
Chapter 33, ENVIRONMENTAL PROTECTION

ARTICLE I, Environmental Protection [Adopted 7-14-1975 by Ord. No. 7-14-75b]

33.1 Litter and debris

[Amended 12-14-1981 by Ord. No. 12-14-81H; 10-14-1996 by Ord. No. 10-14-96C]

- 33.1.1 No person, partnership, firm or corporation shall deposit, leave or cause to be left or accumulated on any street, land, highway, alley, vacant lot, stream, creek or any other public or private property within the Municipality of Bethel Park, any garbage, rubbish, waste materials, old building materials, litter and debris of any kind, junked, scrapped, dilapidated or outworn construction equipment or machinery including parts of same and fuel or lubrication equipment and other apparatus associated with their use, flammable articles or stored junk vehicles which shall be those without a current inspection sticker and are either rusted, wrecked, discarded, dismantled, partly dismantled, inoperative or in an abandoned condition, including parts of the same, all of which are hereby declared to be a nuisance and detrimental to the environment of the Municipality of Bethel Park.
- 33.1.2 No person, partnership, firm or corporation shall allow to accumulate and/or remain on his own property the material and objects listed above, whether or not such material and objects were accumulated or deposited with the consent or knowledge of such a person, partnership, firm or corporation.
- 33.1.3 Notwithstanding the requirements set forth in 33.1.1 above, damaged or wrecked vehicles with or without current inspection stickers may be stored on the premises of property being used as an auto repair facility, provided all of the following criteria set forth below are met:
1. The vehicles are stored behind the front face of the building where legal parking areas exist in the side or rear yards and that no more than 10 vehicles are stored at one time.
 2. The period of storage, notwithstanding any work order, for any one vehicle does not

exceed one month from the date of first storage, provided further a break in storage of less than one week shall not begin a new storage period.

3. The owner or occupier of the property can show by work order or other proper documentation that each vehicle is scheduled for repair within the time period set forth in 2 above.
 4. The owner or occupier of the property has a current Certificate of Use, Occupancy and Compliance, pursuant to the requirements of Bethel Park Zoning Ordinance, as amended.
 5. The vehicles do not harbor rodents, mosquitoes or other vermin and do not present a hazard to public health or safety.
- 33.1.4 Storage of Junk Vehicles Exception: Junk vehicles as defined in 33.1.1 above may be stored in manufacturing and light industrial districts (MLI) provided all of the following criteria set forth below are met:
1. No vehicles shall be stored within 50 feet of residential zoned property.
 2. No vehicles shall be stored in required parking spaces as set forth in Bethel Park Zoning Ordinance.
 3. No vehicles shall be stacked on top of each other.
 4. That the storage of said vehicles do not constitute a junk yard as per Chapter 44 of Bethel Park Municipal Code.
 5. The vehicles do not harbor rodents, mosquitoes or other vermin and do not present a hazard to public health or safety.
 6. The MLI property abuts a street that does not serve as an ingress and egress to a residential zoned area.

33.2 Obnoxious vegetation

- 33.2.1 No person, partnership, firm or corporation shall permit the following growths and vegetation which are hereby declared to be a detriment to the environment of Bethel Park Municipality:
1. Grass in excess of eight inches. [Amended 11-8-1982 by Ord. No. 11-8-82F]
 2. Poison ivy, poison oak and other toxic vegetation.
 3. Weeds and other obnoxious vegetation.

4. Dead, dying or diseased trees or parts thereof whose existence poses a hazard to persons or property in their vicinity.
5. Trees, shrubs or other vegetation whose limbs or parts thereof project into a public right-of-way, thereby interfering with the normal use of said right-of-way.

33.3 Stagnant water and siltation

- 33.3.1 No person, partnership, firm or corporation shall permit the accumulation of stagnant water nor allow siltation to be deposited on any public or private property.

33.4 Infestations

- 33.4.1 No person, partnership, firm or corporation shall permit property under his ownership or control to become a harborage or infestation of insects, rodents or vermin.

33.5 Obstruction of watercourses

- 33.5.1 No person, partnership, firm or corporation shall do any act or engage in any activity which shall restrict or impede the flow of any stream, creek or other water course which has its source beyond the limits of property under the ownership or control of such person, partnership, firm or corporation. The building of walls or the dumping of fill in such a manner as to restrict or impede the flow of any stream, creek or other watercourse described herein are prohibited. The building of bridges or other appurtenances that span streams, creeks or other watercourses described herein shall be in accordance with a permit regulating the design and location of same which has been issued by the Code Enforcement Officer, and further, no trees, shrubs or other vegetation or parts of same shall be planted or allowed to exist in such a manner as to restrict or impede the flow of such streams, creeks or other watercourses described herein.

33.6 Notice to Remove violations; failure to comply

- 33.6.1 The Municipal Manager or his delegate is hereby authorized and directed to give notice by personal service or by United States mail to the owner or occupant, as the case may be, of any premises where violations of 33.1 through 33.5 exist, directing and requiring such owner or occupant to remove or eliminate such violation within five days after issuance of such notice. If any person, partnership, firm or corporation shall neglect, fail, or refuse to comply with such notice within the

period stated therein, such person, partnership, firm or corporation shall be subject to the penalties provided elsewhere in this ordinance and, in addition, the municipal authorities may remove such deposits, accumulations, harborages or infestations in violation of this ordinance; and the costs thereof, together with any additional payment authorized by law, may be collected by the municipality from such person, partnership, firm or corporation in the manner provided by law.

33.7 Violations and penalties

- 33.7.1 Any person, partnership, firm or corporation who violates 33.1 through 33.5 of this ordinance shall, upon conviction thereof, be sentenced to pay a fine of not more than \$25 and costs of prosecution, and in default of payment of such fines and costs, to undergo imprisonment in the county jail for not more than 10 days, provided that each day's violation shall constitute a separate offense and notice to the offender shall not be necessary in order to constitute an offense, and provided further that any person, firm or corporation who shall ignore or fail to comply with notice given pursuant to 33.6 of this ordinance shall be subject to an additional fine of \$300, and each day's continuance of the violation therein shall constitute a separate offense.

33.8 Certain rights-of-way to be considered private property. [Added 11-8-1982 by Ord. No. 11-8-82F]

- 33.8.1 For the purpose of this ordinance, the term "private property" shall include that portion of any public right-of-way to the property line which is not improved with a cartway for public travel and which area may contain or be improved in part by sidewalks, grass strips, street trees or drainage ditches.

33.9 Smoking ban. [Added 11-2-1992 by Ord. No. 11-2-92A]

- 33.9.1 No person shall smoke within Bethel Park's Municipal Building

33.10 Repealer

- 33.10.1 Any ordinance or part of an ordinance conflicting with the provisions of this ordinance be and the same is hereby repealed to the extent of such conflict.

33.11 Severability

- 33.11.1 The provisions of this ordinance are severable, and if any section, sentence, clause

or phrase shall be held to be illegal, invalid or unconstitutional, the remaining portions of this ordinance shall not be affected or impaired thereby. [Added 12-12-1983 by Ord. No. 12-12-83B]

33.12 Oil and gas wells. [Added 9-13-1999 by Ord. No. 9-13-99C]

33.12.1 All procedures and rules for the drilling, alteration, operation and plugging of oil and gas wells shall be maintained in accordance with Act of 1984, P.L. 1140, No. 223, and the rules and regulations of the Pennsylvania Code, Title 25, Environmental Protection; Chapter 78, Oil and Gas Wells, whose agents are charged with the administration and enforcement of said Act. In addition to the restriction stated above, the following conditions set forth below must be met:

1. For all wells within 15 feet of a cartway, protective barriers must be installed adjacent to the well to prevent damage from stray vehicles. All barricades must be approved by the Code Official and installed so as not to interfere with access to the wellhead for maintenance and emergency purposes.
2. Landscaping is permitted to aesthetically enhance the appearance of the wellhead; however, it must not interfere with access to the wellhead for maintenance and emergency purposes.

