

BUFFALO TOWNSHIP

Ordinance No. 140

AN ORDINANCE OF THE TOWNSHIP OF BUFFALO, BUTLER COUNTY,
COMMONWEALTH OF PENNSYLVANIA, REGULATING DISORDERLY
PROPERTIES

WHEREAS, Buffalo Township, Butler County, (hereafter the "Township") is a second-class Township organized and existing under the provisions of the Pennsylvania Second-Class Township Code, 53 P.S. §65101, *et seq.*; and

WHEREAS, to promote and secure the public welfare, the Township desires to enact an ordinance to regulate and enforce penalties for certain properties (hereafter "Disorderly Properties") posing a threat to the public health, safety, and welfare of the Township; and

WHEREAS, such Disorderly Properties constitute a disturbing of the peace, serve as a nuisance to neighbors and the community, and place an undue burden upon emergency personnel within the Township and such personnel of neighboring municipalities; and

WHEREAS, the Township is authorized by 53 P.S. §66527 to enact ordinances, as may be necessary from time to time, to "secure the safety of persons and property within the township and to define disturbing the peace within the limits of the township"; and

NOW THEREFORE, the Board of Supervisors of Buffalo Township hereby ordains and enacts as follows:

1. Disorderly Properties Defined & Declared as Disturbing the Peace.

- a. Disorderly Properties shall be defined as a dwelling or nonresidential structure to which the police have been called on three (3) separate occasions within any two (2) consecutive month period. For purposes of this Ordinance, it shall be necessary that a citation, summons, or criminal complaint be issued for the disruptive activities necessitating the call-out of police.
- b. Disorderly Properties are hereby declared to be a public nuisance and the maintaining of the same shall be constituted as disturbing the peace.
- c. Disorderly Properties shall not include citations, summons, or arrests arising out of the enforcement of any Protection from Abuse Order or a domestic dispute in which one or more individuals at the property possess a reasonable fear of bodily harm.

2. Notice of Disruptive Property Status.

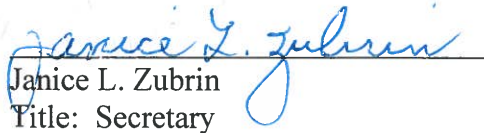
- a. A separate written notice shall be provided to the owner of a property for each citation, summons, or arrest made for a disruptive activity at the owner's property.
 - b. The notice shall be mailed and deemed delivered if sent *via* United States First-Class Mail to the owner's last known address according to available public records. If such address cannot be located, the notice may be posted conspicuously on the front door of the property alleged to be Disruptive Property.
 - c. The notice shall contain:
 - i. a description of the property;
 - ii. the date and manner of activity for which the citation, summons, or arrest was made;
 - iii. A statement that the property will be declared a disruptive property if three (3) or more citations, summons, or arrests occur in a consecutive two (2) month period.
3. **Prohibition.** It shall be unlawful for any person to own, operate, lease, or otherwise supervise any Disorderly Properties within the Township.
4. **Violations & Penalties.** Any person, firm, or corporation violating any of the provisions of this article shall, upon conviction thereof, be sentenced to pay a fine of not more than Six Hundred and 00/100 Dollars (\$600.00) and the costs of prosecution.
5. **Abatement.** In the event that eviction proceedings are brought against any tenant of a Disorderly Property following notice as described in Section 2 of this Ordinance, the violation of this Ordinance shall be abated until the criteria in Section 1 are established once again.
6. **Severability.** If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. Buffalo Township hereby declares that it would have passed this Ordinance and each section, subsection, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases, or portions be declared invalid or unconstitutional.

Signature Page Follows

RESOLVED and **ADOPTED** this 11th day of September 2024, by the Board of Supervisors of Buffalo Township in lawful session duly assembled.

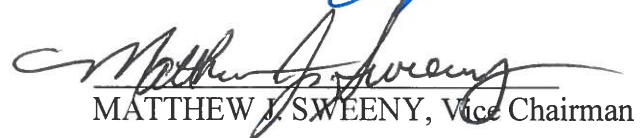
DULY ADOPTED THIS 11th DAY OF SEPTEMBER 2024.

ATTEST:
(SEAL)


Janice L. Zubrin
Title: Secretary

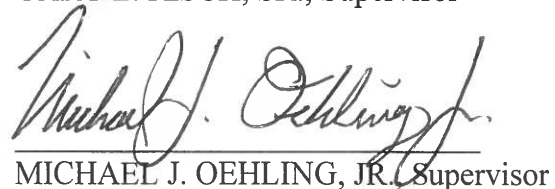
**BUFFALO TOWNSHIP
BOARD OF SUPERVISORS**


RINALDO ZAMPOGNA III, Chairman


MATTHEW J. SWEENEY, Vice Chairman

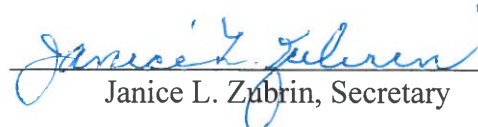

ALBERT T. ROENIGK, Supervisor


GARY L. RISCH, SR., Supervisor


MICHAEL J. OEHLING, JR., Supervisor

I, Janice L. Zubrin, Secretary of Buffalo Township, do hereby certify that the foregoing is a true and correct copy of Ordinance No. 140, adopted at the regular meeting of the Board of Supervisors held on the 11th day of September, 2024.

Date: 9-11-2024


Janice L. Zubrin, Secretary