

ORDINANCE NO. 576

AN ORDINANCE OF THE BOROUGH OF MONROEVILLE DECLARING A CERTAIN PRIVATE ROAD TO BE A NUISANCE AND PROVIDING FOR THE ABATEMENT THEREOF.

WHEREAS the Borough has received repeated complaints regarding the lack of maintenance of a certain private dirt road leading from the westerly line of Logan's Ferry Road westwardly to the airport known as "Brown's Airport", as well as to the lack of maintenance of the automobile parking area adjacent to the said Airport; and

WHEREAS as a result of the said lack of maintenance large quantities of dust are raised by the frequent automobile traffic to and from the said Airport and through the said parking lot; and

WHEREAS despite repeated requests the owner or owners of the said Airport premises, which include the aforesaid road and parking lot, have failed and refused and continue to refuse to perform any act of maintenance for the year 1967 to control or prevent the raising of dust upon the said access road and parking lot; and

WHEREAS it appears that the said dust conditions have become a nuisance to the residential areas in the immediate vicinity of the said private road and parking lot;

NOW, THEREFORE, BE IT ORDAINED by the Borough of Monroeville, in Council assembled, as follows:

Section 1. In their present state the private road leading from the westerly side of Logan's Ferry Road in a westward direction through property of Brown to the Airport located on the said premises, as well as the parking lot located on the said premises, are hereby declared to be nuisances.

Section 2. The owner or owners of the said premises whereon the said private road and parking lot are located are hereby directed to abate such nuisance in any one of the following manners:

- (a) Close the said private road and parking lot to clientele of the Airport by appropriate barricades to be approved by the Borough Manager.
- (b) Cause the said private road and parking area to be oiled according to standards of the Borough of Monroeville for unpaved public roads.

The said nuisance shall be so abated within five (5) days of written notice of this Ordinance to the owner or owners of the said premises.

Section 3. Should the owner or owners of the said premises fail to correct or abate the said nuisance as directed above within the time specified, the Borough Manager is further authorized and directed to cause such nuisance to be abated by proper oiling, either through the use of Borough personnel and materials or by private contractor. The Borough Manager shall keep careful accounts of the costs and expenses of such work, and upon completion thereof shall certify such costs and expenses to the Borough Solicitor who shall make claim therefor against the owner or owners of the said premises, and in default of such payment shall file a municipal claim therefor, together with penalty of

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ten (10%) per cent, in the manner provided by law for the collection of municipal claims.

Section 4. Any ordinance or part of ordinance in conflict with any of the provisions of this Ordinance is hereby repealed insofar as the same affects this Ordinance.

ORDAINED AND ENACTED this 11th day of July, 1967.

BOROUGH OF MONROEVILLE

ATTEST:

By S/ Frank A. Witt
President of Council

S/ Carrol F. Pickens
Secretary

EXAMINED AND APPROVED this 11th day of July, 1967.

S/ John J. Duncan
Mayor