

**ORDINANCE NO. 1 of 2024**

**AN ORDINANCE OF THE BOROUGH OF MANORVILLE, ARMSTRONG COUNTY, PENNSYLVANIA ADOPTING THE 2021 EDITION OF THE INTERNATIONAL PROPERTY MAINTENANCE CODE, REGULATING AND GOVERNING THE CONDITIONS AND MAINTENANCE OF ALL PROPERTY, BUILDINGS, AND STRUCTURES; BY PROVIDING THE STANDARDS FOR SUPPLIED UTILITIES AND FACILITIES AND OTHER PHYSICAL THINGS AND CONDITIONS ESSENTIAL TO ENSURE THAT STRUCTURES ARE SAFE, SANITARY AND FIT OF OCCUPATION AND USE; AND THE CONDEMNATION OF BUILDINGS AND STRUCTURES UNFIT FOR HUMAN OCCUPANCY AND USE, AND THE DEMOLITION OF SUCH EXISTING STRUCTURES IN THE BOROUGH OF MANORVILLE; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES THEREFORE; REPEALING ALL ORDINANCES OR PARTS OF THE ORDINANCES OF THE BOROUGH OF MANORVILLE IN CONFLICT THEREWITH; AND PROVIDING PENALTIES FOR VIOLATION.**

The Council of the Borough of Manorville, pursuant to the authority contained in the Pennsylvania Borough Code, and the Pennsylvania Construction Code Act, and specifically 35 P.S. §7210.501 does ordain as follows:

**SECTION 1. ADOPTION INTERNATIONAL PROPERTY MAINTENANCE CODE**

That a certain document, copies of which are on file in the office of the Borough Secretary of Manorville, being marked and designated as the International Property Maintenance Code, 2021 edition, as published by the International Code Council, be and is hereby adopted as the Property Maintenance Code of the Borough of Manorville, in the State of Pennsylvania for regulating and governing the conditions and maintenance of all property, buildings and structures; by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; and the condemnation of buildings and structures unfit for human occupancy and use, and the demolition of such existing structures as herein provided; providing for the issuance of permits and collection of fees therefore; and each and all of the regulations, provisions, penalties, conditions and terms of said Property Maintenance Code on file in the office of the Borough of Manorville are hereby referred to, adopted, and made a part hereof, as if fully set out in this ordinance, with the additions, insertions, deletions and changes, if any, prescribed in Section 2 of this ordinance.

**SECTION 2. REVISIONS.**

The following sections are hereby revised:

The Jurisdictional Section (Section 101.1) is revised to add the Borough of Manorville as the jurisdiction.

The Creation of Agency Section (Section 103.1) of the stated Code is revised to read an agency, person or independent entity established by appointment by the Council of the Borough of Manorville shall be known as the Code Enforcement Officer.

The failure to comply section (Section 112.4) is revised to add that the fee for failure to comply is to be established by a Fee Resolution to be adopted by the Council of the Borough of Manorville.

The weed height section (Section 302.4) is revised to establish that weeds or plant growth shall not exceed six (6) inches.

The screen section (Section 304.14) is revised to establish the period from May through September.

The heat supply section (Section 602.3) is revised to establish the period from October through April.

The occupied workspace section (Section 602.4) is revised to establish the period from October through April.

### **SECTION 3. REPEALER AND AMENDMENT**

All Ordinances of the Borough of Manorville that pertain to Property Maintenance and all other ordinances or parts of ordinances in conflict herewith are hereby repealed and/or to the extent that it is necessary, the Ordinance that adopted the Uniform Construction Code as the Building Code for the Borough of Manorville is amended to include the provisions of the 2021 Edition of the International Property Maintenance Code.

### **SECTION 4. SEVERABILITY**

That if any section, subsection, sentence, clause, or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The Council hereby declares that it would have passed this ordinance, and each section, subsection, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, and phrases be declared unconstitutional.

### **SECTION 5. SAVING CLAUSE**

That nothing in this ordinance or in the Property Maintenance Code hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in Section 3 of this ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance.

### **SECTION 6. VIOLATIONS, NOTIFICATION, AND PENALTIES**

#### **A. Violations.**

Any activity conducted in violation of this Ordinance is declared to be a nuisance.

**B. Notification of Violation.**

1. Whenever any person shall have violated the terms of this Ordinance, the Municipal Codes Enforcement Officer shall notify the owner, developer, or person responsible for the property of the violations, directing them to comply with all terms of this Ordinance within ten (10) days, or such additional period, not to exceed thirty (30) days, as the Municipal Codes Enforcement Officer deems necessary and reasonable.

2. Further, provided the owner, developer, or person responsible for the property in violation does not make the necessary and required corrections, Manorville Borough may make the necessary and required corrections and charge the owner, developer, or person responsible for the property for the cost thereof plus penalties as specified herein for failure to comply.

3. Such Notice of Violation must be delivered in writing by certified mail, regular mail and by posting of the property in a conspicuous place.

**C. Penalties.**

Any person who fails to comply with this Ordinance, within the period stated in the Notice of Violation, shall, upon conviction thereof, be guilty of a summary offense:

1. And shall be sentenced to pay a penalty of not less than \$100.00 and not more than One Thousand (\$1,000.00) Dollars;

2. Each and every day of continued violation shall constitute a separate violation.

3. In the event that the owner, developer, or person responsible fails to comply with the terms of this Ordinance within the time specified:

a. The municipality may take any actions necessary to remove the public nuisance; or

b. The municipality may institute injunctive, mandamus, or any other appropriate action or proceeding at law or in equity for the enforcement of this Ordinance. Any Court of competent jurisdiction shall have the right to issue restraining orders, temporary or permanent injunctions, mandamus, or other appropriate forms of remedy or relief.

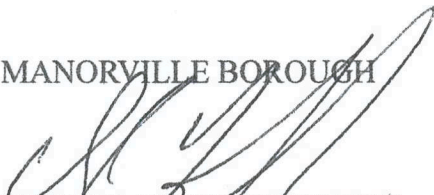
c. The cost of removal of the violation shall be in addition to any penalties for violations for failure to comply.

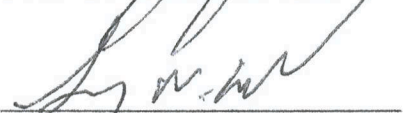
4. The cost of removal, fine, and penalties herein above mentioned may be entered by Manorville Borough Council as a lien against such property in accordance with existing provisions of law.

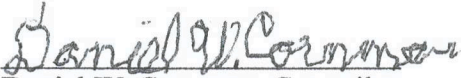
**SECTION 7. EFFECTIVE DATE**

That this ordinance and the rules, regulations, provisions, requirement, requirements, orders and matters established and adopted hereby shall take effect and be in full force and effect immediately from the date of its final passage and adoption.

MANORVILLE BOROUGH

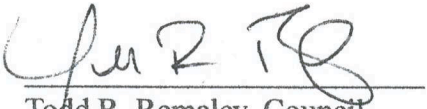
  
Chris D. Yanoff, President

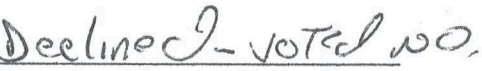
  
Gary W. Meyer, Vice President

  
Daniel W. Cornman, Council

  
Keith M. Duris, Council

  
Sandra J. McKee, Council

  
Todd R. Remaley, Council

  
Douglas Johnson, Council

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ATTEST:

  
Asst. Secretary, Linda H. Cornman

{SEAL}

APPROVED/VETOED this 18<sup>th</sup> day of JUNE, 2024.

  
Mayor, Linda H. Cornman