

PART 2

PRIVATE PROPERTY MAINTENANCE

§ 10-201. Prohibiting Certain Conditions. [Ord. 8-90-327, 8/23/1990, § 1; as amended by Ord. 2-91-334, 2/28/1991, § 1; and by Ord. 02-2016-600, 2/11/2016]

From and after the effective date of this Part, it shall be unlawful for any owner, tenant or occupier of private property in the Township of Salisbury to place, erect, or permit to remain on such private property any of the following items or conditions:

1. Any vehicle located on a residential property that has been modified in a manner that either allows access or may present a danger, such as the removal or alteration of windows, doors, hoods, and fenders and any other body parts, as well as the accumulation of automotive parts, unless the same is (are) housed inside a closed building.
2. Any cesspool, well or cistern, unless the same is covered by a lid, cap or other covering which is securely fastened and which is sufficiently strong to support the weight of unsuspecting children or adults who might walk over or upon the same.
3. Any excavation made for a cellar or foundation for any building which has been permitted to remain open for more than 30 days.
4. Any house, trailer, mobile home, garage, barn or other structure or building of any kind which has been damaged by fire and presents a danger to the public health, safety, and welfare by collapsing or otherwise, or the remains of or debris from any house, trailer, mobile home, garage, barn or other structure or building of any kind damaged by fire, within 120 days of the fire, if no evidence of repairing said damage has been instituted.
5. Any unoccupied house, barn, garage or other structure or building which does not have a roof on it or which does not have all of its openings covered and sealed by unbroken doors or windows which are locked or adequately secured so as to prevent children or other persons from entering therein.
6. Any operation of an automobile repair or paint shop in a residential zone without a zoning permit.
7. Any other building, structure, thing or condition that constitutes a public nuisance or danger to the health, safety or welfare of citizens of the Township or persons traveling on the public streets of the Township, or constitutes a danger to the property of others.
8. Motor vehicles or trailers of any kind or type without current registration plates or a current inspection sticker shall not be parked or stored on private property in a Residential or Neighborhood Commercial District unless the same are parked or stored in a completely enclosed building.

9. It is unlawful for any person to sweep into, shovel, or deposit into any public storm drain, gutter, drainage ditch, street, catch basin, stream or other public place any accumulation of litter from any public or private sidewalk in front of his or her premises. All litter sweepings, leaves, grass clippings, branches and other debris must be collected and properly contained for disposal.
10. It is unlawful for any owner, agent, or contractor in charge of a construction or demolition site to permit the unprotected or uncontained accumulation of litter before, during, or immediately following completion of any construction or demolition project. It is the duty of the owner, agent and/or contractor in charge of a construction site to furnish containers adequate to accommodate flyable or nonflyable debris or trash and to maintain and empty receptacles in such a manner and with such frequency as to prevent spillage of such debris or refuse.
11. It is unlawful to allow for the spilling, dumping, or disposal of materials other than permitted stormwater into the municipal separate storm sewer system operated by the Township of Salisbury. Roof drains shall discharge to infiltration areas or vegetative BMPs to the maximum extent practicable. Permitted stormwater discharges shall include clean stormwater runoff from undisturbed lands and stormwater discharges from erosion control plans approved by the Township of Salisbury or the Lehigh County Conservation District.
12. It is unlawful for any owner, agent or contractor to store material including yard waste, within 10 feet of any stream banks and/or within the floodplain, where delineated, or floodway of any waters of the Commonwealth of Pennsylvania.
13. It is unlawful for any owner, agent, or contractor to apply lawn fertilizers within 10 feet of the top of bank or high water surface elevation of any stream, pond, watercourse or wetland. No fertilizer shall be deposited, washed, swept or blown off intentionally or inadvertently onto any impervious surface that discharges to any stormwater drain, ditch or other stormwater conveyance or directly to a water body.

§ 10-202. Notice. [Ord. 8-90-327, 8/23/1990, § 2; as amended by Ord. 2-91-334, 2/28/1991, § 3]

Any owner, occupier or tenant of any private property on which any of the foregoing items or conditions exist shall, within five days after receipt of notice from the Township to do so, repair, remove, correct or abate such condition. Each day during which any such condition is permitted to exist after said five day notice period has expired shall constitute a separate offense under this Part. The Township shall not be required to send a notice of violation to repeat offenders of § 10-201, Subsection 8, of this Part when the violation pertains to the same property owner who was the subject of a previous notice of violation of § 10-201, Subsection 8, within a six-month period of time or less. The Township shall be permitted to file a citation directly with the District Magistrate's office when this situation occurs.

§ 10-203. Right of Entry. [Ord. 8-90-327, 8/23/1990, § 3]

The Township shall have the right, after five days' notice, to go upon any private property to repair, remove, correct or abate any condition which constitutes a violation of this Part and may assess the cost thereof, plus an additional 10% of such cost, against the owner, occupier or tenant of such property who was given such five-day notice. In the event of an emergency where there is imminent peril to the lives or property of others, the Township may go upon private property without prior notice to repair, remove, correct or abate any such condition and shall in such case assess the cost of such work, plus an additional 10%, against the owner of such property or any other person who created or permitted such condition to exist. Such cost plus 10% shall be collectible by the Township in the manner provided by law for the collection of municipal claims or by an action in assumpsit.

§ 10-204. Exceptions. [Ord. 8-90-327, 8/23/1990, § 4]

Nothing contained in this Part shall be construed to prohibit the conduct of any business which complies with the provisions of the Salisbury Township Zoning Ordinance [Chapter 27]; provided, however, that any such business shall be conducted in such manner as not to cause or constitute a public nuisance or a nuisance to properties or property owners in the neighborhood.

§ 10-205. Penalties. [Ord. 8-90-327, 8/23/1990, § 5]

Any person violating any of the provisions of this Part shall be subject to a fine of up to \$1,000 plus court costs and reasonable attorney's fees incurred by the Township. Each day such a violation occurs shall constitute a separate and distinct violation of this Part.

§ 10-206. Proceedings. [Ord. 8-90-327, 8/23/1990, § 6]

In addition to the penalties herein provided for the violation of this Part, and notwithstanding any prosecutions instituted or convictions for any such violation, the Township shall have the right by appropriate proceedings at law or in equity to prevent the violation of this Part or to require the abatement or correction of any conditions which constitute a violation of this Part.