

CHAPTER 10
HEALTH AND SAFETY

PART 1

PROPERTY MAINTENANCE

- §101. Short Title
- §102. Preface
- §103. Authority
- §104. Definitions
- §105. Application
- §106. Buildings and Structures
- §107. Yards, Open Lots, Parking Areas
- §108. Infestation, Prevention and Correction
- §109. Miscellaneous Provisions
- §110. Responsibilities of Occupants
- §111. Responsibilities of Owners
- §112. Inspection
- §113. Notice to Comply
- §114. Authority to Remedy Noncompliance
- §115. Hearing
- §116. Penalties
- §117. Owners Severally Responsible
- §118. Remedies not Mutually Exclusive

PART 2

HEIGHT OF VEGETATION

- §201. Vegetative Growth a Nuisance Under Certain Conditions
- §202. Responsibility for Removing, Cutting or Trimming
- §203. Notice to Remove, Trim or Cut; Municipality May Do Work and Collect Cost and Additional Amount
- §204. Penalties

PART 3

STORAGE OF MOTOR VEHICLE NUISANCES

- §301. Definitions

- §302. Motor Vehicle Nuisance Prohibited
- §303. Storage of Motor Vehicle Nuisances Permitted
- §304. Inspections of Premises; Notice to Comply
- §305. Authority to Remedy Noncompliance
- §306. Hearing
- §307. Penalties
- §308. Remedies not Mutually Exclusive

PART 4

ADMINISTRATION OF HEALTH LAWS

- §401. Request that State Department of Health Take Over Administration of Health Laws in the Township

PART 5

HAZARDOUS AND DANGEROUS INCIDENT CLEANUP COSTS

- §501. Definitions
- §502. Cost of Abatement of Hazardous Accidents Incurred by the Township of North Centre
- §503. Cost of Emergency Response to Dangerous Incidents Incurred by the Township of North Centre
- §504. Costs Incurred by the Fire Department

PART 1

PROPERTY MAINTENANCE

§101. SHORT TITLE.

This Part shall be known and cited as the "Township of North Centre Property Maintenance Ordinance."

(Ord. 1999-01, 1/21/1999)

§102. PREFACE.

Recognizing the need within the Township to establish certain minimum health and safety requirements for those buildings, structures or properties which are used or associated with human occupancy, this Part hereby establishes standards which the Board of Supervisors considers to be fair and essential in meeting those minimum requirements.

(Ord. 1999-01, 1/21/1999)

§103. AUTHORITY.

This Part and the objectives leading to its enactment are authorized by the Second Class Township Code. §53 P.S. §65101 *et seq.*

(Ord. 1999-01, 1/21/1999)

§104. DEFINITIONS.

BUILDING - a roofed structure, enclosed by one or more walls, for the shelter, housing, storage or enclosure of persons, goods, materials, equipment or animals.

COURT - an open and unoccupied space on a lot enclosed on at least three sides by the walls of a building.

GARBAGE - putrescible animal and vegetable wastes resulting from the handling, preparation cooking and consumption of food.

INFESTATION - the presence of insects, rodents, vermin and/or other pests.

JUNK - any discarded or salvageable article or material including, but not limited to, scrap metal, paper, tags, glass, containers, scrap wood, motor vehicles, trailers, machinery and

HEALTH AND SAFETY

equipment, with the exception of farm machinery and mobile homes or house trailers which are occupied or are properly placed and planned for occupancy.

LOT - plot, tracts, premises or parcel of land, with or without improvements thereto.

NUISANCE - any condition, structure or improvement which shall constitute a danger or potential danger to the health, safety or welfare of the citizens of the Township.

OWNER - any person or persons, jointly or severally, firm, corporation or other entity which, either by conveyance or inheritance or otherwise, is vested with the title to a lot and/or improvements thereto or who retains the exclusive control of such a lot and/or improvements thereto in his capacity as a legal representative, such as an administrator, trustee, executor, etc.

REFUSE - all putrescible and nonputrescible solid wastes, including garbage, rubbish, ashes, dead animals and market and industrial wastes.

YARD - any open space on the same lot with a building and, for the most part, unobstructed from the ground up.

(Ord. 1999-01, 1/21/1999)

§105. APPLICATION.

The provisions of this Part shall supplement local laws, ordinances or regulations existing in the Township or those of the Commonwealth of Pennsylvania. Where a provision of this Part is found to be in conflict with any provision of a local law, ordinance, code or regulation or those of the Commonwealth of Pennsylvania, the provisions which are more restrictive or which establish the higher standard shall prevail.

(Ord. 1999-01, 1/21/1999)

§106. BUILDINGS AND STRUCTURES.

1. No owner of any building or structure shall fail to take steps and perform such maintenance thereto as may be required from time to time, to ensure the property is safe, sound, sanitary and secure and does not present a health and/or safety hazard to surrounding properties and to the general populace.
2. No owner of any unoccupied building or structure shall fail to take such steps as may be required to insure that these are securely closed so as to prohibit and deter entry thereto and to insure that no health and/or safety hazard or threat thereof, is precipitated due to a lack of maintenance or due to neglect.

(Ord. 1999-01, 1/21/1999)

§107. YARDS, OPEN LOTS, PARKING AREAS.

No person shall permit:

- A. The development or accumulation of hazards, rodent harborage and/or infestation upon yards, courts, lots.
- B. Objectionable materials to accumulate and to be blown about the surrounding neighborhood.
- C. The accumulation of heavy undergrowth and/or vegetation which would impair the health and/or safety of the neighborhood; nor shall they permit any trees, plants or shrubbery, or any portion thereof, to grow on their property and which constitute a safety hazard to pedestrian and/or vehicular traffic.
- D. The accumulation of junk to the point of creating a nuisance or being visible to adjoining property owners or from a public right-of-way.

(Ord. 1999-01, 1/21/1999)

§108. INFESTATION, PREVENTION AND CORRECTION.

- 1. Adequate sanitary facilities and methods shall be used for the collection, storage, handling and disposal of garbage and refuse.
- 2. Where there exists rodent and vermin infestation, corrective measures shall be undertaken by the property owner and/or occupant to alleviate the existing problem(s), to include screening, extermination and/or garbage and refuse control. Methods employed for extermination shall conform with generally accepted practices.

(Ord. 1999-01, 1/21/1999)

§109. MISCELLANEOUS PROVISIONS.

No person shall permit:

- A. Roof, surface and/or sanitary drainage to create a safety and/or health hazard to persons and/or property by reason of inadequate and/or improper construction, or maintenance or manner of discharge.
- B. Roof gutters, drains, or any other system designed and constructed to transport stormwater to be discharged into any sanitary sewage system and/or any part thereof.

HEALTH AND SAFETY

- C. Any refrigerator, freezer and/or other similar storage chest to be discarded, abandoned or stored in any place or location which is accessible to the general public without first completely removing any and all locking devices and/or doors.

(Ord. 1999-01, 1/21/1999)

§110. RESPONSIBILITIES OF OCCUPANTS.

Any occupant of a premises shall be responsible for compliance with the provisions of this Part with respect to the maintenance of that part of the premises which he occupies and/or controls in a safe, sound and/or sanitary condition pursuant to the terms of the contract/agreement under which he exercises occupancy and/or control thereof.

(Ord. 1999-01, 1/21/1999)

§111. RESPONSIBILITIES OF OWNERS.

1. Owners of premises shall comply with the provisions of this Part as well as operators and occupants, regardless of any agreement between owners and operators or occupants as to which party shall assume such responsibility.
2. In instances where an occupant is responsible, or shares responsibility with an owner, for the existence of one or more violations of this Part, said occupant shall be deemed responsible and treated as if an owner within the true intent and meaning of this Part.

(Ord. 1999-01, 1/21/1999)

§112. INSPECTION.

The Board of Supervisors may, with reasonable cause, through an authorized representative of the Township, entry onto premises for the purpose of inspection of any and all premises, properties, buildings and/or structures located within the Township for ascertaining the existence of violations. In those matters where the nature of an alleged violation is such that an inspection of the interior of a building or structure is necessitated, prior arrangements must be made with the owner, or his agent, to secure access thereto.

(Ord. 1999-01, 1/21/1999)

§113. NOTICE TO COMPLY.

1. If noncompliance with the provisions of this Part constitutes a nuisance or if any condition, structure or improvement poses a threat to the health, safety or welfare of the

public, the Code Enforcement Officer shall issue a written notice to be served by registered or certified mail, or authorized official, upon the owner of said premises or, if the owner's whereabouts or identity be unknown, by posting the notice conspicuously upon the offending premises.

2. Said notice shall specify the condition or structure or improvement complained of and shall require the owner to commence to remove or otherwise rectify the condition or structure or improvement as set forth therein within 10 days of mailing or posting of said notice and, thereafter, to fully comply with the requirements of the notice within a reasonable time, as determined by the Code Enforcement Officer.

(Ord. 1999-01, 1/21/1999)

§114. AUTHORITY TO REMEDY NONCOMPLIANCE.

If the owner does not comply with the notice to abate the condition, within the time limit prescribed, the Township shall have the authority to take measures to correct the condition and collect the cost of such corrections plus 10% of all costs. The Township, in such event and pursuant to its statutory or otherwise authorized police powers, shall have the right and power to enter upon the offending premises to accomplish the foregoing.

(Ord. 1999-01, 1/21/1999)

§115. HEARING.

1. Any person aggrieved by the decision of the Code Enforcement Officer may request and shall then be granted a hearing before the Board of Supervisors; provided, he files with the Board of Supervisors within 10 days after notice of the Code Enforcement Officer's decision, a written petition requesting such hearing and setting forth a brief statement of the grounds therefor. The hearing shall commence not later than 30 days after the date on which the petition was filed unless postponed for sufficient cause.
2. After such hearing, the Board of Supervisors shall sustain, modify or overrule the action of the Code Enforcement Officer.

(Ord. 1999-01, 1/21/1999)

§116. PENALTIES.

Any person, firm or corporation who shall violate any provision of this Part, upon conviction thereof in an action brought before a district justice 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

HEALTH AND SAFETY

continues or each Section of this Part which shall be found to have been violated shall constitute a separate offense.

(Ord. 1999-01, 1/21/1999)

§117. OWNERS SEVERALLY RESPONSIBLE.

If the premises are owned by more than one owner, each owner shall severally be subject to prosecution for the violation of this Part.

(Ord. 1999-01, 1/21/1999)

§118. REMEDIES NOT MUTUALLY EXCLUSIVE.

The remedies provided herein for the enforcement of this Part, or any remedy provided by law, shall not be deemed mutually exclusive; rather, they may be employed simultaneously or consecutively, at the option of the Board of Supervisors.

(Ord. 1999-01, 1/21/1999)

PART 2

HEIGHT OF VEGETATION

§201. VEGETATIVE GROWTH A NUISANCE UNDER CERTAIN CONDITIONS.

1. No person, firm or corporation, owning or occupying any property within the Township shall permit any grass or weeds or any vegetation whatsoever, not edible or planted for some useful or ornamental purpose, to grow or remain upon such premises so as to exceed a height of 8 inches within a distance of within 50 feet of any occupied structure; nor shall any noxious weeds prohibited by the Noxious Weed Control Law (3 P.S. §255.8) or by regulations of the Department of Agriculture be permitted to grow within the Township including:
 - A. Marijuana
 - B. Chicory, succory or blue daisy
 - C. Canadian thistle
 - D. Multiflora rose
 - E. Johnson grass
 - F. Musk thistle
 - G. Bull thistle
 - H. Jimson weed
 - I. Mile-a-minute
 - J. Kudzuvine
 - K. Shattercane
2. Any grass, weeds or other vegetation growing upon any premises in the Township in violation of any of the provisions of this Section is hereby declared to be a nuisance and detrimental to the health, safety, cleanliness and comfort of the inhabitants of the Township.

(Ord. 1999-01, 1/21/1999)

§202. RESPONSIBILITY FOR REMOVING, CUTTING OR TRIMMING.

HEALTH AND SAFETY

The owner of any premises, or the occupant of premises occupied by other than the owner, shall remove, trim or cut all grass, weeds or other vegetation growing or remaining upon such premises in violation of the provisions of §201.

(Ord. 1999-01, 1/21/1999)

§203. NOTICE TO REMOVE, TRIM OR CUT; MUNICIPALITY MAY DO WORK AND COLLECT COST AND ADDITIONAL AMOUNT.

The Board of Supervisors or any officer or employee of the Township designated thereby for this purpose, is hereby authorized to give notice, by personal service or by United States mail, to the owner or occupant, as the case may be, of any premises whereon grass, weeds or other vegetation is growing or remaining in violation of the provisions of §201 of this Part, directing and requiring such occupant to remove, trim or cut such grass, weeds or vegetation so as to conform to the requirements of this Part, within the compliance time as set in the notice. Whenever, in the judgment of the Code Enforcement Officer it shall appear to be impracticable to give notice as above provided, either because the owner or occupant cannot readily be found or because a search for the owner or occupant would entail unreasonable delay, the Board of Supervisors or any officer or employee of the Township designated thereby for that purpose, may give notice by posting conspicuously on the property where such nuisance exists, a notice or order directing and requiring that such nuisance be abated within the compliance time as set in the notice. In case any person, firm or corporation shall neglect, fail or refuse to comply with such notice within the period of time stated therein, the Board of Supervisors may order the removal, trimming or cutting of such grass, weeds or vegetation, and the cost thereof, together with a penalty of 10% of the cost thereof shall be collected by the Township from such person, firm or corporation, in the manner provided by law.

(Ord. 1999-01, 1/21/1999)

§204. PENALTIES.

Any person, firm or corporation who shall violate any provision of this Part, upon conviction thereof in an action brought before a district justice 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. 1999-01, 1/21/1999)

PART 3

STORAGE OF MOTOR VEHICLE NUISANCES

§301. DEFINITIONS.

1. As used in this Part, the following terms shall have the meanings indicated, unless a different meaning clearly appears from the context:

LESSEE - owner for the purpose of this Part when the lessor holds the lessee responsible for maintenance and repairs.

MOTOR VEHICLE - any type of mechanical device, propelled by a motor, in which persons or property may be legally transported upon public streets or highways, and including trailers or semitrailers pulled thereby.

NUISANCE - any condition, structure or improvement which shall constitute a danger or potential danger to the health, safety or welfare of the citizens of the Township.

OWNER - the actual owner, agent or custodian of the property on which motor vehicles are stored, whether individual or partnership, association or corporation.

PERSON - a natural person, firm, partnership, association, corporation or other legal entity.

2. In this Part, the singular shall include the plural; the plural shall include the singular; and the masculine shall include the feminine and the neuter.

(Ord. 1999-01, 1/21/1999)

§302. MOTOR VEHICLE NUISANCE PROHIBITED.

It shall be unlawful for any person, owner or lessee to maintain a motor vehicle nuisance upon the open private grounds of such person, owner or lessee within the Township. A motor vehicle nuisance shall include any motor vehicle which is unable to move under its own power and has any of the following physical defects which constitute a danger or potential danger to the health, safety or welfare of the citizens of the Township:

- A. Broken windshields, mirrors or other glass, with sharp edges.
- B. Any body parts with sharp edges.
- C. Missing tires resulting in unsafe suspension of the motor vehicle.
- D. Broken headlamps or taillamps with sharp edges.

HEALTH AND SAFETY

- E. Disassembled chassis parts apart from the motor vehicle stored in a disorderly fashion or loose in or on the vehicle.
- F. Protruding sharp objects from the chassis.
- G. Broken vehicle frame suspended from the ground in an unstable manner.
- H. Leaking or damaged oil pan or gas tank which could cause fire or explosion.
- I. Exposed battery containing acid.
- J. Damaged bumpers pulled away from the perimeter of vehicle.
- K. Broken grill with protruding edges.
- L. Suspended on unstable supports.
- M. Such other defects which could threaten the health, safety and welfare of the citizens of the Township.

(Ord. 1999-01, 1/21/1999)

§303. STORAGE OF MOTOR VEHICLE NUISANCES PERMITTED.

1. Any person, owner or lessee who has one or more motor vehicle nuisances as defined in §302 not stored in an enclosed building, may store such vehicle(s) in the Township only in strict compliance with the regulations provided herein. Such person, owner or lessee must, first, apply for a permit for either temporary or permanent storage and pay a fee to the Township pursuant to a resolution of the Board of Supervisors. The motor vehicle nuisance(s) must be stored within a opaque fence at least 6 feet high which is locked at all times when unattended.
2. With the special approval of the Board of Supervisors motor vehicle nuisances may also be stored outside in an area enclosed by a chain link fence, at least 6 feet high, screened by shrubbery around the perimeter to the height of the fence, with an unobstructed gate capable of admitting fire or emergency equipment. Such gate shall remain locked at all times when unattended. In addition, all gas and oil or other flammable liquid shall be removed from the motor vehicle and it shall be kept free of vermin infestation while being stored. The total area of storage of motor vehicle nuisances may not exceed 800 square feet.
3. Nothing herein shall be construed to permit the storage of motor vehicle nuisances contrary to the provisions of the Township.

(Ord. 1999-01, 1/21/1999)

§304. INSPECTIONS OF PREMISES; NOTICE TO COMPLY.

1. The Code Enforcement Officer is hereby empowered to inspect private property on which motor vehicles are stored to determine if there is compliance with the provisions of this Part. If noncompliance with the provisions of this Part constitutes a nuisance, or if any condition, structure, or improvement poses a threat to the health, safety, or welfare of the public, he shall issue a written notice to be served by registered or certified mail upon the owner of said premises, or, if the owner's whereabouts or identity be unknown, by posting the notice conspicuously upon the offending premises.
2. Said notice shall specify the condition or structure or improvement complained of, and shall require the owner to commence to remove or otherwise rectify the condition or structure or improvement as set forth therein within 10 days of mailing or posting of said notice, and thereafter, to fully comply with the requirements of the notice within a reasonable time.

(Ord. 1999-01, 1/21/1999)

§305. AUTHORITY TO REMEDY NONCOMPLIANCE.

If the owner of grounds on which motor vehicles are stored does not comply with the notice to abate the nuisance, within the time limit prescribed, the Township shall have the authority to take measures to correct the conditions and collect the cost of such corrections plus ten 10% of all costs. The Township, in such event and pursuant to its statutory or otherwise authorized police powers, shall have the right and power to enter upon the offending premises to accomplish the foregoing.

(Ord. 1999-01, 1/21/1999)

§306. HEARING.

1. Any person aggrieved by the decision of the Code Enforcement Officer may request and shall then be granted a hearing before the Board of Supervisors; provided, he files with the Board of Supervisors within 10 days after notice of the Code Enforcement Officer's decision, a written petition requesting such hearing and setting forth a brief statement of the grounds therefor. The hearing shall commence not later than 30 days after the date on which the petition was filed unless postponed for sufficient cause.
2. After such hearing, the Board of Supervisors shall sustain, modify or overrule the action of the Code Enforcement Officer.

(Ord. 1999-01, 1/21/1999)

§307. PENALTIES.

Any person, firm or corporation who shall violate any provision of this Part, upon conviction thereof in an action brought before a district justice 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. 1999-01, 1/21/1999)

§308. REMEDIES NOT MUTUALLY EXCLUSIVE.

The remedies provided herein for the enforcement of this Part or any remedy provided by law shall not be deemed mutually exclusive; rather, they may be employed simultaneously or consecutively, at the option of the Board of Supervisors.

(Ord. 1999-01, 1/21/1999)

PART 4

ADMINISTRATION OF HEALTH LAWS

§401. REQUEST THAT STATE DEPARTMENT OF HEALTH TAKE OVER ADMINISTRATION OF HEALTH LAWS IN THE TOWNSHIP.

The Department of Health of the Commonwealth of Pennsylvania be and it is by this Part requested, under the provisions of the Administrative Code of 1929, Article XXI, Section 2102, 71 P.S. §532, to take over the administration of the health laws within the Township of North Centre, Columbia County, Pennsylvania, at the expense of the Department of Health.

(Ord. 1999-01, 1/21/1999)

PART 5

HAZARDOUS AND DANGEROUS INCIDENT CLEANUP COSTS

§501. DEFINITIONS.

BUSINESS - any person, corporation, partnership, or other entity engaged in the buying, selling, storing, transferring, transporting, manufacturing or processing of properties, merchandise, chemicals, fuels, waste products or any other goods or services for compensation.

DANGEROUS INCIDENT - any incident which creates a dangerous condition requiring immediate and emergency action in order to prevent injury to persons or damage to property, and necessitates either or both of the following responses:

- A. The intervention of the police department or fire department or any of the emergency agencies or services which may service the Township of North Centre including, but not limited to, fire companies or rescue squads operating in the Township of North Centre.
- B. The need for cleanup or abatement measures to be performed by Township employees, or the need for any responsive action resulting in expense to the Township.

FIRE DEPARTMENT - the Orangeville Fire Company and the Lightstreet Fire Company which provide fire protection services to North Centre Township

HAZARDOUS ACCIDENT - any incident that occurs from the storage, transportation, use, manufacturing, processing or discharging of any substance potentially dangerous to the public health and welfare at large which necessitates either or both of the following responses:

- A. The intervention of the police department or fire department or any of the emergency agencies or services which may assist the Township of North Centre, including, but not limited to, fire companies or rescue squads operating in the Township of North Centre.
- B. The need for cleanup or abatement measures to be performed by Township employees, or the need for any responsive action resulting in expense to the Township.

POLICE DEPARTMENT - the Briar Creek Township Police Department which is under contract to provide police services to North Centre Township.

PUBLIC THOROUGHFARE - bridges, State highways, County roads, Township streets, any navigable waterways or other roadways or water courses owned by a governmental unit, or a privately owned street, parking lot or accessway to which the public has access.

HEALTH AND SAFETY

(Ord. 8/12/2002, §1)

§502. COST OF ABATEMENT OF HAZARDOUS ACCIDENTS INCURRED BY THE TOWNSHIP OF NORTH CENTRE.

1. The business which owns or leases the premises on which a hazardous accident occurs shall be responsible for all costs that occur as a direct or consequential result of a hazardous accident. In the event a hazardous accident occurs during transportation on a public thoroughfare, or in delivery to an entity other than a business as defined in §501 herein above, the entity who owns or has custody or control of the vehicle, or substance involved, in the hazardous accident shall be responsible for all costs that occur as a direct or consequential result of such accident. Nothing contained herein shall prevent such business or entity from recovering any costs from a third party whose negligence may have caused such hazardous accident.
2. In the event that any person undertakes, either voluntarily or upon order of an official of the Township of North Centre, to clean up or abate the effects of any hazardous accident, the Township may take action as deemed necessary to supervise or verify the cleanup or abatement. The business or entity described in subsection (1) herein above shall be liable to the Township for all costs incurred as a result of such supervision or verification.
3. For the purposes of this Part, costs of a hazardous accident shall include, but are not limited to, the following: expenses incurred by police, fire, or emergency medical services; actual labor costs of Township personnel, including benefits and administrative overhead; costs of consultants or others preparing reports concerning the hazardous accident; costs of equipment operations; costs of materials obtained directly by the Township; costs of any contractual labor and materials for cleanup or abatement; costs of the Township Solicitor or Township Engineer connected with the hazardous accident; costs to replace or repair any damage caused to equipment utilized by the Township or any service agency which responded to the accident.
4. The costs resulting from the hazardous accident shall be paid directly to the Township within 30 days from the date on which the Township issues an invoice or other appropriate demand for such costs. Interest shall accrue on any unpaid invoice at the rate of 1½% per month commencing after the expiration of the 30-day grace period.

(Ord. 8/12/2002, §2)

§503. COST OF EMERGENCY RESPONSE TO DANGEROUS INCIDENTS INCURRED BY THE TOWNSHIP OF NORTH CENTRE.

1. Any entity which owns or has custody or control of any motor vehicle or other instrumentality that creates a dangerous incident, as defined by this Part, or any entity which owns or leases any real property upon which a dangerous incident takes place,

shall be responsible for all costs of any emergency response that arises as a direct or consequential result of such incident. Nothing contained herein shall prevent such entity from recovering any costs from a third party whose negligence may have caused such dangerous incident.

2. In the event that any person undertakes, either voluntarily or upon order of any official of the Township, to clean up or abate the effects of any dangerous incident, the Township may take such action as deemed necessary to supervise or verify the adequacy of the cleanup or abatement. The entity described in subsection (1) herein above shall be liable to the Township for all costs incurred as a result of such supervision or verification.
3. For the purpose of this Part, costs of a dangerous incident shall include, but are not limited to, the following: expenses incurred by police, fire, or emergency medical services; actual labor costs of Township personnel, including benefits and administrative overhead; costs of consultants or others preparing reports concerning the dangerous incident; costs of equipment operations; costs of materials obtained directly by the Township; costs of any contractual labor and materials for cleanup or abatement; costs of the Township solicitor and Township engineer connected with the dangerous incident; costs to replace or repair any damage caused to equipment utilized by the Township or any other service agency which responded to the incident.
4. The costs resulting from the dangerous incident shall be paid directly to the Township within 30 days from the date on which the Township issues an invoice or other appropriate demand for such costs. Interest shall accrue on any unpaid invoice at the rate of 1½% per month commencing after the expiration of the 30-day grace period.

(Ord. 8/12/2002, §3)

§504. COSTS INCURRED BY THE FIRE DEPARTMENT.

1. The Township of North Centre Township hereby recognizes the authority of and authorizes the fire department to recover the reasonable costs of equipment and materials involved in any hazardous material incident, environmental incident, or any safety and rescue incident or operation, including structure and non-structure fires and vehicle accidents, from a person or person's insurance company or entity or entity's insurance company.
2. Said reasonable costs may be recovered directly by the fire department or through a third party agency agreement.
3. In addition to the aforementioned reasonable costs, the fire department shall be authorized to collect reasonable interest, administrative fees and any and all additional fees as may be authorized by the Hazardous Material and Emergency Planning and Response Act, or as authorized by any other statutes or laws.

(Ord. 8/12/2002, §4)

