

AN ORDINANCE OF MUNICIPAL)
 COUNCIL OF THE MUNICIPALITY)
 OF MONROEVILLE AMENDING)
 ORDINANCE 1527, THE PLANNING AND)
 CONSTRUCTION CODE, TO INCORPORATE) ORDINANCE NO. 1539
 THEREIN, ORDINANCE 798 DEALING WITH)
 VEGETATION AT INTERSECTIONS OF PUBLIC)
 ROADS AND ORDINANCE 1045 DEALING WITH)
 EXPLOSIVES AND BLASTING AGENTS)

AND NOW, ON August 12, 1986, it is ORDAINED AND ENACTED

by Municipal Council of the Municipality of Monroeville as follows:

Section 1: Ordinance 798 is hereby reenacted and incorporated into the Planning and Construction Code as Chapter 207 entitled: "Vegetation at Intersections of Public Roads" and Ordinance 1045 is hereby reenacted and incorporated into the Planning and Construction Code as Chapter 303 entitled: "Explosives, Blasting Agents, Detonators and Storage Magazines".

Section 2: This page of this ordinance shall be inserted as an addendum to the Planning and Construction Code.

Section 3: Any ordinance or part of an Ordinance in conflict with any of the provisions of this Ordinance is hereby repealed to the extent of such conflict.

MUNICIPALITY OF MONROEVILLE

ATTEST:

Washington C. Altman

Michael P. Lynch

ENTERED INTO LEGAL

BOOK ON _____

ORA1539

AN ORDINANCE OF THE BOROUGH OF MONROEVILLE REGULATING
VEGETATION AT INTERSECTIONS OF PUBLIC ROADS

BE IT ORDAINED AND ENACTED, by the Borough of Monroeville, in Council assembled as follows:

IV B 1 Section 1. Height of Vegetation.

No person, firm or corporation owning or occupying any property within the Borough of Monroeville shall permit any shrubbery, bushes, trees, ornamental plants, flowers, evergreens, weeds, wild plants or grass to grow on such private property at the intersections of public roads, to such a height so as to obstruct the vision of motorists or pedestrians in their use of such public roads. Use of public roads shall not include ingress or egress from private driveways.

IV B 2 Section 2. Standard Applied.

In the area ten (10) feet from the edge of the cartway, whether on public right-of-way or private property, no vegetation in excess of three (3) feet in height shall be permitted so as to obstruct sight distance along the traveled portion of the road or sidewalk to less than ninety (90) feet. In determining whether vegetation is of such a height as to obstruct the vision of motorists or pedestrians, the criteria for sight distances set forth in Section 3-02, Paragraph 5 of Ordinance No. 744 shall be applied; provided, however, that in special cases, the Ordinance Officer may enforce a stricter standard if a safety hazard is found.

Section 3. Enforcement.

With respect to vegetation found to be in violation of this Ordinance on private property, it shall be the duty of the Borough Manager or person designated by him as Ordinance Officer to give notice, by personal service or by United States Mail to the owner or occupant of such private property whereon such vegetation is growing or remaining in violation of this Ordinance, directing such person, firm or corporation to remove, trim, or cut such vegetation within ten (10) days after issuance of such notice. In case any person, firm or corporation shall neglect, fail or refuse to comply with the notice provided in this Section within the period of time stated herein, the Borough Authorities may cause such vegetation to be removed, trimmed or cut at the expense of such person, firm or corporation, as set forth in Section 5 of this ordinance.

Remedy

IV B 3 With respect to such vegetation in violation of this Ordinance which is in the public right-of-way, the Borough Authorities may cause such vegetation to be removed, trimmed or cut, even if such vegetation was planted and maintained by an adjacent property owner or occupant. Such removal, trimming or cutting of vegetation within the public right-of-way shall be at the expense of the Borough; provided, however, that the Borough shall not be liable for any claims or damages in connection with the removal of such vegetation within the public right-of-way.

Section 4. Penalty

Any person, firm or corporation who or which shall violate or fail, neglect or refuse to comply with any of the provisions of this Ordinance shall, upon conviction thereof, be sentenced to pay a fine of not more than \$100.00 and costs of prosecution; provided, however, that each day's violation shall constitute a separate offense and a separate notice to the offender shall not be necessary in order to constitute an offense.

Section 5. Municipal Claim and Lien.

The actual cost of labor involved for each time the Borough shall cause vegetation to be removed, trimmed or cut on private property shall constitute a municipal lien, and the owner or occupant, as the case may be, of the premises shall be billed after same has been completed. Should any bill or bills for the removing, trimming or cutting of vegetation be unpaid after 30 days from the issuance of the bill, the Borough Solicitor is hereby authorized and directed to institute such proceedings, in the name of the Borough of Monroeville, in any Court having jurisdiction over such matter for the collection of such bill including actions at law or the filing of a municipal lien against the property. A penalty of 1% per annum shall be added to claims which remain unpaid.

ORDAINED AND ENACTED this 11th day of July, 1972.

ATTEST:

BOROUGH OF MONROEVILLE

S/ Carol F. Pickens
Secretary

By S/ George C. Dale
President of Council

EXAMINED AND APPROVED this 14th day of July, 1972.

S/ John J. Duncan
Mayor

Entered in Legal Book, Aug. 3, 1972.

ORDINANCE NO. 1045

AN ORDINANCE OF THE MUNICIPALITY OF MONROEVILLE
PROHIBITING THE MANUFACTURE AND STORAGE OF EXPLOSIVES,
BLASTING AGENTS, DETONATORS AND STORAGE MAGAZINES

SECTION I - DEFINITIONS

- Explosive shall mean any chemical compound mixture, or device, the primary or common purpose which is to function by explosive; the term includes but is not limited to dynamite, initiating explosives, detonators, safety fuses, squibs, detonating cord, ignition cord and igniters as listed in the Federal Register.
- Blasting Agents shall mean any material or mixture consisting of fuel and oxidize intended for blasting, not otherwise defined as an explosive provided that the finished product, as mixed for use or shipment, cannot be detonated by means of a numbered 8 test blasting cap when unconfined.
- Detonator shall mean any device containing a detonating charge that is used for initiating detonation in an explosive; the term includes electric blasting caps of instantaneous and delay types, blasting caps for use with safety fuses and detonating cord delay connectors.
- Storage Magazine shall mean all storage facilities except portable outdoor facilities for temporary storage of high explosives while attended (day box) and low explosive smokeless powder storage facilities.
- Exceptions: The following are not included in the above definitions: smokeless powder, black powder, ammunition and components.

SECTION II - STORAGE OF EXPLOSIVES, BLASTING AGENTS AND DETONATORS

All storage and manufacture of explosives, blasting agents and detonators are prohibited within the Municipality of Monroeville.

SECTION III - STORAGE MAGAZINES

All storage magazines and other facilities used for the purpose of the storage of explosives, blasting agents and detonators are prohibited within the Municipality of Monroeville.

SECTION IV - SEIZURE OF EXPLOSIVES AND MAGAZINES

Any explosives, blasting agents, detonators and explosive facilities found within the Municipality of Monroeville in violation of this ordinance are declared dangerous to the safety of the citizens of the Municipality and shall be seized, removed or caused to be removed and destroyed by the Fire Official or his designated representative of the Municipality of Monroeville at the expense of the owner.

SECTION V - USAGE OF EXPLOSIVES

Use of explosives, blasting agents, and detonators shall be controlled by the Municipality of Monroeville as indicated by the Municipal Fire Prevention Code and a permit shall be obtained before usage.

SECTION VI - PENALTIES

Any person, partnership or corporation found to be in violation of the provisions of this ordinance shall be fined not less than Five Hundred (\$500.00) Dollars or more than One Thousand (\$1,000.00) Dollars and/or one (1) year imprisonment of Allegheny County Jail.

SECTION VII - REPEALER

Any ordinance or portion thereof which conflicts with any of the terms of this ordinance is hereby repealed to the extent of any such conflict.

ORDAINED AND ENACTED this 14th day of December, 1976.

(SEAL)

ATTEST:

MUNICIPALITY OF MONROEVILLE

S/ Marshall W. Bond
Municipal Manager

S/ R. E. Droske
Mayor