

**TOWNSHIP OF WICONISCO
DAUPHIN COUNTY, PENNSYLVANIA
ORDINANCE NO. 2025-01**

**AN ORDINANCE OF WICONISCO TOWNSHIP ESTABLISHING REGULATIONS
FOR MAINTENANCE, LITTERING, AND PROPERTY CONDITION IN ORDER TO
PROMOTE THE HEALTH, SAFETY, AND WELFARE OF THE COMMUNITY**

SECTION 1. PURPOSE AND INTENT

Lack of maintenance of properties, littering, improper storage of trash and rubbish, parking of inoperable or non-registered vehicles, unauthorized vendor operations, and the accumulation of snow and ice are costly problems that contribute to the deterioration of property values and general disorder in the community. These problems reduce business and tax revenue and inhibit economic development. The quality of life and community pride of the citizens of Wiconisco Township are negatively impacted by the existence of these activities. Recognizing that these are community problems, the purpose and intent of this ordinance is to promote the property value, health, safety, and general welfare of the Township by helping to create a clean environment for the citizens of Wiconisco Township.

SECTION 2. SCOPE

The provisions of this ordinance shall apply to all existing and future properties and structures within the Township of Wiconisco.

SECTION 3. DEFINITIONS

For purposes of this ordinance, the following terms shall be defined as follows:

Debris – Any material upon the premises that is the residue of structural demolition, or any other material that is not neatly stored, stacked, or piled in a manner so as not to create a nuisance or become a harbor for insects and rodents.

Dumping – Includes depositing litter, durable goods, municipal waste, hazardous waste, residual waste, and construction or demolition debris on public or private property, except as authorized.

Feral Cat – A wild, homeless, or untamed cat.

Garbage – Animal or vegetable waste resulting from the handling, preparation, cooking, and consumption of food.

Indoor Furniture – Any pieces of furniture made for inside use, including, but not limited to, upholstered chairs, sofas, etc.

Junked Vehicle – Any vehicle that presents a hazard to the public or is a public nuisance due to its state or condition of disrepair, including rusted metal, broken windows, leaking fluids, unsecured doors, etc.

Litter – Includes waste materials such as trash, garbage, food wrappers, tires, vehicle parts, recyclable materials, and other items abandoned or improperly discarded on public or private property.

Nuisance Motor Vehicle – A motor vehicle with defects such as broken glass, rusted body parts, missing components, leaking fluids, or any other condition deemed a hazard to public safety.

Public Officer – Any authorized inspector, code enforcement officer, police officer, or public official designated by the Township Supervisors to enforce this ordinance.

Public Nuisance – Any condition or premises that is unsafe, unsanitary, or hazardous, including but not limited to overgrown vegetation, unsightly vegetation, or areas that serve as habitats for pests.

Recyclable Materials – Materials that can be collected, separated, and processed to be returned to the economic mainstream as raw materials or products, such as aluminum cans, glass containers, and paper.

Vacant Lot - A parcel of land without any structure or building, including land that is undeveloped or unused for residential, commercial, or industrial purposes

Waste – Any garbage, refuse, or material from residential, municipal, commercial, or community activities that is not classified as residual waste or hazardous waste.

SECTION 4. QUALITY OF LIFE VIOLATIONS

The following are considered Quality of Life Violations and are prohibited:

A. Accumulation of Rubbish, Garbage, Junk, Litter, or Tires

All exterior properties and structures must be kept free from accumulation of waste, garbage, trash, and other debris. It is prohibited to store or place any indoor furniture or appliances on the exterior of any property, except temporarily for removal or maintenance, and such items must be covered and placed behind the rear building line of the dwelling. No item may be placed for more than 10 days. Appliances, including refrigerators, freezers, microwaves, and similar equipment, shall not be discarded or abandoned outside.

B. Storing of Hazardous Materials

It is unlawful to store combustible, flammable, or hazardous materials unless compliant with Fire and Building Codes, and at least 10 feet away from the public right-of-way.

C. **Storing of Recyclables**

Recyclables must be stored in approved containers, which must be kept clean and sanitary.

D. **Waste or Trash Containers**

All waste containers must be durable, water-tight, made of metal or plastic, and have tight-fitting covers. Containers must not be visible from the public right-of-way. Waste containers must only be placed in front of a property within 24 hours prior to collection and must be returned within 24 hours after collection.

E. **Littering, Scattering Rubbish, or Dumping**

The improper disposal of litter, waste, trash, or any material is strictly prohibited on both public and private property. This includes, but is not limited to, streets, sidewalks, vacant lots, alleys, and any other open or unmaintained areas. Property owners and occupants are responsible for ensuring that their property and surrounding areas are kept free from scattered rubbish, including discarded items such as food containers, packaging, cigarette butts, or household waste. Additionally, the intentional or negligent dumping of any materials, including furniture, appliances, construction debris, or hazardous substances, is prohibited and subject to enforcement actions.

F. **Motor Vehicles**

Storing, parking, or placing unregistered, uninspected, inoperative, junked, or nuisance vehicles on any property is prohibited, unless stored in an enclosed facility. Painting or performing mechanical work on vehicles is prohibited on public streets.

G. **Private Advertising Matter**

It is prohibited to dispose of private advertising matter in public spaces without prior permission from the Township.

H. **Animal Maintenance and Waste/Feces Clean-up**

Animal owners are required to promptly clean up and properly dispose of waste left by their animals on both their property and public areas, including sidewalks, parks, and streets. Animals must be kept under control at all times and not allowed to roam freely or run at large. Furthermore, owners must take necessary measures to prevent their animals from causing noise disturbances, such as excessive barking or other disruptive behavior, which may interfere with the peace and quiet of the Township. This includes ensuring that animals are kept within designated boundaries and that any noise issues are addressed to avoid nuisance complaints.

I. **High Weeds, Grass, and Standing Water**

Improved lots must be properly maintained to prevent the growth of weeds or tall grass exceeding 6 inches in height. This includes regularly mowing lawns, clearing any overgrown vegetation, and ensuring that no weeds or grass are allowed to grow to excessive heights. Vacant lots must be maintained in a manner that ensures the area

remains clean, orderly, and free from any public nuisance, such as excessive overgrowth, unsightly vegetation, or a combination inhibiting public rights of way.

Additionally, standing water must not be allowed to accumulate on the property. Property owners and occupants are responsible for addressing any stagnant water, including water in containers, puddles, or low-lying areas that may become breeding grounds for mosquitoes or pose other health hazards.

J. Snow and Ice Removal from Sidewalks

Property owners must remove snow and ice from sidewalks within 24 hours of accumulation. It is prohibited to dump snow or ice onto streets or neighboring properties.

K. Swimming Pools

Pools must be maintained in good repair, kept clean and safe, and covered when not in use.

L. Burning

Burning is only allowed for recreational fires as regulated by the Wiconisco Township Code of Ordinances, with specific restrictions on materials that can be burned.

M. Feeding of Feral Cats

It is unlawful to feed or allow stray or feral cats to roam freely outdoors.

SECTION 5. AUTHORITY FOR ISSUANCE OF VIOLATION TICKETS/CITATIONS

Upon identifying a violation of this ordinance, any Public Officer appointed by the Board of Supervisors of Wiconisco Township may issue quality of life violation tickets and/or citations to the owner and/or occupant of the property in question or to the individual responsible for the violation.

SECTION 6. SERVICE

A violation ticket may be served upon a violator through any of the following methods:

1. Directly handing it to the violator or their agent.
2. Delivering it to an adult member of the household or other person in charge of the residence.
3. Posting the violation ticket on the property where the violation exists.
4. Delivering it to the violator's office or usual place of business.
5. Mailing the violation ticket to the violator's address of record.

SECTION 7. SEPARATE OFFENSE

Each day a violation continues or remains uncorrected constitutes a separate offense. A new violation ticket may be issued for each day the violation persists, and additional fines may be imposed accordingly.

SECTION 8. ABATEMENT OF VIOLATION

- A. **Immediate Correction Required:** Upon receiving a quality-of-life ticket or citation, any person or business violating this ordinance must immediately begin corrective action and, within 10 calendar days, remit payment of the ticket fine directly to Wiconisco Township.
- B. **Cost of Abatement:** If the Township must correct the violation, the cost of the abatement will be charged to the property where the violation occurred. This may be collected through any lawful method, including the filing of a lien. Fees for abatement services will be determined by the Township Board of Supervisors.
- C. **Township Clean-Up:** If a violation is not abated within 72 hours of the issuance of a ticket, Wiconisco Township reserves the right to correct the violation at the property owner's expense. If the violation presents imminent danger or health risks, immediate action may be taken at the discretion of the Public Officers. Costs for labor and materials used will be passed onto the property owner. An additional 20% fee may be charged for material purchases to cover incidental costs.
- D. **Contractor Clean-Up:** If the Township hires a contractor to address the violation, the cost of contractor services, including a 30% processing fee, will be billed to the property owner.
- E. **Lien for Costs:** In addition to fines, all abatement costs may be recovered through the imposition of a municipal lien against the property.

SECTION 9. PENALTIES FOR NON-COMPLIANCE

- A. **Fines:** Violators will be fined as follows:
 - 1. **First offense:** \$25.00 per section violated.
 - 2. **Second offense:** \$50.00 per section violated.
 - 3. **Third and subsequent offenses:** \$100.00 per section violated.
- B. **Penalties for Late Payment:** If the fine is not paid or a hearing is not requested within 10 calendar days, a \$10.00 penalty will be added for each day the fine remains unpaid, up to 30 days.
- C. **Failure to Respond:** Failure to respond within 10 days will result in a citation for non-payment and further legal action may be pursued.
- D. **Repeated Violations:** After two tickets for the same violation, a Public Officer may issue a citation for the third and subsequent offenses.
- E. **Continuous or Severe Violations:** If the violation continues or is severe, a citation may be issued directly without a prior ticket, as long as notice has been given.
- F. **Citation Fines:** For those who fail to comply after being issued a citation, the fine will be between \$100.00 and \$1,000.00 per offense. Violators may also face imprisonment for up to 90 days.

SECTION 10. APPEAL

1. **Requesting an Appeal:** A violator may appeal against the ticket by submitting a written request to the Wiconisco Township office within ten (10) calendar days of ticket issuance. The appeal form should include the reason for the appeal and the appropriate fine amount. The Township will schedule an appeal hearing within thirty (30) days of receiving the appeal.
2. **Abatement Costs:** If abatement costs were incurred, the violator may be required to pay those costs as part of the appeal process.
3. **Appeal Meeting:** The violator may request an in-person meeting with the issuing Public Officer. The Township may grant this request at its discretion and may consult with the Public Officer or other relevant parties.
4. **Appeal Decision:** The Township will issue a decision within thirty (30) days of the appeal. The decision may uphold, modify, or overturn the ticket or any associated fines. Any applicable refunds will be processed accordingly.

SECTION 11. NON-EXCLUSIVE REMEDIES

The penalties, fines, and collection procedures in this ordinance are separate and distinct remedies. They do not replace or limit other legal remedies available to Wiconisco Township for enforcing its ordinances.

SECTION 12. SEVERABILITY CLAUSE

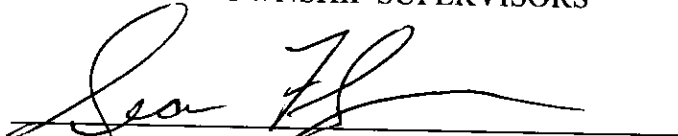
If any section or provision of this ordinance is declared invalid by a court of competent jurisdiction, such a decision shall not affect the validity of the remaining provisions of the ordinance.

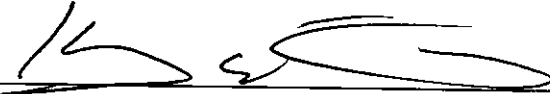
SECTION 13. EFFECTIVE DATE

This ordinance shall take effect immediately upon approval by the Board of Supervisors of Wiconisco Township and in accordance with any applicable laws of the Commonwealth of Pennsylvania.

ORDAINED and ENACTED this 4 day of March, 2025
by the Township of Wiconisco Supervisors.

WICONISCO TOWNSHIP SUPERVISORS


SEAN FLYNN - Chairman


KERRY TETER – Vice-Chairman


RONALD PINCHORSKI – Supervisor

ATTEST:


CANDICE FAUSNACHT – Secretary/Treasurer

