

## **Chapter 10**

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**Part 1****Weed Control****§10-101. Name.**

This Part shall be known as the “Shrewsbury Township Weed Control Ordinance.”  
(*Ord. 2003-02, 1/6/2003, §1*)

**§10-102. Purpose.**

It is hereby declared that the purpose and intent of this Part is to promote the general health, welfare and safety of residents of Shrewsbury Township, York County, Pennsylvania, by requiring the mowing of residential lots so as to control the spread of pollen, the spread of noxious weed seed, the maintenance of a pleasing, aesthetic environment in residential areas and the control of rodents and other vectors.  
(*Ord. 2003-02, 1/6/2003, §2*)

**§10-103. Definitions.**

*Residential lots* - for purposes of this Part, “residential lots” shall include all lots or parcels of land approved by the Shrewsbury Township Board of Supervisors for residential development pursuant to the “Shrewsbury Township Subdivision and Land Development Ordinance,” enacted December 1, 1969, or pursuant to the “Shrewsbury Township Subdivision and Land Development Ordinance,” enacted on June 7, 1978, and the amendments to such ordinances and shall include all other lots or parcels 2 acres or less in size which are improved with a dwelling.

*Vectors* - an animal that transmits a disease-causing organism.  
(*Ord. 2003-02, 1/6/2003, §3*)

**§10-104. Findings of Fact.**

The Shrewsbury Township Board of Supervisors finds as a fact that the unrestrained growth of grass, weeds and other vegetation (excluding woodland) on residential lots not being planted to agricultural crops is a nuisance in the Township.  
(*Ord. 2003-02, 1/6/2003, §4*)

**§10-105. Regulations Applicable to Residential Lots.**

Each owner of a residential lot in Shrewsbury Township shall keep such lot mowed so that grass, weeds, or other vegetation does not exceed 9 inches of length of vegetative growth. This mowing requirement shall not apply to woodlands, trees, shrubbery, flower beds or gardens, vegetables and vegetable gardens, wild flower gardens or meadows, wetlands, areas within 15 feet of a watercourse pond or lake, and land actively cultivated for crop production or actively utilized as pasture. Areas of a lot which consist of a critical environmental area as delineated in §1222 of the Shrewsbury Township Zoning Ordinance are excluded from the requirements of this Part except that noxious weeds shall be controlled within those areas.  
(*Ord. 2003-02, 1/6/2003, §5*)

**§10-106. Failure to Mow as Required.**

In the event the owner or owners of a residential lot shall fail to mow such lot as required by §10-105 of this Part, the Township shall have the right to, but shall not be obligated to, enter onto such residential lot for the purpose of performing the mowing as required by this Part without liability to the owner or owners of such residential lot for any damages which may occur to the property of such owner or owners. The cost of such entry and mowing together with a penalty of 10 percent of the amount thereof shall be paid by the owner or owners of the residential lot in question within 10 days from the date of notification thereof, and upon failure to pay the same such costs and penalty together with reasonable attorney's fees for collection shall be entered as liens against the residential lot in question in the office of the Prothonotary or such other office which at that time may be responsible for the maintenance of records of municipal liens and may be collected in the manner provided by law for the collection of municipal liens.

*(Ord. 2003-02, 1/6/2003, §6)*

**§10-107. Penalties.**

Any owner or owners of a residential lot who shall fail to mow as required by the provisions of this Part, upon conviction thereof in an action brought before a magisterial district judge in the manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure, shall be sentenced to pay a fine of not more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 90 days. Each day that a violation of this Part continues or each Section of this Part which shall be found to have been violated shall constitute a separate offense.

*(Ord. 2003-02, 1/6/2003, §7; as amended by Ord. 2008-02, 8/6/2008)*

**Part 2****Junkyards and Refuse****§10-201. Title.**

This Part shall be known and may be cited as the “Shrewsbury Township Junkyard and Refuse Ordinance.”

(*Ord. 1969-1, 1/9/1969, §1*)

**§10-202. Purpose and Intent.**

It is the purpose and intent of this Part to promote and protect public health so as to prevent the accumulation of excessive rubbish and junk and the development of potential public health nuisances through the accumulation of unsanitary conditions. Further, to protect the safety and general welfare of the public by eliminating unattractive nuisances and unsafe conditions; at the same time to protect property values of adjacent property owners by regulating and licensing junk dealers in accordance with §1532(4) of the Second Class Township Code, 53 P.S. §66532(4).

(*Ord. 1969-1, 1/9/1969, §2*)

**§10-203. Definitions.**

The following words shall for the purposes of this Part have the following meanings:

*Board* - Board of Supervisors of Shrewsbury Township.

*Junk* - any discarded material and shall include, but not be limited to, scrap metal, two or more abandoned operable and/or unlicensed motor vehicles, machinery, equipment, paper, glass, containers and structures. It shall not include garbage kept in a proper container for the purpose of prompt disposal.

*Junk dealer* - any person as hereinafter defined, who shall engage in the business of selling, buying, salvaging and dealing in junk and who maintains and operates a junkyard within Shrewsbury Township.

*Junkyard* - any place where any junk as hereinafter defined is stored or disposed of.

*License* - the permit granted to a person who stores or disposes of junk as hereinbefore defined.

*Person* - any individual, partnership, association and corporation.

*Township* - Shrewsbury Township, York County, Pennsylvania.

(*Ord. 1969-1, 1/9/1969, §3*)

**§10-204. License Required.**

No person shall engage in business as a junk dealer in the Township without first having obtained a license from the Supervisors, for which license the fee shall be in an amount as established from time to time by resolution of the Board of Supervisors. Such license shall be renewed annually on or before the first day of January of each year. In

case where a junk dealer business shall be established in the Township on or after the first day of July in any year, the license fee payable by such junk dealer for the remainder of such year shall be at one-half the yearly rate.

(*Ord. 1969-1, 1/9/1969, §4; as amended by Ord. 2008-02, 8/6/2008*)

**§10-205. Application for License.**

The license provided for in this Part shall be issued to persons desiring to be licensed. The application form shall provided by the Board. The license shall state the name of person to whom such license is issued, the premises on which the business is to be conducted and the written consent of the property owners to use the property as a junkyard. The applicant shall also submit a plot of the premises to be used. Such license shall be posted conspicuously upon the premises licensed.

(*Ord. 1969-1, 1/9/1969, §5*)

**§10-206. Issuance of License.**

Upon receipt of an application by the Board, the Board shall issue a license or refuse to issue a license to the person applying therefore after taking into consideration the effect of the proposed use upon the Township, both economic and aesthetic. In the event the Board shall issue a license, it may impose upon the person applying therefore such conditions as may be deemed necessary to carry out the intent and purpose of this Part.

(*Ord 1969-1, 1/9/1969, §6*)

**§10-207. License Limitation.**

No person licensed under this Part shall, by virtue of one license, keep more than one place of business within the Township for purpose of dealing in junk. Nor shall any such persons engage in business as a junk dealer in any place other than the place designated upon his license.

(*Ord 1969-1, 1/9/1969, §7*)

**§10-208. Transfer of License.**

No license issued by the Board shall be transferrable by a licensee to any other person unless such transfer is authorized by the Board. Any person desiring to transfer a license shall notify the Board in writing, which notification shall be accompanied by the transferee's application for license as described in §10-205. In the event the Board approves a transfer of location or license, they may impose such conditions as may be deemed necessary to carry out the purpose and intent of this Part.

(*Ord. 1969-1, 1/9/1969, §8*)

**§10-209. Transfer Fee.**

In event the Board shall approve transfer of license, the transferee shall immediately pay to Township a transfer fee in an amount as established from time to time by resolution of the Board of Supervisors.

(*Ord. 1969-1, 1/9/1969, §9; as amended by Ord. 2008-02, 8/6/2008*)

**§10-210. Operational Standards.**

Every person who stores junk in this Township shall constantly maintain the premises in accordance with any special provision imposed by the Board and in the manner prescribed by this Section and any subsequent regulations adopted by the Board:

A. Such premises shall at all times be maintained so as not to constitute a nuisance or menace to the health of the community or of residents nearby or a place for the breeding of rodents and vermin.

B. No garbage or other organic waste shall be stored on such premises.

C. Whenever any motor vehicle shall be received on such premises as junk, all gasoline shall be drained and removed therefrom.

D. The premises on which junk is stored shall be set back a minimum distance of 100 feet from the right-of-way lines on all streets or roads and a minimum distance of 50 feet from all other property lines. The area between the set back lines and the right-of-way line and all streets and roads and all other property lines shall at all times be kept.

E. Any premises on which junk is stored shall at the setback lines be enclosed by evergreen screen plantings or a uniformly painted solid board fence, or both. The type of evergreen plantings and fencing used and the way they are set out must be approved by the Board at the time of the issuance of a license or at the time of renewal or transfer of license.

F. All junk shall be stored in such a manner and screened so as not to be readily accessible or visible from the street or public road. Junk shall not be stored above the height of the screen plantings or fencing.

G. All signs displayed on the licensed premises shall be approved by the Board; but in no case shall the total area of any one sign exceed 4 feet x 8 feet.

H. The manner of storage and arrangement of junk, and the drainage facilities of the premises shall be such so as to prevent the accumulation of stagnant water upon the premises and to facilitate access for firefighting purposes.

*(Ord. 1969-1, 1/9/1969, §10; as amended by Ord. 2008-02, 8/6/2008)*

**§10-211. Additional Standards.**

Any person who has four abandoned and/or unlicensed motor vehicles on his or her premises shall keep those abandoned and/or unlicensed motor vehicles a minimum distance of 500 feet from the right-of-way lines on all streets or roads and a minimum distance of 50 feet from all other property lines, if this is possible. If this is not possible, then the abandoned and/or unlicensed motor vehicle shall be kept at the back side of the premises so far from all streets and roads as possible, so as not to be visible from all streets and roads.

*(Ord. 1969-1, 1/9/1969, §11)*

**§10-212. Compliance.**

Each person subject to this Part shall have 6 months from the time this Part becomes effective to comply with the provisions of this Part.

(*Ord. 1969-1, 1/9/1969, §12*)

**§10-213. Records.**

Every person licensed under this Part shall provide and shall constantly keep a book in which shall be fairly written down in the English language at the time of the purchase of any junk, a description of every article or material purchased or received by him, the date and hour of such purchase and the person from whom such article or material was purchased or received or handled by such person, and the said book shall at all times be subject to the inspection of any official of the Township.

(*Ord. 1969-1, 1/9/1969, §13*)

**§10-214. Delay in Disposal.**

Every person licensed under this Part shall keep and retain upon the licensed premises, for a period of 48 hours after the purchase or receipt thereof, all junk received or purchased by him, and he shall not disturb or reduce the same or alter the original form, shape or condition until such period of 48 hours shall have elapsed.

(*Ord. 1969-1, 1/9/1969, §15*)

**§10-215. Penalties.**

Any person, firm or corporation who shall violate any provision of this Part, upon conviction thereof in an action brought before a magisterial district judge in the manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure, shall be sentenced to pay a fine of not more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 90 days. Each day that a violation of this Part continues or each Section of this Part which shall be found to have been violated shall constitute a separate offense.

(*Ord. 1969-1, 1/9/1969, §14; as amended by Ord. 2008-02, 8/6/2008*)

**§10-216. Abatement of Nuisances.**

In addition to the remedies provided in §10-215 above, any continued violation of this Part which shall constitute a nuisance may be abated by proceeding against the violator in a court of equity for relief.

(*Ord. 1969-1, 1/9/1969, §15*)

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**Part 3****Dumping****§10-301. Dumping on Streets or Highways.**

It shall be unlawful to throw, dump, deposit or otherwise place any paper, junk, trash, rubbish, ashes, waste, garbage or discarded materials of any kind in or on any street or highway of Shrewsbury Township.

(*Ord. 1969-3, 1/9/1969, §1*)

**§10-302. Dumping on Sidewalks.**

It shall be unlawful for any person to throw, dump, deposit or otherwise place any paper, junk, trash, rubbish, ashes, waste, garbage or discarded materials of any kind in or along any sidewalk or in or at the side of any street or highway in Shrewsbury Township unless the same is placed there temporarily for collection and disposal in containers with lids closed tightly.

(*Ord. 1969-3, 1/9/1969, §2*)

**§10-303. Dumping on Private or Public Property.**

It shall be unlawful for any person to throw, dump, deposit or otherwise place any paper, junk, trash, rubbish, ashes, waste, garbage or discarded materials of any kind in or on any public or private property (vacant or occupied), in Shrewsbury Township, or to maintain accumulations of such material save for the temporary storage in tight containers prior to collection.

(*Ord. 1969-3, 1/9/1969, §3*)

**§10-304. Wastewater.**

It shall be unlawful for any person to permit wastewater, sewage, water contaminated by manufacturing or processing to flow on or over the public highways of the Township.

(*Ord. 1969-3, 1/9/1969, §3.1; as added by Ord. 76-5, -/-/----*)

**§10-305. Penalties**

Any person, firm or corporation who shall violate any provision of this Part, upon conviction thereof in an action brought before a magisterial district judge in the manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure, shall be sentenced to pay a fine of not more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 90 days. Each day that a violation of this Part continues or each section of this Part which shall be found to have been violated shall constitute a separate offense.

(*Ord. 1969-3, 1/9/1969, §4; as amended by Ord. 2008-02, 8/6/2008*)



**Part 4****Third-Party Billing for Emergency Responses****§10-401. Responses.**

1. The Township Supervisors of Shrewsbury Township by, and through their authority and relationship with the aforementioned volunteer fire companies<sup>1</sup> hereby recognizes the authority and authorizes the Glen Rock Hose & Ladder Volunteer Fire Company, Rose Volunteer Fire Company, and Shrewsbury Volunteer Fire Company to recover the reasonable costs of firefighting materials, equipment, personnel hours, and hazardous abatement materials involving any hazardous material incident, or fire, or safety and rescue incident or operation, including vehicular accidents.

2. Said reasonable costs as outlined above may be recovered directly by the volunteer fire company, through Shrewsbury Township with the consent of the Shrewsbury Township Supervisors, or through the third party billing service known as Financial Invoicing Resources Engaged, Inc. (F.I.R.E., Inc.), as an authorized agent for the collection of said reasonable costs. The utilization of Financial Invoicing Resources Engaged, Inc., shall be for those situations deemed by Financial Invoicing Resources Engaged, Inc., as appropriate for collection through the agency, principally those incidents involving the use of hazardous abatement materials and/or incidents directly involving the York County Emergency Management Agency.

3. In addition to the aforementioned reasonable costs, the volunteer fire companies of Glen Rock Hose & Ladder Volunteer Fire Company, Rose Volunteer Fire Company and Shrewsbury Volunteer Fire Company, or Financial Invoicing Resources Engaged, Inc., shall be authorized to collect reasonable interest, as well as a reasonable administrative fee for collecting the same, and any and all additional fees as may be authorized by the Hazardous Material and Emergency Planning and Response Act, 35 P.S. §6022.101 *et seq.*, or as authorized by any other statute, case law, or common law.

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<sup>1</sup>Editor's Note: The preamble to *Res. 00-14, 7/5/2000* provides, in pertinent part:

"WHEREAS, Shrewsbury Township has recognized and designated as fire companies for the area of Shrewsbury Township, Glen Rock Hose & Ladder Volunteer Fire Company, Rose Volunteer Fire Company, and Shrewsbury, Volunteer Fire Company;

"WHEREAS, said Volunteer Fire Companies respond to hazardous material incidents, environmental incidents, fire, safety, and rescue incidents;

"WHEREAS, such responses are either directly via 911 response, or in coordination with the Emergency Management Agency;

"WHEREAS, said responses on occasion involve the use of hazardous material abatement equipment as well as hazardous abatement materials;

"WHEREAS, it is the intention of Shrewsbury Township to recognize the authority of the abovementioned Volunteers to seek collection and reimbursement for the reasonable costs of responding to such incidents, either directly or in coordination with the Office of Emergency Management;"

*(Res. 00-14, 7/5/2000)*