

Resolution 2011-01
Borough Council of Berrysburg
Dauphin County, Pennsylvania
June 13, 2011

Establishing Minimum and Maximum Fines for Nuisance Violations

Whereas the Borough Council of Berrysburg is duly authorized in accordance to Borough Ordinance #41: *Code and Ordinance Enforcement*, Article IX, Section 901.1 adopted October 11th of 2010, to establish, adopt, and or amend all code and ordinance schedules of fines, penalties and enforcement costs which are authorized to be levied and collected from cited and prosecuted violators of all borough codes and ordinances, by a two thirds majority motion and by an adopted borough council resolution; **and**

Whereas the Borough Council of Berrysburg has deemed that all previously established Nuisance Violation Fines which were authorized within any and all Sections of any and all Borough Ordinances relating to Nuisances or referring to any condition as constituting a Nuisance, including but not limiting to: Ordinance #1 *Prohibiting Nuisances* adopted on June 5th of 1882, Ordinance #27 *Nuisance Abatement I* adopted on April 6th of 1981, and Ordinance #32 *Nuisance Abatement II* adopted on April 16th of 1986, are outdated, ineffective towards expediently accomplishing the removal or deterrent of Nuisance Conditions, and they are insufficient to effectively recover all incurred Borough Code and Ordinance Enforcement Costs and Expenses; **now**

Therefore be it resolved by the Berrysburg Borough Council that effective immediately upon the adoption of this resolution, when and where applicable: any person hereafter who is cited and or prosecuted for a Nuisance Violation within the borough limits of Berrysburg shall be liable to the following fines:

For a First Nuisance Offense in any Given Calendar Year: the Minimum Fine shall be One Hundred and Fifty (\$150.00) Dollars and the Maximum Fine shall be One Thousand (\$1000.00) Dollars.

For a Second Nuisance Offense of Similarity to Any Cited First Offense Occurring Within Three Hundred and Sixty-five (365) Consecutive Days of a Cited First Offense: the Minimum Fine shall be Three Hundred (\$300.00) Dollars and the Maximum Fine shall be One Thousand (\$1000.00) Dollars.

For a Third Nuisance Offense of Similarity to Any Cited Second Offense Occurring Within Three Hundred and Sixty-five (365) Consecutive Days of a Cited Second Offense: the Minimum Fine shall be Six Hundred (\$600.00) Dollars and the Maximum Fine shall be One Thousand (\$1000.00) Dollars.

Resolution 2011-01
Borough Council of Berrysburg
Dauphin County, Pennsylvania
June 13, 2011

For Any and All Additional Nuisance Offenses of Similarity to a Cited Third Offense Occurring Within Three Hundred and Sixty-five (365) Consecutive Days of a Cited Third Offense: the Minimum Fine shall be One Thousand (\$1000.00) Dollars.

Attest: Berrysburg Borough Council

Scott Harner 6-13-11

Scott Harner, President (Date)

Michael J. Ward 6-13-11

Michael J. Ward, Mayor (Date)

I, Diane Kennedy being the Secretary of the Borough Council of Berrysburg, Dauphin County, Commonwealth of Pennsylvania, hereby certify that the foregoing Borough Council Resolution was advertised on the first (1st) day of June 2011 in the Upper Dauphin Sentinel, a newspaper of general circulation in the borough, and I further certify that the copy of the foregoing Borough Council Resolution is a true and correct copy of the original which was adopted by the Borough Council of Berrysburg, Dauphin County, Commonwealth of Pennsylvania, at a regular meeting held at 7:00 p.m. on the thirteenth (13th) day of June 2011.

Diane Kennedy 6-13-11

Diane Kennedy, Secretary (Date)
(SEAL AFFIX)

