

STEWARTSTOWN BOROUGH

York County, Pennsylvania

AN ORDINANCE 2001-003

AN ORDINANCE

AN ORDINANCE OF THE BOROUGH COUNCIL OF
STEWARTSTOWN BOROUGH, YORK COUNTY,
PENNSYLVANIA, PROVIDING FOR THE HEALTH
AND WELFARE OF THE BOROUGH OF STEWARTSTOWN
BY THE PREVENTION OF MOSQUITO BREEDING.

BE IT ORDAINED AND ENACTED by the Borough Council of Stewartstown Borough,

York County, Pennsylvania, by the Authority of the same as follows:

Section 1. **Short Title.** This ordinance shall be known as the "Mosquito Control Ordinance."

Section 2. **Definitions.** Any collection of water considered in this ordinance shall be held to be those contained in ditches, pools, ponds, streams, excavations, holes, depressions, open cesspools, privy vaults, fountains, cisterns, tanks, shallow wells, barrels, troughs, urns, cans, boxes, bottles, tubs, buckets, roof gutters, tanks of flush closets, reservoirs, vessels, tires, refrigerators, old cars, toys, miscellaneous junk, receptacles of any kind, or other containers or devices which may hold water.

Section 3. **Prohibited Acts.** It shall be unlawful to have, keep, maintain, cause or permit, within the borough limits any collection of standing or flowing water in which mosquitoes breed or are likely to breed, unless such collection of water is treated so as effectually to prevent such breeding.

Section 4. **Prevention.** The methods used, or treatment directed toward the prevention of breeding of mosquitoes in collections of water shall be a type approved by the borough's Emergency Management Committee. This committee, shall, from time to time, issue mosquito control regulations.

Section 5. **Evidence and violations.** The presence of mosquito larvae in collections of water shall be evidence that mosquitoes are breeding there, and failure to prevent such breeding within three (3) days after notice by the Emergency Management Coordinator (E. M. C.), his/her representative or authorized agent, (Police Dept.), shall be deemed a violation of this ordinance.

Section 6. **Corrective Action.** Should the person or persons responsible for conditions giving rise to the breeding of mosquitoes fail or refuse to take necessary measures to prevent the same, within three (3) days after due notice has been given to them, the E. M. C. or the Police Dept., is hereby authorized to do so, and all necessary cost incurred to the Borough for this purpose shall be a charge against the property owner or other persons offending as the case may be.

Section 7. **Inspection of Premises.** For the purpose of enforcing the provisions of this ordinance, the E. M. C., or the Police Dept., acting under his/her authority, may at all reasonable times enter in, and upon any premises within his/her jurisdiction; and any person or persons charged with any of the duties imposed by this ordinance failing within the time stated in the notice of the E. M. C., as the case may be, to perform such duties, or to carry out the necessary measures to the satisfaction of the E. M. C., shall be deemed guilty of a separate violation of this ordinance.

Section 8. **Penalties.** Violation of any provision of this ordinance shall constitute a summary criminal offence and upon conviction shall be punishable by a fine of Twenty-Five Dollars (\$25). Each day of violation of this ordinance, beyond the three days (3) set forth in Section five (5), shall constitute and be conclusive of a separate offense.

Section 9. **Enforcement.** The E. M. C. and/or Police Dept. shall deliver to the property owner or shall affix to the residential, commercial, or industrial establishment with the violation, a notice stating that the owner or occupant has a violation per Section 3. The notice shall contain instructions to the owner or occupant of the building that if said owner or occupant of the building will report to the borough office and pay the sum of ten (\$10.00) dollars within one hundred sixty-eight (168) hours [seven (7) days] after the time of the notice or said owner or occupant will place the sum of ten (\$10.00) dollars in money order or check, enclosed within the envelope provided, in the fine box, also known as the overnight drop box installed along the alley side entrance of the municipal building, that act will save the violator from criminal prosecution and from payment of the fine and costs prescribed in the preceding section.

ENACTED AND ORDAINED this the 2nd day of April, 2001, by the Borough Council of the Borough of Stewartstown, York County, Pennsylvania, in the lawful session duly assembled.

ATTEST:

Susan M. Crow
Secretary

BOROUGH COUNCIL OF THE
BOROUGH OF STEWARTSTOWN

By: Wilbrietta P. Ellis
President of Council

By: Richard R. Hall
Mayor

APPROVED this 2nd day of April, 2001.