

BOROUGH OF CALIFORNIA
COUNTY OF WASHINGTON
COMMONWEALTH OF PENNSYLVANIA

ORDINANCE NO. 544

AN ORDINANCE OF THE BOROUGH OF CALIFORNIA, WASHINGTON COUNTY, COMMONWEALTH OF PENNSYLVANIA, ADOPTING THE 2012 EDITION OF THE INTERNATIONAL PROPERTY MAINTENANCE CODE, AND ANY AMENDMENTS THERETO; REGULATING AND GOVERNING THE CONDITIONS AND MAINTENANCE OF ALL PROPERTY, BUILDINGS AND STRUCTURES; PROVIDING 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; PROVIDING FOR THE CONDEMNATION OF BUILDINGS AND STRUCTURES UNFIT FOR HUMAN OCCUPANCY AND USE, AND DEMOLITION OF SUCH EXISTING STRUCTURES IN THE BOROUGH OF CALIFORNIA; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES THEREFOR; REPEALING ORDINANCE NUMBER 492 OF THE BOROUGH OF CALIFORNIA AND ANY AND ALL OTHER ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT WITH THE TERMS AND CONDITIONS OF THIS ORDINANCE; CONTAINING A SAVINGS CLAUSE, AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Borough Council of the Borough of California is duly empowered by the Pennsylvania Borough Code to provide for the regulation of the condition of property within the Borough of California to ensure that such properties are safe, sanitary and fit for human occupation and use; and

WHEREAS, the Borough of California has provided for the regulation of the condition of real property and property maintenance within the Borough by prior ordinance or regulation; and

WHEREAS, the Borough Council of the Borough of California has determined it to be in the best interest and general welfare of the residents of the Borough of California to update the Property Maintenance Codes of the Borough; and

WHEREAS, the Borough Council has determined that the 2012 edition of the International Property Maintenance Code, and any amendment thereto, is an appropriate and satisfactory means to regulate ongoing property maintenance of all properties in the Borough of California; and

WHEREAS, the Borough of California desires to implement the 2012 edition of the International Property Maintenance Code, and any amendment thereto, as the property maintenance regulations for the Borough of California;

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Council of the Borough of California, Washington County, Commonwealth of Pennsylvania, and it is hereby ordained and enacted as follows:

SECTION 1. ADOPTION OF 2012 INTERNATIONAL PROPERTY MAINTENANCE CODE.

A certain document, three (3) copies of which are on file in the offices of the Code Enforcement Department of the Borough of California, being marked and designated as the International Property Maintenance Code, 2012 edition, and any amendments thereto, as published by the International Code Council, be and is hereby adopted as the Property Maintenance Code of the Borough of California in the Commonwealth 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 human 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 therefor, and each and all of the regulations, provisions, penalties, conditions and terms of said Property Maintenance Code on file in the office of the Code Enforcement Department are hereby referred to, adopted, and made a part hereof, as if fully set out in this Ordinance, with such amendments, additions, insertions and deletions, and changes, if any, as prescribed in Section II of this Ordinance.

SECTION 2. AMENDMENTS, ADDITIONS AND DELETIONS TO 2012 EDITION OF THE INTERNATIONAL PROPERTY MAINTENANCE CODE.

- A. The following sections of the 2012 edition of the International Property Maintenance Code are hereby revised as follows:
1. Section 101.1 – insert: Borough of California.
 2. Section 103.5 – delete.
 3. Section 106.4 – insert: **Violation penalties.** Any person who shall violate a provision of this code, or fail to comply therewith, or with any of the requirements thereof, shall be prosecuted within the limits provided by state or local laws, and, upon conviction thereof, may be fined not less than \$300.00 nor more than \$1,000.00, or in default of payment thereof, may be confined in the Washington County Correctional Facility for a period not to exceed 90 days. Each day that a violation continues after due notice has been served in accordance with this section shall be deemed a separate offense and may be punishable by per diem penalty as provided hereunder.
 4. Section 112.4 – insert: \$300.00 - \$1,000.00.

5. Section 302.4 – insert: six inches.
6. Section 304.14 – insert: May 1st; October 1st.
7. Section 602.3 – insert: September 1st; April 30th.
8. Section 602.4 – insert: September 1st; April 30th.

SECTION 3. REPEAL OF PRIOR ORDINANCES.

Ordinance Number 492 of the Borough of California, adopting and implementing the 2003 International Property Maintenance Code is hereby repealed, rescinded, and is declared void in its entirety. In addition, any and all other prior ordinances or parts of ordinances in conflict with the terms and conditions of this Ordinance are hereby repealed to the extent of such irreconcilable conflict. It is the stated intention of the Borough Council of the Borough of California that this Ordinance implement the 2012 edition of the International Property Maintenance Code, and any amendments thereto, as the only applicable property maintenance code regulations for the Borough of California, and that all prior adoptions of the property maintenance code regulations be repealed by the terms and conditions of this Ordinance.

SECTION 4. ESTABLISHMENT OF APPEALS BOARD.

Any and all appeals arising under the 2012 edition of the International Property Maintenance Code, and any amendments thereto, and as provided under Section 111 of the Property and Maintenance Code Regulations shall be heard by the Uniform Construction Code Appeals Board of the Borough of California. The UCC Appeals Board shall have complete jurisdiction over all matters arising under the Property Maintenance Code Regulations, and all references under Section 111 of the Property Maintenance Code to “Appeals Board” shall be construed to refer to the Borough of California UCC Appeals Board. The UCC Appeals Board shall exercise all such jurisdiction, authority and responsibility as provided under Section 111 of the Property Maintenance Code Regulations.

SECTION 5. SAVINGS CLAUSE.

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

SECTION 6. APPLICABILITY.

Nothing in this Ordinance or in the Property Maintenance Code hereby adopted shall be construed to affect any suit or proceeding pending 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 repealed by this Ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by the implementation and adoption of this Ordinance.

SECTION 7. EFFECTIVE DATE.

This Ordinance and the rules, regulations, provisions, requirements, orders and matters established and adopted hereby shall take effect and be in full force and effect immediately upon adoption of this Ordinance by the Borough Council of the Borough of California.

DULY presented and adopted at a meeting of the Borough Council of the Borough of California, Washington County, Commonwealth of Pennsylvania, this 10th day of July, 2014.

ATTEST:

BOROUGH OF CALIFORNIA

Shirley Evans
Borough Secretary

By: Patsy J. Alfano
President of Council

EXAMINED AND APPROVED by me this 10th day of July, 2014.

BOROUGH OF CALIFORNIA

By: [Signature]
Mayor