

INTRODUCED: April 11, 2022

BY: Pat Foley

ENACTED: May 9, 2022

ORDINANCE #: 327

## **An Ordinance Adopting the Quality of Life and Violations Ticket Process in the Borough of South Connellsville**

### **PROPERTY MAINTENANCE RULES AND REGULATIONS**

**Section 1. Purpose.** 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 that contribute to the deterioration of property values and general disorder in a community. These problems degrade the physical appearance of the Borough, which reduces business and tax revenue inhibiting economic development. The quality of life and community pride of the citizens of South Connellsville are negatively impacted by the occurrences and existence of these activities. Recognizing these are community problems, the purpose of this Ordinance is to promote the health, safety and general welfare of the Borough by helping to create a clean environment for the citizens of South Connellsville. Further, this ordinance shall provide that South Connellsville Borough will be maintained as a Clean and Safe place to live and do business.

**Section 2. Definitions.** The following words, terms, and phrases, when used in this Ordinance, shall be defined as follows, unless context clearly indicates otherwise:

**AUTHORIZED LITTER RECEPTACLE** - is 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, but not 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 not to create a nuisance or become a harboring place or food supply for insects and rodents.

**DUMPING** - includes, but is not limited to, depositing of litter, depositing durable goods (refrigerators, washers, dryers, etc.) small appliances, furniture, televisions, 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** - the animal or vegetable waste resulting from the handling, preparation, cooking, and consumption of food.

**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 an increase in serious irreversible or incapacitating illness.
- (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 physically classified as a hazardous waste but is excluded 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, paints, and acids.

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

**JUNKED VEHICLE** - any vehicle which presents a hazard or danger to the public or is a public nuisance by virtue of its state or condition of disrepair. The following conditions, if present, are examples of a state or 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 liquids 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 concrete blocks, or other similar apparatus.
- (6) Harboring of rodents, insects, or other pests.

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

**LITTER** - includes, but is not limited to, all waste material, garbage, trash, i.e., wastepaper, 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.

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

**MOBILE VENDOR** - a vendor or seller of food and/or goods from a vehicle or other conveyance upon the public streets or alleys of the Borough that does not typically remain

stationary for more than approximately 10 minutes each hour.

**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 semitrailers pulled t h e r e b y .

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

- (1) Broken windshields, mirrors, or other glass, with sharp edges.
- (2) Broken headlamps, tail lamps, bumpers, or grills with sharp edges.
- (3) Any body parts, truck, firewall, or floorboards with sharp edges or large holes resulting from rust.
- (4) Protruding sharp objects from the chassis.
- (5) Missing doors, windows, hood, trunks, or other body parts that could permit animal harborage.
- (6) One or more open tires or tubes or open areas on the vehicle which could permit animal harborage.
- (7) Any vehicle suspended by blocks, jacks, or other such materials in a location which may pose a danger to the public, property owners, visitors, or residents of the property on which said vehicle is found.
- (8) Any excessive fluids leaking from the vehicle which may be 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 state inspection sticker
- (11) Such other defects which the Code Enforcement Officer determines to be a danger to the general public or property.
- (12) Motor vehicles parked, drifted, or otherwise located which may interfere with the flow of pedestrian or automobile traffic or impede emergency efforts.

(13) Any other condition which would constitute a violation of the South Connellsville Borough Property Maintenance Code.

**MUNICIPAL WASTE** - any garbage, refuse, industrial, lunchroom, or office waste, and other material including solid, liquid, semisolid, or contained gaseous material resulting from operation or 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 blighting effect in Borough neighborhoods. See also "public nuisance."

**OWNER** - any person, agent, operator, partnership, firm or corporation having a legal or equitable interest in a property; or recorded in the official records of Fayette County, Pennsylvania, and the Borough of South Connellsville, Fayette County, Pennsylvania, as holding title to the property; or otherwise having control of the property, including the guardian of the estate of any such person, and the executor or administrator of the estate of such person if ordered to take possession of real property by a court.

**PERSON**- an individual, agent, operator, partnership, firm association or corporation, or any other group acting as a unit. Whenever used in any clause prescribing and imposing a penalty, or imposing a fine or imprisonment, or both, the term "person" shall include the members of an association and the officers of the corporation.

**PRIVATE PROPERTY** - any land and the 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.

**PUBLIC OFFICER** - any police officer, code enforcement officer, zoning officer, authorized inspector, or other public official designated by the Borough to enforce the Borough ordinances.

**PUBLIC NUISANCE** - 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 may include, but not be limited to, aluminum cans, ferrous and bi-metal cans, glass containers, plastic bottles and containers, mixed paper, white goods, major appliances, televisions, tires, 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.

**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.

**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 not to constitute disposal as such waste, and 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 in a sidewalk area.

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

**VIOLATION TICKET** - a form issued by a police officer or public officer to a person who violates a provision of this Ordinance. The violation ticket is an offer by the Borough of South Connellsville extended to a person to settle 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) exhale unpleasant noxious odors or pollen such as ragweed, dandelion, and miscellaneous other vegetation commonly referred to as weeds or brush; (3) may conceal filthy deposits or serve as breeding places for mosquitoes, other insects, or vermin; (4) encroaches onto neighboring properties by way of leaders or roots without property owners consent; and/or (5) may cause a public nuisance. 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 with a structure.

**Section 3. Quality Of Life Violations.** Failure to maintain property in accordance with this

ordinance shall be defined as any violation of the South Connellsville Borough Property Maintenance Code, and any amendments thereto, which has/have, from time to time been adopted as an Ordinance or amendment to an Ordinance of South Connellsville Borough. In addition, thereto, the following actions, activities and/or conduct shall be deemed to be a violation of this ordinance:

1. Operating a Food Cart Illegally. It shall be unlawful to operate any food cart without the proper permits and/or inspections. It shall also be unlawful to operate any food cart while any portion of the cart is inoperable.

2. Operating or Vending Without the Proper Permit/License. It shall be unlawful for any person, business, partnership, or entity to operate including, but not limited to, any business, vending cart, store, or establishment without the proper permits.

3. 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 material s is stored in compliance with the applicable Building Codes.

4. 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, out of date food, food being stored above or below the appropriate temperature, food being stored directly on a flooring surface, infestation problems at the location, or serving food that had previously been open are considered a violation of this Ordinance.

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

6. Borough/County Permits to be Displayed and Followed. All Borough and County Permits shall be displayed in a fashion that makes them visible from the roadway. In cases of demolition, the permit shall be displayed in the back window of a construction vehicle parked on site, and visible



from the roadway. Should a permittee be unable to comply with this requirement, they shall have to notify the License and Permit Office of the issue and seek immediate authorization /approval. Once the Borough provides notice to a property owner that a permit is necessary, any additional work to the property shall allow the Borough to fine the property owner and/or the person(s) performing the work for violation of this section.

7. 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.

8. Animal Maintenance and Waste/Feces Clean-Up. People owning, harboring, or keeping an animal within South Connellsville Borough shall not permit any waste matter/feces from the animal to collect and remain on the property to cause or create an unhealthy, unsanitary, dangerous, or offensive living condition. All waste from animals must be cleaned up daily.

9. 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. In addition, any violation of any portion of any South Connellsville Borough Ordinance(s) governing garbage/waste collection and disposal shall be deemed to be a violation of this ordinance.

10. 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 Ordinance.

11. 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.

12. Motor Vehicles. It shall be unlawful to store, park, or place any unregistered, uninspected, inoperative, unlicensed, or nuisance motor vehicle (motor vehicle nuisance as defined above) on any premises. No vehicle shall at any time be in a state of major disassembly, disrepair, or in the process of being stripped or dismantled. Painting of vehicles is prohibited unless conducted inside an approved spray booth.

13. **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. If maintenance is being performed, or if the items are actively being sold in a yard sale, the items shall not be left unattended.

14. **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 proper manner and in accordance with the South Connellsville Borough Ordinance(s) governing garbage/waste collection and disposal. Any business or person who is unable to show proof that they have legally disposed of any waste, trash, or recyclables will be in violation of this Ordinance. Should any person or business use an unlicensed hauler to dispose of their waste, trash, or recyclables, said person or business shall be in violation of this Ordinance. Upon request of the Public Officer, any owner or occupant must show proof of 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 Ordinance will be a violation of this Ordinance.

15. **Storage Containers for Waste or Trash.** The owner of every premise 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, watertight, made of metal or plastic, and otherwise be in compliance with South Connellsville Borough Ordinance(s) governing garbage/waste collection and disposal. Containers must have tight fitting covers and must be always kept clean and odor free. All containers must be stored in the rear of every property so said containers are not visible from the public right-of-way. Waste/trash containers may only be placed in front of any property 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 to the rear of any property before daybreak on the day following pick-up. (Example: Jim Smith's trash collection day is Wednesday. Jim Smith may place his trash containers out front of his property on

Tuesday night, once night falls. Jim Smith must place his trash containers in the rear of his yard before daybreak, on Thursday morning.)

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 always kept clean and sanitary.

17. 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.

18. Snow and Ice Removal.

a. Every owner, tenant, occupant, lessee, property agent, or any other person who is responsible for any property within South Connellsville Borough, is required to remove any snow or ice from their sidewalk within twenty-four (24) hours of the cessation of said snow and ice falling. Furthermore, they must create a path, free from any snow or ice, of three (3) feet on said sidewalk.

b. Should any property be a place of business within South Connellsville Borough, 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.

c. No owner, tenant, occupant, lessee, property agent or other person or entity shall be permitted to shovel, plow, blow, move, or otherwise deposit snow into the public streets and/or sidewalks of South Connellsville Borough.

19. Swimming Pools. Swimming pools shall be always maintained in good repair. They shall also be kept clean, safe, covered, and sanitary as well.

20. Burning. The disposal of trash, waste, ruffraff, lawn/yard waste, or any other solid waste by burning is prohibited unless done in compliance with the provisions of South Connellsville Borough ordinance(s) and regulations governing the burning of solid waste.

**Section 4. Authority for Issuance of Violation Ticket.** Upon finding a quality-of-life violation, any Public Officer of South Connellsville Borough, may issue quality of life violation tickets to the owner and/or occupant of the property at issue or to the individual(s) known to have violated this Ordinance.

**Section 5. Enforcement.**

1. The provisions of this Ordinance shall be enforced by police officers, code enforcement officers, health officers or any other public officer authorized to enforce ordinances.
2. Any violation of the provisions of this Ordinance may be cause for a citation, a violation ticket, and/or a notice of violation to be issued to the violator.

**Section 6. Service.** A violation ticket shall be served upon a violator by handing it to the violator, by handing it at the residence of the person to be served to an adult member of the household or other person in charge of the residence, by leaving or affixing the notice or violation ticket to the property where the violation exists, by handing it at any office or usual place of business of the violator, to his/her agent or to the person for the time being in charge thereof, or by mailing the notice to the violator's address of record.

**Section 7. 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 8. Abatement of Violation.**

1. Any person or business violating this Ordinance is hereby directed to satisfy South Connellsville Borough and its citizens upon issuance of a quality-of-life ticket, by correcting the violation in question. A public officer is authorized and empowered to cause a violation to be corrected. The cost shall be determined by the Borough Code Enforcement Officer in order that the Borough shall

be compensated for both direct and indirect costs and expenses incurred.

2. South Connellsville Borough and/or its contractor, per the direction of the Borough, reserves the right to abate the violation in question at the expense of the owner. If the Borough has affected the abatement of the violation, the total cost thereof to include hourly wages and all items and materials used may be charged to the owner of the property, tenant, or offending party. A bill/invoice will be generated to the violator for payment separate from the quality-of-life ticket, which will also be paid separately.

3. In all instances where the Borough abates the violation, in addition to the fine set forth in the quality-of-life ticket, 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. South Connellsville Borough Cleanup. The Borough reserves the right to perform any necessary work to abate any violation once forty-eight (48) 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 Borough will perform this work at a rate of eighty (\$80.00) dollars per hour, per man, and forward the cost of any material necessary for the abatement. The Borough reserves the right to charge an additional ten (10%) percent on all material purchases to cover all miscellaneous expenses, such as wear and tear on equipment.

5. Contractor Cleanup. The Borough reserves the right to direct a contractor to perform the abatement of the violation in question once forty-eight (48) hours passes from the date of issuance of the quality of life ticket. 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. The contractor will submit a bill for their work to South Connellsville Borough and the Borough will forward these costs to the violator. The Borough reserves the right to add a thirty (30%) percent processing fee in addition to the cost of the contractor.

**Section 9. Fines and Penalties.**

A. Any person who violates this Ordinance shall pay a fine as set forth herein for each offense, plus all direct and indirect costs incurred by the Borough for the cleanup and abatement of the violation.

Violation – Description - Fine:

QOL-000, Violation of property maintenance code - \$100.00 - 48 HOURS UNLESS AN IMMINENT PUBLIC HAZARD OR NUISANCE IS PRESENT

QOL-001, Operating a food cart illegally - \$100.00 - IMMEDIATE

QOL-002, Operating or Vending without the Proper Permit/License - \$100.00 - IMMEDIATE

QOL-003, Storing of hazardous material - \$100.00 - IMMEDIATE

QOL-004, Storing or serving potentially hazardous food - \$100.00 - IMMEDIATE

QOL-005, Violating the terms of any vending license - \$100.00 – IMMEDIATE

QOL-006, Borough/County Permit to be Displayed - \$100.00 - IMMEDIATE

QOL-007, Accumulation of rubbish or garbage - \$50.00 - 48 HOURS

QOL-008, Animal maintenance and waste/feces clean-up - \$50.00 - 48 HOURS

QOL-009, Disposal of rubbish or garbage, dumping - \$50.00 - 48 HOURS [any other violation of a garbage/waste disposal and removal ordinance - IMMEDIATE]

QOL-010, High weeds, grass or plant growth - \$50.00 - 48 HOURS

QOL-011, Littering or scattering rubbish - \$50.00 - 48 HOURS

QOL-012, Motor vehicles - \$100.00 - 48 HOURS

QOL-013, Outside placement of indoor appliances/furniture - \$50.00 - 48 HOURS

QOL-014, Ownership presumption of waste, trash and/or recyclables for illegal dumping and illegal hauling - \$50.00 - 48 HOURS

QOL-015, Storage Containers for Waste or Trash - \$50.00 - 48 HOURS

QOL-016, Storing of recyclables - \$50.00 - 48 HOURS

QOL-017, Placement of littering by private advertising matter - \$50.00 - 48 HOURS

QOL-018, Snow and ice removal from sidewalks - \$50.00 [sections (a) and (b)] - 48 HOURS; [section (c)] – IMMEDIATE

QOL-019, Swimming Pools - \$50.00 - 48 HOURS

QOL-020, Burning - \$50.00 - IMMEDIATE

B. Failure of the person to make payment within fourteen (14) days of the date of a violation

ticket shall result in the filing of a citation, for failure to pay, with the Magisterial District Judge.

C. 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 Ordinance, or of any regulation or requirement pursuant hereto and authorized hereby shall, upon conviction before the Magisterial District Judge, be ordered to pay a fine of not less than three hundred (\$300.00) 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 order the violator to make restitution where appropriate.

**Section 12. Appeals.** Appeals to any Quality of Life "ticket" shall be heard before the South Connellsville Board of Appeals, by application filed at the Borough Municipal Building within ten days of the issuance of the "ticket" hereunder. The South Connellsville Borough Appeals Board for appeals hereunder shall be the same appeals board designated by the South Connellsville Borough Council to hear appeals/violations of the Property Maintenance Code.

**Section 13. Severability.** If any provision, paragraph, word, section, or subsection of this Ordinance 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 14.** All relevant ordinances, regulations, and policies of South Connellsville Borough of Fayette County, Pennsylvania, not amended, shall remain in full force and effect.

**Section 15.** 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 16.** 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. Specifically ordinance #301 in its entirety.

**Section 17.** This Ordinance shall be effective immediately upon passage and approved in the manner prescribed by law.

ENACTED AND ORDAINED this 9 day of May, 2022.

SOUTH CONNELLSVILLE BOROUGH

ATTEST:



Kelly Addis

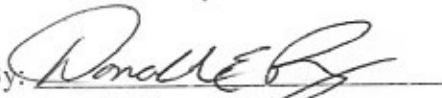
Secretary/Treasurer

By:

President of Council

Examined and approved by me this 9 day of May, 2022

By:

  
Donald Ringer, Mayor