

**BOARD OF SUPERVISORS  
NORTH WHITEHALL TOWNSHIP  
LEHIGH COUNTY, PENNSYLVANIA**

**ORDINANCE NO. 2010-2**

**AN ORDINANCE OF THE TOWNSHIP OF NORTH WHITEHALL, LEHIGH COUNTY, PENNSYLVANIA PROVIDING FOR HEALTH AND SAFETY THROUGH REGULATIONS PERTAINING TO PRIVATE PROPERTY MAINTENANCE; NOTICES OF INFESTATION AND RODENT CONTROL; AND DEFINING CERTAIN TERMS USED HEREIN; PROVIDING FOR ENFORCEMENT, VIOLATIONS, PENALTIES AND THE RIGHT OF ENTRY; REPEALER; AND SEVERABILITY**

**NOW, THEREFORE**, be it enacted and ordained, by the Township of North Whitehall, County of Lehigh and Commonwealth of Pennsylvania, pursuant to the general powers permitted by the Second Class Township Code (53 P.S. Section 65101, et seq.) and it is hereby enacted and ordained by authority of the same, as follows:

**Section I. Name**

This ordinance shall be known and may be cited as the "North Whitehall Township Private Property Maintenance Ordinance."

**Person** – This term includes an individual, group of individuals, partnership, firm, association or any other entity.

**Rat-proofing** – The treatment or application, with materials impervious to rodent-gnawing, of all actual or potential openings in the exterior and interior walls, ground or first floors, roofs, foundations, basements, sidewalk gratings and other places that may be reached by rodents from the ground or by climbing or burrowing.

### **Section III. Private Property Maintenance**

A. From and after the effective date of this Ordinance, it shall be unlawful and deemed a public nuisance for any owner, tenant or occupier of private property in the Township of North Whitehall to place or permit to remain on such private property the accumulation of Municipal Waste as regulated by North Whitehall Township Ordinance 2008-1.

B. From and after the effective date of this Ordinance, it shall be unlawful and deemed a public nuisance for any person to place or allow food in the open which would create a condition conducive to rodent, insect or other pest life. Garbage and waste material shall be placed in leak-proof containers with tight-fitting lids and stored in such a manner as not to create an attraction or harborage for rodents, insects or other pest life.

C. All structures, buildings, lots, parcels and premises within North Whitehall Township shall be kept free from a condition conducive to rodent, insect and other pest life. The person in control of said structure, building, lot, parcel or premises shall not allow the accumulation of vehicles, garbage, refuse

One Thousand (\$1,000.00) Dollars, plus all court costs, including reasonable attorney's fees, incurred by North Whitehall Township in the enforcement of this Ordinance. Each day during which any such condition is permitted to exist after the said five (5) day notice period has expired shall constitute a separate offense.

B. The Township shall not be required to send a notice of violation to repeat offenders of Section III of this Ordinance when the violation pertains to the same property owner who was the subject of a previous notice of violation of Section III of this Ordinance within a six (6) month period of time or less. The Township shall be permitted to file a citation directly with the District Magistrate Judge when this situation occurs.

C. The Codes Enforcement Officer or other agent of the Township, designated by the Board of Supervisors, is authorized to issue citations for violation of this Ordinance.

#### **Section VI. Right of Entry**

The Township, through the Zoning and Codes Enforcement Officer or any other designated agent of the Township, shall have the right, after five (5) days notice, to go upon any private property to remove, correct or abate any condition which constitutes a violation of Section III of this Ordinance and may assess the cost thereof, plus an additional ten (10) percent of such cost, against the owner, occupier or tenant of such property who was given such five (5) day notice. In the event of an emergency where there is imminent peril to the lives or property of others, the Township or its designated agents, may go upon private property without prior notice to remove, correct or abate any such condition and shall in

**Section IX. Effective Date**

The within provisions shall become effective five (5) days after the adoption hereof.

**DULY ENACTED AND ORDAINED THIS SEVENTH DAY OF DECEMBER, 2010, BY THE BOARD OF SUPERVISORS OF NORTH WHITEHALL TOWNSHIP, AT A DULY ADVERTISED, NOTICED, PUBLISHED AND LAWFULLY ASSEMBLED REGULAR PUBLIC MEETING AND HEARING.**

ATTEST:

**BOARD OF SUPERVISORS OF  
NORTH WHITEHALL TOWNSHIP**

BY: Brenda Norder  
Brenda Norder,  
Secretary

BY: Ronald E. Stahley  
Ronald E. Stahley, Chairman

BY: Ronald J. Heintzelman  
Ronald J. Heintzelman,  
Supervisor

BY: Jerome Joseph  
Jerome Joseph, Supervisor