BOROUGH OF WEST EASTON

COUNTY OF NORTHAMPTON COMMONWEALTH OF PENNSYLVANIA ORDINANCE NO. XXX

AN ORDINANCE ADOPTING THE QUALITY OF LIFE AND VIOLATIONS TICKET PROCESS IN THE BOROUGH OF WEST EASTON

**WHEREAS**, after discussion Borough Council determined it is necessary to adopt this

Ordinance to ensure the health, safety and welfare of residents and visitors to the Borough,

**NOW, THEREFORE,** it is hereby **ORDAINED** and **ENACTED** by the Borough Council of the Borough of West Easton, County of Northampton and Commonwealth of Pennsylvania, as follows:

Section 1. Purpose.

Lack of cosmetic maintenance of properties, improper storage of trash, open storage of inoperable/non-registered vehicles, 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 and reputation of the Borough, which reduces business and tax revenue which then inhibits economic development. The quality of life and community pride of the citizens of West Easton 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 West Easton.

Section 2. Definitions.

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

**BOROUGH =** The establishment, governing body, and authority hereafter referred to as Borough of West Easton, Northampton County, Pennsylvania

**GARBAGE and RUBBISH: -** Garbage and Rubbish are two term that are mostly interchangeable and may mean the same thing. Garbage may be considered the animal or vegetable waste resulting from the handling, preparation, cooking, and consumption of food. In addition, all packaging associated with the handing and preparation of food may be considered garbage.

Rubbish may be considered combustible and noncombustible waste materials, except garbage; the term shall include 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.-

**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. The standard for how “significantly contributes” will be identified needs to be defined.
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:

1. Toxicity: is the degree to which a substance can damage an organism
2. Flammable: is the ability of a substance to burn or ignite, causing fire or combustion
3. Reactivity: having a tendency to react chemically.
4. Corrosivity: will destroy and damage other substances with which it comes into contact

HHW may consist of numerous products that are common to the average household such as: pesticides and herbicides, cleaners, automotive products, paints, and acids.

**INDOOR FURNITURE** – any and all pieces of furniture which are made specifically for inside use only. Some examples include: ranges, refrigerators, air conditioners, ovens, washers, dryers, microwaves, dishwashers, mattresses, recliners, sofas, interior chairs, or interior tables tables, shelves, dressers, cabinets, among others. Furniture made for outdoors is excluded from this description.

**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. It is understandable that a vehicle that is undergoing repair by a resident may exhibit some of these conditions temporarily and could be tolerated. To clarify, if the vehicle is an eyesore to neighbors, or harbors complaints on the condition, or has not been moved for more than a year, may constitute a junked vehicle.

The following conditions, if present, are examples of a state or condition of disrepair:

1. Jagged metal on or protruding from the body of the vehicle.

(2) Broken glass on windows of the vehicle. This does not include mirrors.

(3) Unsecured doors, hood, or trunk. These could allow unauthorized access by children.

(4) 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 the definition of “motor vehicle nuisance.”

**LITTER** – includes, but is not limited to, 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 demotion material, recyclable material, and dirt, mud and yard waste that has been abandoned or improperly discarded, deposited, or disposed. – definition needed of “proper” disposal and who determines when earth becomes “litter.”

**LOCAL RESPONSIBLE AGENT** – any person residing or working within the Borough of West Easton 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 thereby.

**MOTOR VEHICLE NUISANCE** – a motor vehicle with one or more of the following defects: (It should be noted that registered and insured vehicles with current inspection stickers may have any of these conditions if under repair. This does not constitute a nuisance.)

1. Broken windshields, mirrors, or other glass, with sharp edges.
2. Broken headlamps, tail lamps, bumpers, or grills with sharp edges.
3. Any body part, with sharp edges or large holes not covered.
4. Protruding sharp objects from the chassis.
5. Missing doors, windows, hood, trunks, or other body parts that could permit animal harborage or unauthorized entry.
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 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 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) Such other defects which the Fire Department determines to be a danger to the general public or property.

(11) Motor vehicles parked or otherwise located which may interfere with flow of pedestrian or 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 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.

**NOISE** - Any sound which annoys or disturbs humans or which causes or tends to cause an adverse psychological or physiological effect on humans.

**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 the definition of “public nuisance.

**ORGANIC WASTE** – Also known as green waste or garbage, is organic material such as food, garden and lawn clippings. It can also include animal and plant based material and degradable carbon such as paper, cardboard and timber..

**OWNER** – A person, agent, operator, firm or corporation having a legal or equitable interest in the property; or recorded in the official records of the state, county or municipality as holding title to the property; or otherwise having control of the property including the principals of a limited liability company or officer, director or shareholder of a corporation if that individual is responsible for the management and 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.

**PLACE OF BUSINESS** – Business are defined but not limited to an establishment (a factory, assembly plant, retail store or warehouse.) where business is conducted, goods are made or stored or processed or where services are rendered. Pedestrian traffic is expected at a place of business.

**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 OFFICIAL** – any authorized inspector, Borough Manager, Code Enforcement Officer, or public official designated by the Borough to enforce the Borough ordinances, and for purposes of this definition includes a police officer. It should be noted that all public officials (with the exception of the police officers) who are designated to enforce ordinances MUST be authorized by the borough.

**PUBLIC NUISANCE** – Public nuisance covers a wide variety of minor crimes that threaten the health, morals, safety, comfort, convenience, or welfare of a community. A nuisance is any human activity or physical condition that is harmful to the health of another person, is indecent or offensive to the senses, or interferes with another person’s reasonable use and enjoyment of his or her property.

**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.

**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.

**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.

**SWIMMING POOLS** – above and below ground private swimming pools, Temporary (Air Inflated or Plastic) swimming pools, hot tubs, and spas containing water more than 24 inches in depth. - Perhaps a separate definition, rather than being classified as a swimming pool?

**VEGETATION** – The plants of an area or a region; plant life. Also could be considered any planting that is cultivated and managed for edible or ornamental purposes such as vegetable gardens, trees, shrubs, hedges, flowers.

**VIOLATION** – Any Act which is not consistent with this ordinance

**VIOLATOR** – Any person in violation of this ordinance

**VIOLATION TICKET** – a form issued by a police officer or public officer to a person who violates a provision of this Part. The violation ticket is an offer by the Borough of West Easton extended to a person to settle a violation by paying a fine in lieu of a citation being issued against the violator.

**VIOLATION WARNING** – A written or verbal statement from any Public Official for the consideration of settling a violation.

**WEEDS** – shall be defined as all grasses, annual plants, and vegetation, which meet any of the following criteria: - Consider adding Bamboo to this list, or separate ordinance prohibiting planting as ornamental or as a barrier/privacy plant.

1. Exceed ten (12) 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. 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.

A person, owner, or responsible person committing a quality of life violation by any of the following:

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 West Easton 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 cleaned up on a daily basis.

No person shall cause or allow any animal to defecate upon any property within the Borough of West Easton without removing said feces and depositing in approved containers of said person.

3. **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 (254mm). 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.

4. **Motor Vehicles**. No person shall park or leave on the streets or public property of the Borough any of the following:

(1) Mechanically inoperable vehicles.

(2) Vehicles without current registration plates.

(3) Vehicles without current inspection stickers.

(4) Vehicles without current emission stickers, unless the vehicle is exempt from state emission inspections.

Unregistered vehicles shall not be parked on the street, under no circumstances.

Painting of vehicles is prohibited unless conducted inside an approved spray booth.

It shall be unlawful to permanently store, park, or place any motor vehicle upon any sidewalk within the Borough of West Easton. Exceptions may be if parking temporarily for any number of reasons. Temporary parking is 24 hours or less.

Storage of a vehicle on a resident property shall be allowed providing the vehicle does not meet the criteria of a **MOTOR VEHICLE NUISANCE** as described in the definition of terms section. Vehicles must be locked and stored neatly clear of roads, sidewalks, and may not encroach on properties.

4 **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.- An exception within this section must be created for those residents that are throwing away their old pieces of furniture. Otherwise, residents merely looking to get rid of their old furniture will be open to citations

5 **Snow and Ice Removal from Sidewalks.** Every owner, tenant, occupant, lessee, property agent, or any other person who is responsible for any property within the Borough of West Easton, 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 thirty inches on said sidewalk. Any property that is deemed a place of business must have the entire sidewalk free from any snow and ice within 4 hours after cessation of snow event. 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.`-

6. **Storage Containers for Waste or Trash.** The owner of every premises shall supply 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 in a location on the owner’s property not within the public right-of-way. The persons occupying any dwellings are limited to 6 containers not exceeding 50 pounds each and one bulky item not exceeding 275 pounds each. Waste/trash containers may only be placed in front of any property within twenty-four (24) hours 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 stored so they are not on the public right-of-way or readily visible from the public right-of-way within twenty-four hours after pick-up. Does this ordinance affect the trash hauling contract of 2 containers?

Recycling containers must be clearly marked and follow the same guidelines as storage containers for waste or trash. Recycle containers are marked by an adhesive sticker that is provided by the Borough. Place recycle containers on days designated as Recycle/ Trash Pickup only.

7 **Swimming Pools** – Swimming Pools shall be completely surrounded by a fence or barrier at least 48 inches in height above the finished ground level measured on the side of the barrier away from the pool. Gates and doors in such barriers shall be self-closing and self-latching. Where self-latching device is less than 54 inches above the bottom of the gate, the release mechanism shall be located on the pool side of the gate. Self-closing and self-latching gates shall be maintained such that the gate will positively close and latch when released from an open position of 6 inches from the gatepost. No existing pool enclosure shall be removed or changed in a manner that reduces effectiveness as a safety barrier.

Swimming pool’s water must be maintained within acceptable standards, should appear clear and not discolored, green, or contaminated. They should not emanate any odor or appear infested.

8 **Noise disturbance** - No person shall make, continue or cause to be made or continued any noise disturbance. Noncommercial public speaking and public assembly activities shall be exempt from the operation of this section. Public assembly activities include, but are not limited to, church worship services and sporting events sponsored by an educational institution or nonprofit athletic association.

Quiet hours in the Borough are established between the hours of 10:00PM and 7:00AM. Activities that produce noise are prohibited during those hours unless prior approval was received from the Borough.

**Section 4**. Authority for Issuance of Violation Ticket.

Upon finding a quality of life violation, any Public Officer of the Borough of West Easton, 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 Part.

**Section 5**. 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 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. For the purpose of this section, a day is defined as the next calendar day.

In an effort to maintain good relationships and quality of life, if a resident is making progress and showing good faith toward resolution, fines may be suspended based on advice from Code Official, Borough Manager, Constable, Police Officers, or any other public officer authorized to enforce ordinances.

**Section 7**. Abatement of Violation.

1. Any person or business violating this Part is hereby directed to satisfy the Borough of West Easton 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. The Borough of West Easton 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 cost thereof 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 **Borough of West Easton 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 Borough will perform this work at a rate of sixty ($60.00) 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 twenty (20%) 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 seventy-two (72) 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 the Borough of West Easton 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.

A readily available list of contractors is available at the Borough Hall and is provided upon demand. This will provide residents with multiple reputable contractors as a starting point for curing their violations. This will also put residents on notice for how much money it will cost them should they allow the Borough to cure the violation.

***NEED TO CHECK AND MAKE SURE THERE IS A LIST OF CONTRACTORS AVAILABLE TO RESIDENTS.***

**Section 8**. **Fines and Penalties**.

A For the first offense of a violation, a warning will be issued. This will give the resident two weeks to rectify any quality of life violation. Time will be monitored by the Public Official that issued the violation.

B For the second offense of a violation of this part within a 12-month period, violation tickets shall be issued in accordance with the QOL Fine Chart.

C. For the third offense of a violation of this Part within a 12-month period, violation tickets shall be issued in accordance with the QOL Fine Chart.

D. For the fourth offense of a violation of this Part within a 12-month period, violation tickets shall be issued in accordance with the QOL Fine Chart

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| QOL Fine Chart | | | | |
| 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 | High weeds, grass, or plant growth | $25.00 | $50.00 | $100.00 |
| QOL-004 | Motor vehicles | $25.00 | $50.00 | $100.00 |
| QOL-005 | Outside placement of indoor appliances/furniture | $25.00 | $50.00 | $100.00 |
| QOL-006 | Snow and ice removal from sidewalks | $25.00 | $50.00 | $100.00 |
| QOL-007 | No containers for waste or trash | $25.00 | $50.00 | $100.00 |

E. For each offense subsequent to three offenses of this Part within a 12-month period, amounts of violation tickets shall increase in the amount of $100.00, accumulative for each subsequent offense.

F. Any persons who receive a violation ticket for any violation of this Part may, within fifteen (15) days, admit the violation, waive a hearing, and pay the fine in full satisfaction.

G. Any person who violates this Part 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 violations.

**Section 9**. **Violation Ticket Penalties**.

A. If the person in receipt of a $25.00 violation ticket does not pay the fine or request a hearing within fifteen (15) days, the person will be subject to a $10.00 penalty for days 16 through 30.

B. If the person in receipt of a $50.00 violation ticket does not pay the fine or request a hearing within fifteen (15) days, the person will be subject to a $25.00 penalty for days 16 through 30.

C. If the person in receipt of a $100.00 or higher violation ticker does not pay the fine or request a hearing within ten (10) days, the person will be subject to a $50.00 penalty for days 16 through 30.

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. 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 authorizes 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 ($1000.00) dollars on each offense, the costs of prosecution including restitution of the fees of the Code Official, and any other agency, or imprisoned no more than ninety (90) days, or both.

**Section 11**. **Restitution**.

The Magisterial District Judge may order the violator to make restitution to said real or personal property owner and to the Borough of West Easton for the costs of prosecution including the fees of the Code Official, Attorney, or any other agency involved in mitigating the violation..

**Section 12** **Collections**.

At the discretion of the Borough of West Easton, 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 West Easton for abatement of a violation not paid within forty-five (45) days of billing, may be turned over by the Borough to acollection agency for receipt.

**Section 13**. **Liens**.

At the discretion of the Borough of West Easton, liens may be places 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 West Easton for abatement of a violation and not paid within forty-five (45) days of billing.

**Section 14**. **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 West Easton 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 West Easton 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 code or ordinance is cited as the underlying ground for a finding of a violation of this part.

**Section 15**. **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

subsections shall not be affect and shall remain in full force and effect.

**Section 16.** All relevant ordinances, regulations, and policies of the Borough of West Easton, Pennsylvania not amended shall remain in full force and effect.

**Section 17.** 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 18.** 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 19.** This Ordinance shall be effective immediately upon passage and approved in the manner prescribed by law.

**DULY ADOPTED** this \_\_\_\_\_ day of January, 2016, by the Borough of West Easton in lawful session duly assembled.

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Daniel DePaul, Council President

ATTEST:

Joan L. Heebner, Council Secretary

Approved \_\_\_\_\_\_th day of January, 2016.

Gerald Gross, Mayor