

BOROUGH OF CHAMBERSBURG

RUBBISH AND GARBAGE ABATEMENT POLICY

Approved by the Borough Manager, Land Use & Development Director and Assistant Borough Solicitor on January 17, 2013

1. The Codes Office receives complaint related to rubbish and garbage.
2. A Property Maintenance Code Officer will visit the property to determine whether a violation of the International Property Maintenance Code, Section 308, Rubbish and Garbage exists. The Code Officer must be very careful to scrutinize the item(s) on the property according to the PMC rubbish and garbage definitions to determine whether a violation exists. A violation notice should be as descriptive as possible regarding the items that constitute a violation and include a photograph of the items.
3. If a violation of Section 308 exists the property owner will be served notice by regular mail according to Section 107, Notice and Orders providing a specific timeframe to correct the violation. While the property owner should generally be held responsible for a violation if the Code Officer has evidence that a tenant is responsible for a violation notice should be served by regular mail to the tenant and the property owner. The cover letter for all Section 107 violations will include the Section 106.3, Prosecution of violation and Section 106.5, Abatement of violation language.
4. When the time that was given to correct the violation has expired, the Code Officer will re-inspect the property to determine if the violation of Section 308 has been corrected.
5. If the violation has not been corrected, the Code Officer will give notice of the continuing violation to the property owner and a tenant where applicable. The notice will be served by regular mail and also by hand carrying a copy of the notice to the responsible party, where practicable. The notice will include a second time frame to correct the violation; however the notice will indicate that if the violation is not corrected by the new deadline the Borough will correct the violation according Section 106.5, Abatement of violation. If the property accommodates a multi-tenant building (residential or commercial) a copy of the notice will be provided by hand carry or regular mail to each tenant.
6. When the time that was given to correct the violation has expired, the Code Officer will re-inspect the property to determine if the violation of Section 308 has been corrected. If the violation is not corrected the Code Officer will coordinate Borough abatement of the violation accordingly:
 - A. Determine how to access the property to remove the rubbish and/or garbage items, preferably from a public street or alley. If appropriate access can only be obtained by crossing another person's property permission from that property owner will be necessary.
 - B. Create a Job Order to track expenses related to materials and personnel/contractor necessary to remove the items from the property.

- C. Coordinate materials and personnel necessary to complete the task. Tasks that involve one or two items that can be easily removed from the property should be referred to the Director of Public Works for assignment to the appropriate Borough personnel. Tasks that involve more than two items that will be more difficult or labor intensive to remove should be completed by a contractor. Dumpster rental/transfer may be necessary and should be coordinated with the Borough Sanitation Department.
- D. The Code Officer will coordinate the date/time for the task and must be present while the task is completed.
- E. The Code Officer will take photographs of the rubbish and/or garbage and surrounding area before items are removed from the property as well as photographs of the areas after the items have been removed.
- F. The Finance Department will reference the Job Order to prepare a bill for the cost plus a ten (10%) percent administrative fee to send to the property owner.
- G. The Finance Department will file a lien against the property for unpaid costs according to the standard Borough lien filing policy.