

BOROUGH OF NORTHAMPTON

ORDINANCE NO. 1238

**AN ORDINANCE SETTING OF THE BOROUGH OF NORTHAMPTON,
COUNTY OF NORTHAMPTON, PENNSYLVANIA, ADOPTING
PROCEDURES FOR THE ISSUANCE OF TICKETS PRIOR TO THE
ISSUANCE OF CITATIONS FOR VIOLATION OF CERTAIN
BOROUGH ORDINANCES.**

WHEREAS, § 1202 of the Borough Code confers upon the Borough of Northampton the power to make regulations for the health, safety morals, general welfare, cleanliness, beauty, convenience, comfort and safety of the Borough and to impose fines and for violations thereof; and

WHEREAS, the Codified Ordinances of the Borough contain such ordinances, and setting forth procedures for processing violations thereof which can be cumbersome; and

WHEREAS, the Borough Council seeks to streamline such so as to better enable the efficient resolution of such violations;

**NOW THEREFORE, THE BOROUGH COUNCIL OF THE
BOROUGH OF NORTHAMPTON DOES HEREBY ENACT AND ORDAIN
AS FOLLOWS:**

Section 1. Short Title.

This chapter shall be known and may be cited as the "Quality of Life Ticketing Ordinance."

Section 2. Purpose.

The purpose of this chapter is to provide, at the option of the Code Enforcement Officer of the Borough of Northampton and the Northampton Borough Police Department, a mechanism for issuance of a ticket before issuance of a nontraffic citation or notice of violation pursuant to the terms of a covered ordinance to permit a violator the choice of abating and correcting the violation and paying the ticket amount within 10 calendar days or be subject to the issuance of a nontraffic citation or notice of violation for the alleged violation of a covered ordinance and

the ensuing ordinance enforcement process which involves costs and often leads to involvement by the court system with the violator potentially liable to the Borough for a certain fine under the applicable covered ordinance and the Borough's costs of prosecution

Section 3. Definitions.

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

BOROUGH — The Borough of Northampton.

BOROUGH MUNICIPAL BUILDING — The Borough's administrative offices, located at 1401 Laubach Avenue, Northampton, Pennsylvania, 18067.

CODE ENFORCEMENT OFFICER — The Code Enforcement, Animal Control and Police Officers duly authorized to uphold and enforce ordinances of the Borough.

COVERED ORDINANCE — Each chapter of the Code of the Borough of Northampton referenced herein.

PERSON — Any individual, corporation, partnership, or any other entity recognized by law.

VIOLATOR — Any person in violation of a covered ordinance.

Section 4. Authority, Applicability and Ticket Issuance.

1. **Enforcement Authority.** The procedures outlined in this chapter may be exercised by any Code Enforcement Officer.
2. **Applicability.** The following provisions of the Borough Code shall be subject to the jurisdiction of this process at the discretion of any Code Enforcement Officer:

Chapter 70	Alarms
Chapter 83, Article I	Animal Control and Maintenance
Chapter 90	Bicycles
Chapter 105	Construction Codes
Chapter 167, Art. I	Parks and Recreation
Chapter 180	Property Maintenance §§302.1; 302.3; 302.4; 302.8; 303.1; 308.1; 308.2; 308.3; 308.3.2; 309.1
Chapter 198, Art. I	Solid Waste
Chapter 210, Art. IV	Snow and Ice Removal
Chapter 210, Art. VII	Street Storage and Waste Dumpsters

3. **Issuance of Ticket.** Upon the determination of the Code Enforcement Officer as herein defined that a violation of a covered ordinance has occurred, a ticket may be issued to the violator hereunder.
4. **Required Information.** A ticket be issued on a standard form stating the state the name and address of the violator, citing to the ordinance that is the subject of the violation, stating the date and location of the violation, providing a narrative description of the violation, that a violation of a covered ordinance exists is cause for a violation ticket to be issued to the violator under this chapter, stating the penalties as outlined herein, and stating the procedures for disposition and appeal of the ticket.
5. **Service.** At the discretion of the Code Enforcement Officer as herein defined, a ticket may be served upon the violator by any of the following means:
 - (1) By handing the violation ticket to the violator;
 - (2) By handing the violation ticket to an adult resident of the subject property;
 - (3) By leaving or affixing the violation ticket to the property where the violation exists; or
 - (4) By mailing the violation ticket to the violator's address of record by first class mail with a certificate of mailing.
 Service shall be complete upon the performance of any of these procedures.

Section 5. Procedure for Disposition of Ticket.

Upon service of a ticket pursuant to the preceding paragraph, a violator shall have ten (10) calendar days within which to abate and correct the specified violation and pay the associated fine.

In the event that the specified violation is not abated and corrected and/or the fine is not paid within this ten (10) day period, such failure may, at the discretion of the Code Enforcement Officer, result in the issuance of a nontraffic citation or notice of violation as may be applicable.

Section 6. Fines and Penalties.

- A. For the first offense of any violation of a covered ordinance within a rolling twelve-month period, a written warning shall be issued.
- B. For the second offense of any violation of a covered ordinance within a rolling twelve-month period, a ticket shall be issued in the amount of \$25.
- C. For the third offense of any violation of a covered ordinance within a rolling twelve-month period, a ticket shall be issued in the amount of \$50.
- D. For the fourth offense of any violation of a covered ordinance within a rolling twelve-month period, a ticket shall be issued in the amount of \$150.
- E. For the fifth and all subsequent offenses of any violation of a covered ordinance within a rolling twelve-month period, a ticket shall be issued in the amount of \$600.

If a nontraffic citation or notice of violation issues for nonpayment hereunder, fines and penalties shall be incurred as set forth in the ordinance addressed to the violation.

Section 7. Appeal Procedure.

1. Upon timely payment of a ticket as required hereunder, a violator may, within ten (10) business days of such payment, submit a written request, on a form provided by the Borough, for a meeting with the Borough Manager or their designee. Such form shall provide the name of the violator, their contact information and preferred means of contact, citation to the code section under which the violation was issued, and a narrative description of why the violator believes that the ticket should not have issued.

2. Upon receipt, the Borough Manager shall provide notice to the violator by the means indicated in their written request, as to date, time, location or means (if to be held by telephone) of the review meeting.
3. Said meeting shall be the violator's opportunity to state why the ticket should not have been issued, the remediation not required, and/or the fine not assessed. The length of the review meeting, types of evidence accepted, and number of persons permitted to attend the review meeting shall be at the sole discretion of the Borough Manager or their designee.
4. The Borough Manager or their designee shall have sole and independent authority to decide the appeal and take action thereon. The Borough Manager may, at their sole discretion, rescind the violation ticket and refund the fine or may allow the violator additional time to abate and correct the violation, and refund the fine if action is taken within the prescribed time to the satisfaction of the Code Enforcement Officer.
5. The action taken by the Borough Manager or their designee shall be in writing, a copy of which shall be served on the violator in accordance with §4, ¶5 hereof.
6. If a ticket is rescinded, it shall not be counted for purposes of determining subsequent violations and the fee applicable thereto.
7. The decision of the Borough Manager or their designee shall be final.
8. No right to appeal shall be afforded to any violator who does not timely pay the fine imposed pursuant to the ticket. meeting conducted in accordance with this section.

Section 8. Severability.

The provisions of this ordinance are severable. If any section, clause, sentence, part or provision of this ordinance shall be deemed illegal or invalid by any court of competent jurisdiction, the rest of the ordinance shall remain in full force and effect as though the stricken section, clause, sentence, part or provision had not been included.


Section 9. Effective Date.

This ordinance shall be effective immediately upon enactment.

DULY ORDAINED AND ENACTED this 3rd day of April, 2025,
by the Borough Council in lawful session duly assembled.

ATTEST:

BOROUGH OF NORTHAMPTON



Brian Welsko, Borough Manager

By 

Julia Kutzler, Council President

Approved this 3rd day of April, 2025.

By 

Anthony Pristash, Mayor