

Borough of Berrysburg

Dauphin County, Pennsylvania

ORDINANCE NO. 1

AN ORDINANCE PROHIBITING NUISANCES WITHIN THE BOROUGH OF BERRYSBURG, AND FOR OTHER PURPOSES.

BE IT ORDAINED BY THE COUNCIL OF THE BOROUGH OF BERRYSBURG, AND IT IS HEREBY ORDAINED BY THE AUTHORITY OF THE SAME.

SECTION 1. That any person or persons who shall erect or maintain any hog-sty, privy or sink upon his, her, or their lot or lots in the Borough aforesaid, he, she, or they shall keep the same in such condition that the smell thereof shall not be offensive to his, her or their neighbor or neighbors, or other citizens of said Borough; any person or persons offending against this Section and being thereof convicted shall forfeit and pay the sum of one dollar for every such offense, and the further sum of one dollar for every week the same is suffered to remain thereafter.

SECTION 2. That if any person or persons shall cast or lay, or cause to be cast or laid any shavings, mud, straw, ashes, stones, brickbats, manure, or the heads, entrails or other offal of fish, or any dead carcass, excrement or other filth or annoyance whatever, in any of the public ground belonging to said Borough or on any pavement, foot-walk, street, lane, or alley within the said Borough, he, she, or they so offending and being thereof convicted, shall forfeit and pay the sum of one dollar for every such offense; and shall, moreover, pay the expenses of removing such nuisance or nuisances.

SECTION 3. That if any person or persons shall cast, carry, draw-out or lay any dead carcass or excrement or filth from any vaults or privies, and shall leave such dead carcass, excrement or filth within the limits of said Borough exposed and unburied, or not buried to such a depth as will prevent any disagreeable smell arising therefrom, such person or persons so offending and being thereof convicted, shall forfeit and pay the sum of one dollar for every such offense, and shall moreover, pay the expense of removing such nuisance or nuisances.

SECTION 4. That if any person or persons shall willfully stop or obstruct the passage of the waters of any common sewer, gutter or ditch made or to be made within said Borough, or shall in any manner injure the same, such person or persons so offending, and being thereof convicted shall forfeit and pay the sum of one dollar for every such offense.

SECTION 5. That if any person or persons except such as are hereinafter excepted shall place or cause to be placed any

70011711

logs, scantling, boards, stone, brick, lumber, firewood, stone coal, wagons, carts, stages, carriages, or other obstructions; whatever, upon any of the public grounds of said Borough or in any of the public streets, lanes, alleys, or foot-ways within the said Borough. And shall permit the same or any part thereof to remain longer than six hours after notice given to such person or persons so offending by the Supervisor of the Borough to remove the same; every such offender refusing to remove said obstructions, shall on conviction thereof forfeit and pay the sum of one dollar for every week such obstructions shall remain unmoved. Provided however; That any person or persons who may have brought or may hereafter bring materials into any public street, lane or alley in said Borough for the purpose of building, shall not occupy more than one-half the width of any of the streets, lanes, or alleys and such materials not to remain longer than six month, under the penalty as in this section is already set forth; provided further, that nothing in this section shall prevent any vehicle of any description from remaining in the streets, lanes or alleys, outside of pavement or foot-walk in front of repair shops, a sufficient length of time to be repaired or finished.

SECTION 6. That if any person or persons shall ride or drive any horse, mare, gelding or mule, or shall drive any wagon, cart or other wheeled vehicle, along or over any foot pavement or sidewalk in any of the streets of said Borough, without the consent of the owner of the property in front of which such pavement or sidewalk may be, or shall intentionally leave any horse, mare, gelding or mule, or wagon or cart stand upon any of the street-crossings, or tie or fasten any horse, mare, gelding or mule, to any shade tree, without the consent of the owner of such tree. Such person or persons so offending shall on conviction thereof forfeit and pay the sum of one dollar for every such offense.

SECTION 7. That no person or persons shall lay or cause to be laid on his, her, or their pavements or footwalks any boxes, hogsheads, barrels, wood or other obstructions, more than four feet from the front of his, her, or their or building on Market or Main Streets, or more than three feet on any other pavement or footway in any of the streets within said Borough; he, she, or they so offending shall on conviction thereof, forfeit and pay the sum of one dollar for every such offense.

SECTION 8. That if any person or persons, except on military occasions or days set apart by the Chief Burgess shall fire off any gun, pistol, or firearm, except in case of necessity or any squib, cracker, or other explosive preparation in the nature of fireworks, within the limits of the Borough, or any person or persons selling or causing the same to be sold, such person or persons so offending, shall on conviction thereof, forfeit and pay the sum of one dollar for every such offense.

1111002

SECTION 9. That no person or persons shall be allowed to open and exhibit any plays or shows of any kind within the limits of the Borough (natural curiosities excepted) without permission from the Burgess in writing, under the penalty of five dollars for every transgression. And it shall be the duty of the Burgess, on receiving the sum of two dollars for the use of the Borough to grant permission to open and exhibit. Provided, there is nothing indecent or immoral inserted in the advertisement for the exhibition, which permit shall in no case extend for a longer time than twenty-four hours. Provided, that nothing in this section shall be so construed as to prevent any of the inhabitants of the Borough from holding public exhibitions, recitations or plays for their amusement or edification.

SECTION 10. That it shall be the particular duty of the High Constable to attend and see that no person violates the 9th Section of this ordinance.

SECTION 11. That if any persons shall find trespassing in their lots, gardens, or grounds; any geese, poultry or fowls of any description, it shall and may be lawful for them so finding said fowls trespassing to kill and return the same upon the premises of the owner if known. Provided, that persons taking advantage of this section shall prove, if required, that the fowls killed were in the said lot, garden or grounds when killed.

SECTION 12. That if any person or persons shall suffer his, her, or their mule, horse, mare, gelding, cattle or sheep to run at large or shall pasture the same in the streets, lanes or alleys within the limits of the Borough or shall let them go to water or to out lots unattended he, she, or they so offending and being convicted thereof, shall forfeit and pay for every such offense the sum of one dollar.

SECTION 13. That if any person or persons shall permit his or their drove of mules, horses, cattle, sheep or hogs to stop longer than is absolutely necessary in any of the streets, lanes, or alleys within the limits of said Borough and being convicted thereof, they shall forfeit and pay for every such offense the sum of five dollars for the use of said Borough.

SECTION 14. That if any hogs, shoats, or pigs are found running at large within the limits of said Borough the same may be taken up by the Borough Constable or any person authorized by the Burgess, impounded and advertised and if the owner shall appear at any time within ten days after the publication of the advertisement and shall pay the Constable of said Borough fifteen cents for the use of the person so taking up and impounding, for each and every hog, shoat, or pig. Together with fifty cents for advertising each lot of hogs, shoats, or pigs as well as ten cents for keeping each head per day, then the aforesaid animals shall be returned to the owner; otherwise the Constable of said Borough at any time after the expiration of said ten days, shall make a public sale (the same having been advertised ten days) and the proceeds shall be appropriated as follows to wit: All the above charges shall be paid, together with six per cent for selling, and the remainder shall be paid into the Treasury for the use of the owner, if demanded within six month after the sale, if not demanded within said time, then the same

shall belong to the Borough.

SECTION 15. That it shall be the duty of lot holders or tenants as the case may be in said Borough within six hours after any fall of snow to have the same removed from four feet of the pavement next to the curb, under a penalty of one dollar for each lot. Said penalty to be recovered for the use of the Borough as other penalties are by law recoverable.

SECTION 16. The Burgess shall whenever in his opinion public safety require it, order the muzzling of all dogs, during such time as he may designate and any dog running at large during such time without being securely muzzled may be killed by any citizen of the Borough, and the owner or keeper thereof shall either remove the carcass within one hour or pay a fine of one dollar.

SECTION 17. That if any person or persons shall play ball on the Public Square, streets or alleys within the limits of said Borough; he, she, or they shall on conviction for offense forfeit and pay each the sum of one dollar.

SECTION 18. No person shall kindle or keep up a fire on any highways of this Borough nor shall in such manner or position as shall endanger any building, kindle or keep any fire in any other place in this Borough; or carry any lighted pipe or cigar or any lighted lamp or candle not enclosed in a lantern, into any barn, stable or other place where straw or hay is kept. Any person violating this Section shall on conviction thereof pay a fine not exceeding ten dollars.

SECTION 19. Any person violating any of the provisions of this ordinance and being thereof convicted before the Burgess or any Justice of the Peace of the Borough shall where no other penalty is mentioned pay a fine of one dollar, and where ever the fine is not exceeding a certain sum, the exact amount of the fine shall be fixed by the Burgess or Justice before whom convicted. In all cases the person convicted shall pay the costs and in case of a failure to pay fine and costs; may be committed to the lock-up for any time not exceeding forty-eight hours at the discretion of the magistrate before whom the same is tried. All such fines shall be for the use of the Borough.

SECTION 20. All the provisions contained in this ordinance shall go into effect at the expiration of twenty days from date of passage of the same.

SECTION 21. All ordinances or parts of ordinances that are inconsistent with this ordinance are hereby repealed.

Passed June 5, A.D. 1882.

ATTEST:

Jonathan A. Brugger

Secretary

Jacob Snyder

Chief Burgess