

ARTICLE XIX

ENFORCEMENT REMEDIES

Section 19.1 Civil Damages

Any person, partnership or corporation who or which shall violate the provisions of this Zoning Ordinance enacted under Act 247, as amended, shall, upon being found civilly liable thereof in a civil enforcement proceeding, be sentenced to pay a judgment of not more than five hundred dollars (\$500.00) plus all court costs including reasonable attorney fees incurred by the Borough as a result thereof. No judgment shall be commenced or be imposed or payable until the determination of a violation by the District Justice. If the defendant neither pays nor appeals in timely fashion, the judgment imposed, the Borough of Sewickley Hills may enforce the judgment pursuant to rules of civil procedure. Each day that a violation continues shall constitute a separate violation unless the district justice determining that there has been a violation further determines that there was a good-faith basis for the person, partnership or corporation violating the Zoning Ordinance to have believed that there was no such violation, in which event there shall be deemed to have been only one such violation until the fifth day following the date of the determination of a violation by the district justice and thereafter each day that a violation continues shall constitute a separate violation. All fines collection for the violation of this Zoning Ordinance shall be paid over to the Borough Council and deposited in the General Fund.

Section 19.2 Enforcement Remedies

In case any building, structure, or land is, or is proposed to be, erected, constructed, reconstructed, altered, converted, maintained or used in violation of the provisions of this ordinance, the Borough Council, or, with the approval of the Borough Council, an officer of the Borough, in addition to other remedies, may institute in the name of the Borough any appropriate action or proceeding to prevent, restrain, correct or abate such building, structure or land, or to prevent, in or about such premises, any act, conduct, business or use constituting a violation.

Section 19.3 Notice of Violation

If it appears that a violation of any Zoning Ordinance has occurred, the Borough of Sewickley Hills shall initiate enforcement proceedings by sending an enforcement notice as provided in this Article. The enforcement notice shall be sent to the owner of record of the parcel on which the violation has occurred, to any person who has filed a written request to receive enforcement notices regarding that parcel, and to any other person requested in writing by the owner of record. The notice of violation for the purpose of enforcement of the provisions of this ordinance shall consist of the following:

- 19.3.1 The name of the owner of record and any other person against whom the municipality intends to take action.
- 19.3.2 The location of the property in violation.
- 19.3.3 The specific violation describing requirements not met and the applicable provisions of the ordinance violated.

- 19.3.4 Dates for commencement of compliance activity and dates by which compliance must be achieved.
- 19.3.5 That the recipient of the violation notice has the right to appeal to the Zoning Hearing Board within a prescribed period of time in accordance with procedures set forth in Article XVI.
- 19.3.6 That failure to comply within the time specified unless extended by appeal to the Zoning Hearing Board, constitutes a violation with possible penalties resulting, which possible penalties shall be clearly described.