

Some Examples of Municipal Code Sections Authorizing the Regulation or Abatement of Nuisances¹

Third Class City Code²

CHAPTER 123, PUBLIC HEALTH

Subchapter A. Board of Health

Section 12306. Duties of Health Officer.

Section 12307. Duties of Board of Health.

Section 12308. Powers of Board of Health.

Subchapter B. Public Nuisances Detrimental to Public Health.

Section 12320. Determination of Public Nuisances.

Section 12321. Abatement of Public Nuisances by Designated Department.

CHAPTER 124, CORPORATE POWERS

Section 12414. Nuisances.

Section 12435. Local Self-Government.

CHAPTER 127A, NUISANCE ABATEMENT¹

Section 127A01. Definitions.

Section 127A02. Report and investigation of public nuisance.

Section 127A03. Summary abatement.

Section 127A04. Prior notice of abatement.

Section 127A05. Abatement by owner.

Section 127A06. Appeal after notice; hearing.

Section 127A07. Abatement by city after notice; statement of costs.

Section 127A08. Assistance in abatement.

Section 127A09. Salvage of material.

Section 127A10. Notice of assessment; appeal of charges.

Section 127A11. Personal liability of owner.

Section 127A12. Administrative fee and civil penalties.

¹ The municipal codes also authorize the adoption by reference of various uniform codes, such as those dealing with property maintenance, fire and buildings. Such uniform codes generally describe impermissible or nuisance violations and provide abatement procedures.

² 11 Pa.C.S. § 10101 et seq.

Borough Code³

CHAPTER 10A. MAYOR

Section 10A06. General powers of mayor.

Section 10A07. Duties of mayor.

CHAPTER 12. CORPORATE POWERS

Section 1202. Specific Powers.

(4) Nuisances and dangerous structures

(5) Health and cleanliness regulations

(15) Building, housing, property maintenance, plumbing and other regulations (*see also* Chapter 32A) (20)(i)(A) Noxious and offensive businesses

(20)(i)(B) Junk yards and salvage yards

(65) Costs for removal of nuisances

Section 1203. Reserved Powers.

CHAPTER 28. CEMETERIES

Section 2805.1. Neglected or abandoned cemeteries.

Section 2809. Removal of bodies to other cemeteries.

CHAPTER 31. HEALTH AND SANITATION

Section 3105. Powers and duties of health officer.

Section 3106. Powers of board of health.

Section 3107. Entry upon premises.

Section 3108. Abatement of nuisances.

CHAPTER 32A. UNIFORM CONSTRUCTION CODE, PROPERTY MAINTENANCE CODE AND RESERVED POWERS

Section 32A03. Public nuisance.

Section 32A04. Property maintenance code.

Section 32A05. Reserved powers.

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ARTICLE XV, CORPORATE POWERS

Section 1501.5. General Powers

Section 1502.8. Building and Housing Regulations.

Section 1502.11. Nuisances and Dangerous Structures.

Section 1502.20. Health and Cleanliness Regulations.

ARTICLE XVI, PUBLIC HEALTH

Section 1605. Powers and Duties of Health Officer.

Section 1606. Powers and Duties of Board of Health.

Section 1607. Entry of Premises.

Section 1608. Abatement of Nuisances.

³ 8 Pa.C.S. § 101 et seq.

⁴ Act 331 of 1931 (53 P.S. § 55101 et seq.).

ARTICLE XXXI-A, UNIFORM CONSTRUCTION CODE, PROPERTY MAINTENANCE CODE AND RESERVED POWERS

- Section 3104-A. Public nuisance.
- Section 3105-A. Property maintenance code.
- Section 3106-A. Reserved powers.

*The Second Class Township Code*⁵

ARTICLE XV, CORPORATE POWERS

- Section 1506. General Powers.
- Section 1517. Building and Housing Regulations.
- Section 1529. Nuisances.
- Section 1532. Regulation of Business.
- Section 1533. Dangerous Structures.

ARTICLE XVII-A, UNIFORM CONSTRUCTION CODE, PROPERTY MAINTENANCE CODE AND RESERVED POWERS

- Section 1703-A. Public nuisance.
- Section 1704-A. Property maintenance code.
- Section 1705-A. Reserved Powers.

ARTICLE XXIII, ROADS, STREETS, BRIDGES AND HIGHWAYS

- Section 2326. Obstructions and Nuisances.

ARTICLE XXX, BOARD OF HEALTH

- Section 3005. Powers and Duties of Health Officer and Inspectors.
- Section 3006. Powers of Board of Health.
- Section 3007. Entering Premises.
- Section 3008. Written Order for Violation.

⁵ Act 69 of 1933 (53 P.S. § 65101 et seq.).