

**TOWNSHIP OF JEFFERSON
FAYETTE COUNTY, PENNSYLVANIA**

ORDINANCE NO. 12015

AN ORDINANCE OF JEFFERSON TOWNSHIP, FAYETTE COUNTY, PENNSYLVANIA, ADOPTING THE INTERNATIONAL PROPERTY MAINTENANCE CODE, 2015 EDITION, WHICH ESTABLISHES THE MINIMUM REGULATIONS GOVERNING THE CONDITIONS AND MAINTENANCE OF ALL PROPERTY, BUILDINGS AND STRUCTURES TO ENSURE STRUCTURES ARE SAFE, SANITARY, AND FIT FOR OCCUPANCY AND USE; THE CONDEMNATION OF BUILDINGS AND STRUCTURES UNFIT FOR HUMAN OCCUPANCY AND USE; AND THE DEMOLITION OF SUCH PRINCIPAL AND ACCESSORY STRUCTURES AND THE REPEALING ANY INCONSISTENT ORDINANCES OR IN CONFLICT THEREWITH:

WHEREAS, the Jefferson Township Board of Supervisors has the power to protect the health, safety, and welfare of people and property in the Township and;

WHEREAS, pursuant to the provisions of the Second Class Township Code, specifically Sections 1517 and 1601, the Cecil Township Board of Supervisors have the authority to adopt ordinances regulating buildings and housing, and to adopt, by reference, a nationally recognized code in a Township ordinance;

NOW, THEREFORE, BE IT ORDAINED AND ENACTED and it is hereby ordained and enacted by the Board of Supervisors of the Township of Jefferson, Fayette County, Pennsylvania as follows:

SECTION 1. ADOPTION OF THE PROPERTY MAINTENANCE CODE.

The *International Property Maintenance Code, 2015 Edition*, as published by the International Code Council, as amended herein, is hereby adopted as the Property Maintenance Code of Jefferson Township.

SECTION 2. ADDITIONS, INSERTIONS, AND CHANGES

A. Subsection 101.1 shall read:

101.1 Title. These regulations shall be known as the *Property Maintenance Code of the Township of Jefferson*, hereinafter referred to as "this code."

B. Subsection 102.3 shall read:

102.3 Application of other codes.

Repairs, additions, or alterations to a structure, or changes of *occupancy*, shall be done in accordance with the procedures and provisions of the Uniform Construction Code of Pennsylvania, *International Building Code*, *International Fuel Gas Code*, *International Mechanical Code* *International Fire Code* and NFPA 70. Nothing in this code shall be construed to cancel, modify, or set aside any provision of the *Jefferson Township Ordinance No. 2-88*

C. Section 103 shall read:

103.0 Department of Planning, Zoning, Code Enforcement, and Building Inspection.

D. Subsection 103.1 shall read:

103.1 General.

The officials who are charged with the administration and enforcement of this code shall be collectively referred to as the Code Official. For reference, the title of "Code Official" includes the Code Enforcement Officer, Zoning Officer, Code Official, or any other duly authorized representative of the Township.

E. Subsection 103.5 shall read:

103.5 Fees.

The fees for all work, permits, charges, etc. shall be paid in accordance with the fee schedule resolution in effect at the time application is made. Said fee resolution may be amended from time to time.

F. Subsection 106.4 shall read:

106.4 Violations and Penalties.

"Any person, firm, corporation, partnership, or entity who shall violate any of the provisions of this ordinance or who shall fail to comply with any notice of violation herein, upon conviction before a Magisterial District Judge within the magisterial district, shall be fined not more than One Thousand Dollars (\$1,000.00) plus costs of prosecution after summary proceeding brought in the name of the Township before said Magisterial District Judge. A new and separate offense shall be deemed to be committed for each day that such violation exists.

G. Add Subsection 107.7

107.7 Notice to Abate Health Hazard or Public Nuisance.

It shall be the duty of the Code Official to serve a notice upon the owner or occupant of any premises whenever the property is improperly maintained so as to constitute a health hazard, public nuisance, or other violation of this ordinance. The form of notice shall be governed as provided in Section 107.2. The notice will require the abatement of the health hazard or public nuisance within ten (10) days from the date of receipt of such notice, or such other time period as may be set forth in the notice. Service of such notice shall be as provided in Section 107.3.

J. Section 111 entitled "Means of Appeal" is hereby deleted in its entirety.

Add Section 111 Means of Appeal.

All appeals of the decision of the Code Official, a notice, or an order issued under the Property Maintenance Code are to be filed with the District Justice.

K. Section 202 entitled "General Definitions" is hereby amended to include the following additional definitions:

Occupied. As applied to a building or portion thereof shall be construed as though followed by the words, "or intended, arranged or designed to be occupied, or having a certificate of use and occupancy."

Public Nuisance. Includes the following:

- a. The physical condition, or use of any premises regarded as a public nuisance at common law; or
- b. Any physical condition, use or occupancy of any premises or its appurtenances considered an attractive nuisance to children, including, but not limited to, abandoned wells, shafts, basements, excavations and unsafe fences or structures; or
- c. Any premises which has unsanitary sewerage or plumbing facilities; or
- d. Any premises designated as unsafe for human habitation or use; or
- e. Any premises which is manifestly capable of being a fire hazard, or is manifestly unsafe or unsecured as to endanger life, limb, or property; or

- f. Any premises from which the plumbing, heating, electricity and/or facilities required by this ordinance have been removed, or from which utilities have been disconnected, destroyed, removed, or rendered ineffective, or the required precautions against trespassers have not been provided; or
- g. Any premises which is unsanitary, or which is littered with rubbish or garbage, or which has an uncontrolled growth of weeds; or
- h. Any structure or building that is in a state of dilapidation, deterioration or decay; faulty construction, overcrowded, open, vacant or abandoned; damaged by fire to the extent as not to provide shelter, in danger of collapse or failure and dangerous to anyone on or near the premises

L. **Section 301** is hereby amended to include the following additional Subsection known as **301.2.1**:
If a property abuts a public right-of-way, such property owner shall be responsible for the maintenance of the area between the property line and the cartway, including the curb, the sidewalk and grass areas between the curb and the property line.

M. **Section 302.4 Weeds.** is hereby amended to include the following terms of Grass, and Noxious Vegetation:
Ten (10) inches

- N. Section 302.8 Motor Vehicles. is hereby amended to include the following:
Motor Vehicle Nuisances are governed by Ordinance # _____ of Jefferson Township, as may be amended from time to time.
- O. Section 302.8 is hereby amended to include the following additional Subsection known as 302.8.1:
- Add: 302.8.1 Used Vehicle Parts and Tires.**
No person shall place, deposit or permit the placement or depositing of used vehicle parts or tires outside of an enclosed structure on any property.
- P. Section 302 is hereby amended to include the following additional Subsections known as 302.10, and 302.10.1.
Add: 302.10 Fire Hydrant Obstruction. Unobstructed access to fire hydrants shall be maintained at all times. The fire department shall not be deterred or hindered from gaining immediate access to fire protection equipment or fire hydrants.
Add: 302.10.1 Clear space around Fire Hydrants. A Three (3) foot clear space shall be maintained around the circumference of fire hydrants except as otherwise required or approved.
- Q. Section 304.3 entitled "Premises Identification" is hereby deleted in its entirety.
Add: 304.3 Premises Identification.
Buildings and Structures that have address numbers are governed by Ordinance # N/A of Jefferson Township, as may be amended from time to time.
- R. Section 304.14 substitute "April 1st" for the first reference of [DATE], and "October 31st" for the second reference of [DATE].
- S. Section 602.3 substitute "October 1st" for the first reference of [DATE], and "May 31st" for the second reference of [DATE].
- T. Section 602.4 substitute "October 1st" for the first reference of [DATE], and "May 31st" for the second reference of [DATE].

SECTION 3. Repealer:

Any ordinance, chapter, section, subsection, paragraph, sentence, or phrase of any ordinance conflicting with the provisions of this ordinance is hereby repealed to the extent of such conflict.

SECTION 4. Severability:

If any section, subsection, sentence, clause, phrase, or portion of this document is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portion thereof.

SECTION 5. Effective Date.

This ordinance shall take effect immediately upon passage.

ORDAINED AND ENACTED by the Supervisors of Jefferson Township, Fayette County, Pennsylvania the 22 day of December, 2015.

BOARD OF SUPERVISORS
JEFFERSON TOWNSHIP

BY: [Signature]

BY: [Signature]

BY: [Signature]