durable, water tight, and made of metal or plastic. Containers must have tight fitting covers, and must be kept clean and odor free at all times. All containers must be stored so said containers are not reasonably visible from the public right-of-way. Waste/trash containers may only be placed in front or rear of any property, based on where waste/trash pick-up occurs, when darkness occurs the night before the day of the scheduled waste/trash pick-up day. Once the licensed hauler removes the waste/trash from any property, all containers must be returned on the property before daybreak on the day following pick-up.

14. Storing or Discarding of Appliances. Refrigerators, freezers and similar equipment including, but not limited to, washers, dryers, dishwashers, microwaves and ranges not in operation shall not be discarded, stored, or abandoned on any premises without first removing the doors.

15. Storing of Hazardous Material. It shall be unlawful for any person, business or entity to store combustible, flammable, explosive, or other hazardous materials including, but not limited to, paints, volatile oils and cleaning fluids, or combustible rubbish including, but not limited to, wastepaper, boxes, or rags unless the storage of said materials is stored in compliance with the applicable Building Codes and after receiving a permit.

16. Storing of Recyclables. It shall be the responsibility of the owner of all residential, commercial, and industrial property to ensure storage, collection, and disposal of all recyclables from their property in such a manner not to create a public nuisance. Storage of recyclables is only allowed in approved containers, which must be kept clean and sanitary at all times.

17. **Storing or Serving of Potentially Hazardous Food.** No individual or entity operating a business shall store or serve potentially hazardous food. Including, but not limited to, expired food products, food stored outside of recommended temperature; food stored directly on a flooring surface; infestation at the location; and/or serving of food that had previously been opened or otherwise in a condition which may be harmful.

18. **Swimming Pools.** Swimming pools shall be maintained in good repair at all times and shall be kept clean, safe, covered, sanitary and treated by required chemicals.

19. **Violating the Terms of Any Vending License.** It shall be unlawful to violate any term, part, portion of any vending license. Any person, business, partnership, or entity violating their vending license shall be in violation of this Part.

20. **Temporary Dumpster / Pod Permit Required.** Each temporary dumpster or storage pod placed on a borough street or in a public right of way, shall display a valid permit issued by the Borough of Wilson.

21. **Graffiti.** It shall be unlawful for any unauthorized inscription, word, figure, mark, adhesive label patch or design that is written, marked, etched, scratched, drawn, painted or engraved on, or otherwise affixed to, any surface of public or private property, including but not limited to buildings, structures or places including property owned by the person inscribing.

22. **Unsafe Structures, Conditions and Equipment.** When a structure or equipment of any residential or commercial is found to be unsafe, or when is found unfit for human occupancy, or is found unlawful, such structure shall be condemned pursuant to the provisions of this Code.

23. **Vacant Structures and Land.** Vacant structures and land shall be maintained in a clean, safe, secure and sanitary condition as provided herein so as not to cause a blighting problem or adversely affect the public health or safety.

24. **Exterior Property Areas.** Exterior property areas shall be maintained in a clean, safe, and sanitary condition. The occupant / owner shall keep that part of the exterior property that such occupant / owner occupies or controls in a clean and sanitary condition.

25. **Windows, Skylights, and Door Frames.** Every window (glass), skylight, door and frame shall at all times be kept in condition which protects the dwelling's interior.

Section 4. Enforcement.

1. The provisions of this Part shall be enforced by any public officer or employee of the Borough of Wilson authorized to enforce ordinances.
2. Any violation of the provisions of this Part may be cause for a citation, a violation ticket, and/or a notice of violation to be issued to the violator.

Section 5. Service.

Notices of any violation shall be served upon an alleged violator by personal service by an adult authorized by Borough Council; by handing same to the alleged violator; by delivery to the residence of the alleged violation by handing the Notice to an adult member of the household or other adult responding; by leaving or affixing the notice at the door of the residence of the alleged violation property; or by Certified Mail (read receipt requested) to the violator's address of record.

Section 6. Separate Offense.

Each day a violation continues or is permitted to continue may constitute a separate offense for which a separate fine may be imposed.

Section 7. Abatement of Violation.

1. Any person or business violating this Part shall be issued a quality of life ticket or citation. A public officer is authorized and empowered to cause a violation to be corrected. The cost shall be determined by the Borough Council in an amount equal to compensation for all costs, fees, services, or other official action.
2. At the direction of the Borough, a contractor may be hired to abate the violation at the expense of the owner and/or tenant and/or occupant of the property. A bill/invoice will be generated to the violator for payment separate from the quality of life ticket, which shall be paid promptly. The Borough may impose Municipal Liens on property of Offenders.
3. Where the Borough abates the violation, at its cost, the Borough is authorized to recover from the offending party, the owner of the property, or tenant the abatement charges and such other charges established by the Code Enforcement Officer and the rules and regulations.
4. Borough of Wilson Cleanup. The Borough reserves the right to perform any necessary work to abate any violation once seventy-two (72) hours passes from the date of issuance of the quality of life ticket. Should the violation at the discretion of the Code Enforcement Officer present imminent danger and/or pose a health

hazard and/or risk, the borough reserves the right to perform the abatement immediately. The entire cost of abatement actions taken or caused to be taken by the Borough, shall be recoverable from each of the persons responsible for correcting violations. In addition, the entire cost of the abatement actions may be the subject of a lien on the property. The lien shall be enforced in the manner prescribed by law. The costs may include man labor, expenses, cost of outside contractors and the cost of any material necessary for the abatement. The Borough reserves the right to charge an additional twenty (20%) percent on all material purchases to cover all miscellaneous expenses, such as wear and tear on equipment.

5. Contractor Cleanup. The Borough may hire a contractor to abate the violation after 72 hours' notice and failure to abate. Should the violation present imminent danger and/or pose a health hazard and/or risk, the Borough reserves the right to direct the contractor to perform the abatement immediately.

Section 8. Fines and Penalties.

A. Failure to pay a \$25.00 violation ticket or request a Hearing within ten (10) days shall be subject to a \$10.00 daily assessment for days 11 through 30.

B. If the person in receipt of a \$50.00 violation ticket fails to pay the fine or request a hearing within ten (10) days, that person shall be subject to a \$25.00 per day assessment for days 11 through 30.

C. If the person in receipt of a \$100.00, \$250.00, or higher violation ticket fails to pay the fine or request a hearing within ten (10) days, that person will be subject to an additional \$50.00 assessment.

D. Failure of the person to make payment or request a hearing within thirty (30) days of a violation ticket shall make the person subject to a citation for failure to pay.

E. Any persons in violation of this Part may, within ten (10) days, agree to pay fines and costs or request a Hearing.

F. Any person faced in violation hereof shall pay a fine as set forth herein for each offense, plus all direct and indirect costs incurred by the Borough for all costs relating to the abatement of the violation.

Violation	Description	Fine 1	Fine 2	Fine 3+
QOL-001	Accumulation of rubbish or garbage	\$25.00	\$50.00	\$100.00

QOL-002	Animal maintenance and waste/feces clean-up	\$25.00	\$50.00	\$100.00
QOL-003	Disposal of rubbish or garbage. Dumping	\$25.00	\$50.00	\$100.00
QOL-004	High weeds, grass or plant growth	\$25.00	\$50.00	\$100.00
QOL-005	Littering or scattering rubbish	\$25.00	\$50.00	\$100.00
QOL-006	Motor vehicles	\$25.00	\$50.00	\$100.00
QOL-007	Operating a food cart illegally	\$25.00	\$50.00	\$100.00
QOL-008	Operating or Vending Without the Proper Permit or License	\$25.00	\$50.00	\$100.00
QOL-009	Outside placement of indoor appliances/furniture	\$25.00	\$50.00	\$100.00
QOL-010	Ownership presumption of waste, trash and/or recyclables for illegal dumping and	\$25.00	\$50.00	\$100.00
QOL-011	Placement of littering by private advertising matter	\$25.00	\$50.00	\$100.00
QOL-012	Snow and ice removal from sidewalks	\$25.00	\$50.00	\$100.00
QOL-013	Storing containers for waste or trash	\$25.00	\$50.00	\$100.00
QOL-014	Storing or discarding of appliances	\$25.00	\$50.00	\$100.00
QOL-015	Storing of hazardous material	\$25.00	\$50.00	\$100.00
QOL-016	Storing of recyclables	\$25.00	\$50.00	\$100.00
QOL-017	Storing or serving potentially hazardous food	\$25.00	\$50.00	\$100.00
QOL-018	Swimming Pools	\$25.00	\$50.00	\$100.00
QOL-019	Violating the terms of any vending license	\$25.00	\$50.00	\$100.00
QOL-020	Temporary Dumpster Permit Required	\$25.00	\$50.00	\$100.00
QOL-021	Graffiti Unauthorized Inscription	\$25.00	\$50.00	\$100.00
QOL-022	Unsafe Structures and Conditions	\$25.00	\$50.00	\$100.00

Section 9. Violation Ticket Penalties

If violations are continuous or egregious, Code Officials have the right to issue citations without first issuing tickets, provided notice has been given. Upon issuance of four (4) tickets for the same violation, right is reserved for the Code Officials to issue citation for the fifth and subsequent offenses.

Section 10. Citation Fines.

Any person, firm, or corporation who shall fail, neglect, or refuse to comply with any of the terms or provisions of this Part, or of any regulation or requirement pursuant hereto and authorized hereby shall, upon conviction, be ordered to pay a fine of not less than one hundred (\$100.00) dollars, and not more than one thousand (\$1,000.00) dollars on each offense or imprisoned no more than ninety (90) days, or both.

Section 11. Restitution.

The Magisterial District Judge may, if in accordance with applicable Law, order the violator to pay restitution to said real or personal property owner.

Section 12. Appeal.

1. A person in receipt of a violation ticket may appeal to the Quality of Life Appeals Board by filing a request in writing within ten (10) calendar days of the date of the violation ticket.
2. In order for an appeal to be deemed valid and a hearing date and time to be set, the following must be performed by the alleged violator requesting the appeal within ten (10) calendar days:
 - a. All paperwork, including the appropriate appeal form for the appeal, must be submitted and completed within ten (10) calendar days from the date the Quality of Life Ticket was issued.
 - b. Payment of the fine must be in full, which will be refunded within thirty (30) calendar days should the alleged violator win his/her appeal.

The appeal hearing will be held before the Quality of Life Appeals Board and they may uphold the appeal, deny the appeal, or may modify the violation ticket, and/or any associated costs, fines, or penalty amounts as they see appropriate. Any subsequent appeal will be made by the alleged violator with the Northampton County Court of Common Pleas.

Section 13. Collections.

At the discretion of the Borough of Wilson, all tickets for which payment is not received within forty-five (45) days of issuance of a ticket for which an appeal is not taken, and forty-five (45) days from denial of appeal and monies paid by the Borough of Wilson for abatement of a violation not paid within forty-five (45) days of billing, may be turned over by the Borough to a collection agency for receipt.

Section 14. Liens.

At the discretion of the Borough of Wilson, liens may be placed upon a property against which tickets were issued for which payment is not received within forty-five (45) days of issuance of a ticket for which an appeal is not taken, and forty-five (45) days from denial of appeal and monies paid by the Borough of Wilson for abatement of a violation and not paid within forty-five (45) days of billing.

Section 15. Nonexclusive Remedies.

The penalty lien and collection provisions of this Section shall be independent, non-mutually exclusive separate remedies, all of which shall be available to the Borough of Wilson as may be deemed appropriate for carrying out the purposes of this Part. The remedies and procedures provided in this Part for violation hereof are not intended to supplant or replace to any degree the remedies and procedures available to the Borough in the case of a violation of any other Borough of Wilson Code or Codified Ordinances, whether or not such other Code or Ordinance is referenced in this Part, and whether or not an ongoing violation of such other Code or Ordinance is cited as the underlying ground for a finding of a violation of this Part.

Section 16. Severability.

If any provision, paragraph, word, section, or subsection of this Part is invalidated by any court of competent jurisdiction, the remaining provisions, paragraphs, words, sections, or subsection shall not be affected and shall remain in full force and effect.

Section 17. All relevant ordinances, regulations, and policies of the Borough of Wilson, Pennsylvania not amended shall remain in full force and effect.

Section 18. If any section, subsection, sentence, or clause of this ordinance is held, for any reason, to be invalid, such decision shall not affect the validity of the remaining portions of the Ordinance.

Section 19. Any Ordinance or part of an Ordinance conflicting with the provisions of this Ordinance shall be and the same is hereby repealed to the extent of such conflict.

Section 20. This Ordinance shall be effective immediately upon passage and approval in the manner prescribed by law.

ORDAINED AND ENACTED by the Council of the Borough of Wilson, Northampton

County, Commonwealth of Pennsylvania this 9th day of May, 2022.

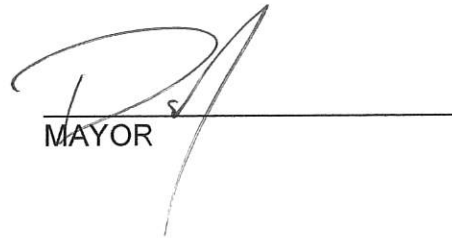
ATTEST:


MANAGER/SECRETARY

BOROUGH OF WILSON


COUNCIL PRESIDENT

Approved this 9th day of May, 2022.


MAYOR