

Chapter 56

EXCAVATIONS AND WELLS, ABANDONED

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[HISTORY: Adopted by the Board of Commissioners of the Township of Upper St. Clair at time of adoption of Code; see Ch. 1, Adoption of Township Code. Amendments noted where applicable.]

GENERAL REFERENCES

- Definitions and rules of interpretation - See Ch. 3.**
- Building construction - See Ch. 51.**
- Soil excavations - See Ch. 71.**
- Street excavations - See Ch. 112, Art. VIII.**

§ 56.1. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

ABANDONED EXCAVATION - One in which further construction has been permanently discontinued or where further construction has not been evident for a period of thirty (30) days or more.

OPEN OR UNGUARDED WELL, CISTERN OR CESSPOOL - One which is not securely covered by a cover sufficient to withstand one thousand (1,000) pounds pressure per each ten (10) square feet of the cover area.

PERMANENT FENCE - One which is constructed pursuant to the provisions of Chapter 130, Zoning.

UNGUARDED EXCAVATION - One which is not completely enclosed by a fence at least six (6) feet in height.

§ 56.2. Nuisance declared; abatement required.

56.2.1. Any open or unguarded well, cistern, cesspool or abandoned excavation is hereby declared a public nuisance, except as hereinafter provided.

56.2.2. Any such public nuisance shall be abated without further notice by the owner of the land on which such public nuisance exists.

§ 56.3. Guarding of other excavations.

All other excavations having accumulated surface or drainage water over a depth of one (1) foot shall have fences, commencing at ground level and extending six (6) feet in height, erected around such excavation at such times and hours that such excavation is not being worked on.

§ 56.4. Enforcement.

When any person violating any of the provisions of this chapter fails or refuses to abate any of the aforesaid nuisances after notification to the tenant and or owner, the Board of Commissioners may cause such nuisance or nuisances to be abated, and the reasonable cost of such abatement shall be chargeable against the owner of the land on which such nuisance or nuisances shall have existed. Such costs shall be a lien on such lands and shall be assessed against such lands and collected in the same manner as local municipal improvement assessments.

§ 56.5. Violations and penalties.

Any person violating any of the provisions of this chapter shall be subject to the provisions of Chapter 5, Enforcement of Ordinances; Penalties. Each day during which any of the aforesaid public nuisances shall exist shall constitute a single and separate violation of this chapter.