

AN ORDINANCE OF THE BOROUGH OF WINDSOR,  
YORK COUNTY, PENNSYLVANIA, FOR THE  
PROTECTION OF THE PUBLIC HEALTH, SAFETY AND  
WELFARE BY DEFINING NUISANCES AND DECLARING  
CERTAIN CONDITIONS, PLACES AND THINGS TO BE  
NUISANCES AND PROHIBITING THE SAME,  
PROVIDING FOR THE REMOVAL AND ABATEMENT OF  
SUCH NUISANCES, AND PROVIDING A PENALTY FOR  
THE VIOLATION THEREOF.

ORDINANCE NO. 3-95

BE IT ENACTED AND ORDAINED by the Borough of Windsor, York County,  
Pennsylvania, and it is hereby enacted and ordained by the authority of the same,  
as follows:

**SECTION 1:** It shall be unlawful for any person, partnership, corporation,  
association, or business entity to do any act, or fail to perform a duty, or allow or  
permit a condition or thing to exist, which act, omission, condition, or thing is  
defined herein as a nuisance.

The following acts, omissions, places, conditions, and things are  
hereby defined and declared to be nuisances:

A. The erecting, creating, maintaining, using, placing, causing,  
depositing, leaving or permitted to be or remain in or upon any private lot,  
building, structure, or premises, or in or upon any street, avenue, alley, parkway,

or other private or public place, in the Borough of Windsor, any one or more of the following disorderly, disturbing, unsanitary, fly-producing, rat harboring, disease-causing places, conditions or things, as follows:

1. Filthy, littered, or trash covered cellars, house yards, factory yards, vacant areas in rear of stores, vacant lots, houses, buildings or premises.

2. Animal manure in any quantity which is not securely protected from flies and the elements, or which is kept or handled in violation of State laws, or Local Ordinances.

3. Tin cans, bottles, glass, cans, ashes, small pieces of scrap iron, wire metal articles, broken stone or cement, broken crockery, broken glass, broken plaster, and all such trash or abandoned material, unless the same is kept in covered bins or receptacles approved by the Borough of Windsor.

4. Trash, litter, rags, accumulation of empty barrels, boxes, crates, packing crates, mattresses, bedding, packing hay, straw or other packing material, lumber not neatly piled, scrap iron, tin or other metal not neatly piled, or anything in which flies or rats may breed or multiply or which may be a fire danger, and unused and discarded household goods and appliances.

5. Any unsightly building, billboards, or other structures, or any abandoned or partly destroyed building or structure.



6. Any and all places used or maintained as junk yards, or dumping grounds, or for the wrecking or disassembling of automobiles, trucks, tractors or other machinery of any kind, or for the storing or leaving of wrecked or abandoned automobiles, trucks, tractors, or machinery of any kind, or of any of the parts thereof or for the storing or leaving of any machinery or equipment used by contractors or builders or by other persons which such places are kept so as to interfere with the comfortable enjoyment of life or property of others, except as permitted under the Windsor Borough Zoning Ordinance.

7. Permitting any bushes or trees to grow upon such premises so as to impede and/or obstruct the view of pedestrian or vehicles or impede or obstruct pedestrian or vehicles' passage along streets and sidewalks.

8. Permitting any weeds, grass or plants other than trees, bushes, shrubs, flowers, or other ornamental plants, to grow to a height exceeding six (6) inches provided, however, that vegetation which has been planted and is raised for food shall not be included in the above height restriction.

B. The releasing, spilling, leaking, or discharging of any petroleum product (including, but not limited to, oil, petroleum, fuel oil, oil slicks, oil refuse, oil mixed with other non-hazardous waste and crude oils, gasoline and kerosene) upon any street, avenue, alley, and parkway in the Borough of Windsor or any other property owned by the Borough of Windsor.

**SECTION 2:** Whenever a nuisance exists as defined herein, (not including the releasing, spilling, leaking, or discharging of petroleum products,) the Code Enforcement Officer, Borough Council, or Borough Mayor, shall notify, in writing, the owner of the premises on which such nuisance exists and/or the person, partnership, corporation, association, or business entity which has created, maintained, or caused such nuisance that such nuisance must be removed and abated within ten (10) days from the date of such notice. In the event such nuisance is not removed and abated within the time period set forth in the written notice, the Borough of Windsor may proceed with all remedies available with respect to nuisances, including, but not limited to:

- A. Proceedings before the District Magistrate.
- B. Filing a Petition with the Court of Common Pleas of York County, Pennsylvania, requesting an Order for the abatement and removal of the nuisance.
- C. The abatement and removal of the nuisance by the Borough of Windsor with all of the costs and expenses involved to do so being the responsibility of the owner of the premises on which such nuisance existed and/or the person, partnership, corporation, association, or business entity which created, maintained, or caused such nuisance.



With respect to the releasing, spilling, leaking or discharging of petroleum products, the owner of such petroleum product and/or the person, partnership, corporation, association, or business entity causing or involved in the releasing, spilling, leaking or discharging of such petroleum product shall immediately take all necessary steps to contain such petroleum product and the clean-up of such petroleum product; upon the failure to take such necessary steps for the containment and clean-up of such petroleum product, the Borough of Windsor and the Mayor are authorized to take whatever steps may be necessary for the containment and clean-up of such petroleum product in which event, the owner of such petroleum product and the person, partnership, corporation, association, or business entity which caused or was involved in the releasing, spilling, leaking, or discharging of such petroleum product shall be liable to the Borough of Windsor for all costs and expenses incurred in the containment and clean-up of such petroleum product.

**SECTION 3:** Any person, partnership, corporation, association, or business entity which shall violate any of the provisions of this Ordinance shall, upon conviction before any District Magistrate, be sentenced to pay a fine of not less than Twenty-Five (\$25.00) Dollars or more than Three Hundred (\$300.00) Dollars, plus the costs of prosecution, and, in default of payment of such fine and costs, to undergo imprisonment in the York County Prison for a period of not

to exceed ninety (90) days. Each day that such nuisance exists shall constitute a separate violation under this Ordinance.

**SECTION 4:** If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

**SECTION 5:** All ordinances or parts of ordinances conflicting with the provisions of this Ordinance are hereby repealed insofar as they are inconsistent with this Ordinance.

Enacted and Ordained by the Borough of Windsor, York County, Pennsylvania, this 5 day of June, 1995.

**ATTEST:**

**WINDSOR BOROUGH COUNCIL**

Donna L. Martin  
Secretary

BY: Donald R. Hipe II  
President

Approved this 5 day of June, 1995.

Terrence L. Orloff  
MAYOR