

AN ORDINANCE GOVERNING AND  
REGULATING THE CONSTRUCTION,  
ALTERATION, REPAIRS, OCCU-  
PATION, MAINTENANCE, SANITATION,  
LIGHTING, VENTILATION, WATER  
SUPPLY, TOILET FACILITIES,  
DRAINAGE, USE AND INSPECTION  
OF BUILDINGS AND HOUSING, OR  
PARTS THEREOF CONSTRUCTED,  
ERECTED, ALTERED, DESIGNED  
OR USED IN WHOLE OR IN PART  
FOR HUMAN HABITATION AND  
FOR THE SANITATION AND  
INSPECTION OF THE LAND  
APPURTENANT THERETO, AND  
PROVIDING PENALTIES FOR  
THE VIOLATION THEREOF.

HOUSING ORDINANCE  
SOUTH SHENANGO TOWNSHIP

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## ORDINANCE

AN ORDINANCE GOVERNING AND REGULATING THE CONSTRUCTION, ALTERATION, REPAIRS, OCCUPATION, MAINTENANCE, SANITATION, LIGHTING, VENTILATION, WATER SUPPLY, TOILET FACILITIES, DRAINAGE, USE AND INSPECTION, OF BUILDINGS AND HOUSING, OR PARTS THEREOF CONSTRUCTED, ERECTED, ALTERED, DESIGNED OR USED IN WHOLE OR IN PART FOR HUMAN HABITATION, AND FOR THE SANITATION AND INSPECTION OF THE LAND APPURTENANT THERETO, AND PROVIDING PENALTIES FOR THE VIOLATION THEREOF.

BE IT ORDAINED by the Supervisors of the Township of South Shenango, Crawford County, Pennsylvania, and it is hereby ordained by and with the authority of the same, under and by virtue of the terms and provisions of the applicable laws of the Commonwealth of Pennsylvania as follows:

### SECTION 101. Title

This ordinance shall be known as the HOUSING CODE of South Shenango Township, Crawford County, Pennsylvania.

### Section 102 - Purposes

The purposes of this housing code shall be to protect the public health, safety and welfare so far as it relates to buildings used for dwelling purposes and the land appurtenant thereto as hereinafter provided by:

- (1) Establishing minimum standards for basic equipment and facilities for light, ventilation, space heating and sanitation; for safety from fire; for space, use and location; and for safe and sanitary maintenance; for cooking equipment in all dwellings and multi-family-dwellings now in existence.
- (2) Fixing the responsibilities of owners, operators and occupants of dwellings and multi-family dwellings;
- (3) Providing for administration, enforcement and penalties.

### Section 103 - Non-Applicability

(A) This ordinance shall not apply to any building requiring the approval of the Pennsylvania Department of Labor

and Industry for its intended use.

(3) Insofar as this ordinance relates to minimum standards for mechanical devices such as lighting, plumbing and heating, the ordinance shall not apply to buildings being used for human habitation at the date of enactment of this ordinance, or to buildings now or hereafter used for human habitation by persons having bona fide religious beliefs that forbid the use of such mechanical devices; provided however, that in all instances the provisions of this ordinance relating to cleanliness, repair and sanitation of buildings used for human habitation shall be applicable.

#### Section 104 - Existing Buildings

This code establishes minimum requirements for the initial and continued occupancy of all buildings used for human habitation and does not replace or modify requirements otherwise established for the construction, repair, alteration or use of buildings, equipment or facilities except insofar as such existing buildings are excepted by Section 103 hereof.

#### Section 105 - Existing Remedies

Nothing in this code shall be deemed to abolish or impair existing remedies of the municipality or its officers or agencies relating to the removal or demolition of any buildings which are deemed to be dangerous, unsafe, unsanitary or unsightly in the neighborhood.

#### Section 106 - Definitions

(1) ABANDONED OR JUNKED VEHICLE - An abandoned or junked vehicle shall be deemed to be any vehicle or part thereof which is not registered or does not bear a current license or inspection sticker and:

(A) Cannot be moved from its existing location under its own power, or in such other manner as it is

normally moved because any part or parts thereof, including but not limited to, a wheel or wheels, motor, transmission, differential, drive shaft, exhaust system, carburetor, radiator, starter, generator or alternator, has been removed therefrom, or

(B) which although capable of being moved, has not been moved under its own power or in the manner in which it is customarily moved, for a period of at least ninety (90) days.

The term "vehicle" as used herein shall include, but not be limited to, all automobiles, trucks, buses,

semi-trailers, motorcycles, trail bikes or other devices manufactured for use or intended to be used upon public highways and all component parts thereof. The term "vehicle" as used herein shall not include farm tractors, farm equipment, farm machinery, farm wagons or similar devices even though the same may be or may have been periodically operated on the public highway.

(2) ACCESSORY USE OR STRUCTURE - A use or structure customarily and clearly incident and subordinate to a principal use or structure located upon the same parcel of land, such as off-street loading and/or unloading space, minor garage or minor off-street parking area, screening wall or fence, sign, fallout and/or bomb shelter.

(3) AGRICULTURAL AREA - Any area not included within the definition of "residential premises" hereinafter set forth.

(4) APARTMENT - An apartment is a room, or suite of two or more rooms, either of which is designed or intended for occupancy and housekeeping by one family.

(5) APPROVED - Approved shall mean approved by the building inspector having such administrative authority as designated by this Ordinance.

(6) BATHROOM - Enclosed space containing one or more bathtubs or showers or both and which may also contain water closets, lavatories, or fixtures serving similar purposes.

(7) BUILDING - A structure having a roof supported by columns or walls used for the housing or enclosure of persons.

(8) BUILDING INSPECTOR - The official designated by the municipality to enforce building code or his duly authorized representative.

(9) DWELLING, MULTI-FAMILY - A building designed for and used exclusively for occupancy by three (3) or more families.

(10) DWELLING UNIT - Shall mean any room or group of rooms located within a dwelling and forming a single habitable unit with facilities which are used or intended to be used for living, sleeping, cooking, and eating.

(11) EXIT (EGRESS) - A way of departure from the interior of a building or structure, to the exterior at street or grade, including doorways, passageways, hallways, corridors, stairways, ramps, fire escapes, and all other elements necessary for egress and escape.

(12) FAMILY - Any number of individuals living and cooking together as a single housekeeping unit, as distinguished from a group occupying a boarding house.

(13) FLUSH WATER TOILET - Shall mean a toilet bowl flushed with water under pressure with a water sealed trap above the floor level. Such toilet bowls shall have a smooth, easily cleanable surface.

(14) GARBAGE - Shall mean the animal and vegetable waste resulting from the handling, preparation, cooking, serving and non-consumption of food.

(15) GENERALLY ACCEPTED STANDARD - A specification, code, rule, guide or procedure in the field of construction or related thereto, recognized and accepted as authoritative.

(16) HABITABLE SPACE (ROOM) - Shall mean a room or enclosed floor space used or intended to be used for living, sleeping, cooking, or eating purposes, excluding bathrooms, water closet compartments, laundries, furnace rooms, pantries, kitchenettes and utility rooms of less than fifty (50) square feet, foyers, or communicating corridors, stairways, closets, storage spaces, and workshops, hobby and recreation areas in unsealed or uninsulated parts of structure below ground level or in attics.

(17) HOUSING INSPECTOR - See Building Inspector.

(18) JUNKED VEHICLE - See Abandoned Vehicle

(19) KITCHEN - Space, 40 square feet or more in area used for cooking and preparation of food.

(20) KITCHENETTE - Any area used for the cooking and preparation of food which has less than 40 square feet of area.

(21) LOT - A portion or parcel of land considered as a unit, vacant or dedicated to a certain use or occupied by a building or group of buildings that are united by a common interest or use, and customary accessories and open spaces belonging to same.

(22) NONHABITABLE SPACE - Space used as kitchenettes, pantries, bath, toilet, laundry, rest, dressing, locker, storage, utility, heater, and boiler rooms, closets, and other spaces for service and maintenance of the building, and those spaces used for access and vertical travel between stories.

(23) OPERATOR - Shall mean any person who has charge, care or control of a building, or part thereof, in which dwelling units or rooming units are let.

(24) ORDINARY MINIMUM WINTER CONDITIONS - Shall mean the temperature 15° F. above the lowest recorded temperature for the previous 10 year period.

(25) OWNER - The owner or owners of the freehold of the premises or lesser estate therein, a mortgagee or vendee in

possessions, assignee of rents, receiver, executor, trustee, lessee or other person, firm or corporation in control of a building, or their duly authorized agents.

(26) PERSON - Shall mean and include any individual, firm, corporation, association or partnership.

(27) PLUMBING - Shall mean and include all of the following supplied facilities and equipment: Gas pipes, gas-burning equipment, water pipes, garbage disposal units, waste pipes, water closets, sinks, installed dishwashers, lavatories, bathtubs, shower baths, installed clothes-washing machines, catch basins, drains, vents, and any other similar supplied fixtures, together with all connections to water, sewer or gas lines.

(28) POTABLE WATER - Water which is approved for drinking, culinary and domestic purposes.

(29) PREMISES - A lot, plot or parcel of land including the buildings or structures thereon.

(30) RESIDENTIAL PREMISES - The lot surrounding a building used for human habitation or occupancy, or intended for use for human habitation or occupancy, and including such building, or a lot intended for such purpose whether or not the same is occupied by a building and including all lots laid out in a plan of lots for the purpose of sale to individual buyers whether or not such lots have been sold by the original subdivider or not.

(31) RUBBISH OR REFUSE (SOLID WASTE) - Combustible and non-combustible waste materials, except garbage, including but not limited to paper, rags, cartons, boxes, wood, excelsior, rubber, leather, tin cans, metals, mineral matter, glass, crockery and other similar material. The term shall not be deemed to include yard trimmings, ashes or other residue from the burning of wood, coal, coke and other combustible materials used for heating or cooking purposes.

(32) SEWAGE - Liquid waste containing animal or vegetable matter in suspension or solution, and which may include industrial wastes and liquids containing chemicals.

(33) STRUCTURE - Anything built, constructed, or erected which requires location on the ground or attachment to something on the ground.

(34) TOILET ROOM - Enclosed space, containing one or more water closets, which may also contain one or more lavatories, urinals and other plumbing fixtures.

(35) VENTILATION - The process of supplying and removing air by natural or mechanical means to or from any space.

#### Section 107 - Building Inspector

The township supervisors shall appoint a building inspector to enforce this ordinance. He shall be a person with at least five (5) years of experience in building construction and be informed on the quality and strength of building construction, on good practice in fire prevention, on the accepted requirements for safe exit facilities, and on the proper installation of plumbing and sanitary conditions of the occupants of buildings. He shall not have any interest whatever, directly or indirectly, in the sale or manufacture of any material, process or device entering into or used in connection with building construction. He shall receive such compensation as the governing body may from time to time determine.

#### Section 108 - RECORDS

The building inspector shall keep careful and comprehensive records of application, of permits issued, of inspections made and of reports rendered.

#### Section 109 - Entry and Inspection of Dwelling

The building inspector is authorized to enter any building or residential premises at any reasonable time for the purpose of performing his duties under this code. In the event the



occupant of such building shall refuse admission, the building inspector is authorized under appropriate circumstances to obtain a search warrant for the purpose of entering and inspecting said building to determine if there have been any violations or infractions of this Ordinance.

Section 110 - Notice of Violation

Whenever the building inspector determines that there has been or is a violation of this ordinance, or that there are reasonable grounds to believe that there has been or is a violation of this ordinance, he shall give notice by certified mail, return receipt requested and marked "deliver to addressee only" to the person or persons responsible therefor. In the event such person cannot be served by mail, such notice shall be served by posting the premises involved in a conspicuous place. Such notice shall:

- (1) Be in writing;
- (2) Include a description of the real estate sufficient for identification;
- (3) Specify the violation which exists and the remedial action required;
- (4) Allow a reasonable time for the performance of any act it requires.

Section 111 - Prosecution of Violation -

In case any violation order is not promptly complied with, the building inspector may request the township solicitor to institute an appropriate action or proceeding at law or in equity against the person responsible for the violation, ordering him:

- (1) To restrain, correct or remove the violation or refrain from any further execution of work;
- (2) To restrain or correct the erection, installation or alteration of such building;
- (3) To require the removal of work in violation;
- (4) To prevent the occupation or use of the building, structure or part thereof erected, constructed, installed or altered in violation of,

or not in compliance with the provisions of this code, or in violation of a plan or specification under which an approval, permit or certificate was issued; or

(5) To enforce the penalty provisions of this code.

Section 112 - Penalty for Violation

Every person, firm or corporation who shall violate any of the provisions of this ordinance shall be guilty of a summary offense and upon conviction thereof shall be subject to a fine of not less than Ten (\$10.00) Dollars nor more than One Hundred (\$100.00) Dollars and the costs of prosecution. Each day that a violation continues after the time set forth in the notice of violation shall be deemed a separate offense under the terms of this ordinance.

Section 113 - Appeals

Any owner or person who considers themselves aggrieved by the ruling, decision or notice of the building inspector may appeal such ruling, decision or interpretation to the Township Supervisors. Such appeal must be filed in writing within thirty (30) days of the date the notice of violation is served and shall specify in detail the question or questions to be determined on said appeal, and the appellant's position in relation thereto.

Section 114 - Housing Appeals Board

All appeals shall be heard by the township supervisors sitting as an appeals board and the appellant and the building inspector shall have the right to produce such witnesses, testimony or evidence as each may deem appropriate and the supervisors may, on their own motion, call additional witnesses or receive additional evidence. The supervisors shall make a determination of the matter appealed within thirty (30) days after the testimony is closed in the appeal and shall promptly give notice in writing to the appellant or appellants and the building inspector of such decision.

Section 115 - Conflict with other Ordinances or Codes

In any case where a provision of this ordinance is found to be in conflict with a provision of South Shenango Township, Crawford County or the Commonwealth, ordinances, resolutions or laws, the provision which establishes the higher standard for the promotion and protection of health and safety shall prevail.

Section 116 - Severability

Should any court of competent jurisdiction declare any portion of this ordinance to be invalid, such invalidity shall not affect the validity of any other portion of this ordinance or of the ordinance as a whole, and it is hereby declared to be the intent of the supervisors that this ordinance would have been adopted without such invalid portion.

Section 117 - Property maintenance

Residential premises shall be maintained to assure the desirable residential character of the property, and shall comply with the following minimum requirements:

- (A) Building shall be maintained in a safe and substantial condition;
- (B) Steps, walks, driveways, off-street parking spaces and similar paved areas shall be maintained so as to afford safe passage, under normal use and weather conditions;
- (C) Heavy undergrowths and accumulation of plant growth which are noxious or detrimental to health shall be eliminated;
- (D) Yards, courts and vacant lots shall be kept clean and free of physical hazards, areas likely to harbor rodents, and rodent infestation. The storage of old lumber, metal, pipes, plumbing fixtures, broken concrete or stone, unless the same is incorporated into buildings, structures or fences on the premises, shall not be permitted for longer than a ninety (90) day period.

(E) No abandoned or junked vehicle as defined in this ordinance shall be parked, stored or allowed to remain in the open for a period of longer than thirty (30) days. Nothing herein contained shall be deemed to prohibit the storage of not more than three (3) abandoned or junked vehicles in an agricultural area. Notwithstanding the provisions of the definition of abandoned or junked vehicles contained in this ordinance, it shall be a violation hereof to store abandoned or junked farm tractors, farm equipment, farm machinery, farm wagons and similar devices on a residential premises.

(F) Every window, exterior door and basement hatchway of a building shall be reasonably weathertight, watertight and rodentproof and shall be kept in sound working condition and good repair.

(G) Every supplied facility, piece of equipment or utility which is required under this regulation shall be so constructed or installed that it will function safely and effectively and shall be maintained in satisfactory working condition.

(H) No owner, operator, or occupant shall cause any service, facility, equipment, or utility which is required under this Code to be removed from or shut off from or discontinued for any occupied dwelling let or occupied by him, except for such temporary interruption as may be necessary while actual repairs or alterations are in process or during temporary emergencies when discontinuance of service is approved by the building inspector.

Section 118 - Responsibilities of Owners and Occupants

(A) No owner or other person shall occupy or let to another person any building unless it and the premises are clean, sanitary, fit for human occupancy and comply with all legal requirements of the Commonwealth of Pennsylvania and South Shenango Township.

(B) Every owner of a dwelling containing two or more

shared or  
dwelling units shall maintain the/public areas of the dwelling  
and premises in a clean and sanitary condition.

(C) Every occupant of a dwelling or dwelling unit shall maintain in a clean and sanitary condition that part or those parts of the dwelling, dwelling unit and premises thereof that he occupies and controls.

(D) Every occupant of a dwelling or dwelling unit shall store and dispose of all his rubbish in a clean, sanitary and safe manner.

(E) Every occupant of a dwelling or dwelling unit shall store and dispose of all his solid waste and organic waste which might provide food for insects and/or rodents, in a clean, sanitary and safe manner, and if a container is used for storage pending collection, it shall be rodent proof, insect proof and water tight.

(F) Every occupant of a dwelling unit shall keep all plumbing fixtures therein in a clean, sanitary and operable condition and shall be responsible for the exercise of reasonable care in the proper use and operation thereof.

Section 119 - Minimum Thermal Standards

No person shall occupy as owner, occupant or let to another for occupancy any dwelling or dwelling unit for the purpose of living therein which does not comply with the following requirements.

(A) Every dwelling shall have heating facilities which are properly installed, and are maintained in safe and good working condition and are capable of safely and adequately heating all habitable rooms, bathrooms and water closet compartments in every dwelling unit located therein to a temperature of at least 68°F. at a distance of 18 inches above floor level under ordinary winter minimum conditions.

(B) No owner or occupant shall install, operate or use an unvented space heater employing a flame.

(C) All heat generating units having combustion as part of their operation shall be properly vented to a chimney or duct leading to outdoor space through a pipe tightly put together with no leaks.

Section 120 - Minimum Standards for Basic Equipment and Facilities

No person shall occupy as owner, occupant or let to another for occupancy any dwelling or dwelling unit, for the purposes of living, sleeping, cooking or eating therein, which does not comply with the following requirements:

(A) Every dwelling unit shall have a room or portion of a room in which food may be prepared and/or cooked which shall have adequate circulation area and which shall be equipped with the following:

(1) A kitchen sink in good working condition and properly connected to a water supply system which is approved by the building inspector and which provides at all times an adequate amount of water, and which is connected to a sewer system approved by the building inspector.

(2) An appropriate method of heating water to a temperature of at least 120° F.

(3) Cabinets and/or shelves for the storage of eating, drinking and cooking equipment and utensils and of food that does not under ordinary summer conditions require refrigeration for safekeeping; and a counter or table for food preparation; said cabinets and/or shelves and counter or table shall be adequate for the permissible occupancy of the dwelling unit and shall be of sound construction furnished with surfaces that are easily cleanable and that will not impart any toxic or deleterious effect to food.

(4) A stove or similar device for cooking food and a refrigerator, or similar device, for the safe storage of food at temperatures less than 50°F, but more than 32°F, under ordinary maximum summer conditions which are properly installed with all necessary connections for safe, sanitary and efficient operation; provided that such stove, refrigerator and/or similar devices need not be installed when a dwelling unit is not occupied and when the occupant is expected to provide same on occupancy and that sufficient space and adequate connections for the safe and efficient installation and operation of said stove, refrigerator and/or similar devices are provided.

(B) Within every dwelling unit there shall be a non-habitable room which affords privacy to a person within said room and which is equipped with a flush water closet in good working condition, and which is connected to a sewer system approved by the building inspector.

(C) Within every dwelling unit there shall be a lavatory sink in the same room as or in close proximity to the room in which the flush water closet is located. The lavatory sink shall be in good working condition and connected to a sewer system approved by the building inspector.

(D) Structurally sound hand rails shall be provided on any steps containing five risers or more. If steps are not enclosed, hand rails and balusters spaced no more than 6" apart shall be provided. Porches and/or balconies located more than three feet higher than the adjacent area shall have structurally sound protective hand rails (30" - 36" high) and, if unenclosed, balusters spaced no less than 6" apart.

(E) Every public hall and stairway in every multiple dwelling containing four or more dwelling units shall be adequately lighted at all times. Every public hall and stairway in structures devoted solely to dwelling occupancy and containing not more than four dwelling units may be supplied with conveniently located

light switches controlling an adequate lighting system which may be turned on when needed, instead of full-time lighting.

(F) Every basement or cellar window used or intended to be used for ventilation and every other opening to a basement which might provide an entry for rodents shall be supplied with a screen or other device as will effectively prevent their entrance.

(G) Every plumbing fixture and water and waste pipe shall be properly installed and maintained in good sanitary working condition, free from defects, leaks and obstructions.

#### Section 121 - Light and Ventilation

Unless provided with substitute or artificial light and ventilation approved by the building inspector, every habitable room shall have the following:

(A) At least one (1) window or ventilating skylight facing to the outdoors which can easily be opened and which shall adequately light and ventilate the room.

(B) Each habitable room shall have at least one opening of sufficient size that a resident could use the same as a fire escape exit, if necessary.

(C) Every bathroom and/or toilet compartment not equipped with windows or skylights shall have installed therein an adequate ventilation system in operating condition.

#### Section 122 - Plumbing and Plumbing Fixtures

All buildings shall meet the following minimum requirements as to plumbing fixtures:

(A) All plumbing shall be so designed and installed as to prevent contamination of the water supply through backflow, backsiphonage and other methods of contamination.

(B) All plumbing shall be so designed and installed



that no potable water supply line or plumbing fixture is directly connected to a non-potable water supply;

(C) Each water supply line shall be in good working condition and every valve therein in good working condition;

(D) The waste line of every water-using fixture shall be properly trapped;

(E) Each waste line shall drain freely and without obstructions or leaks;

(F) All plumbing and plumbing fixtures shall be maintained in good working condition and kept clean;

(G) All water closets shall be of the trap type with facilities for safe and clean flushing;

(H) All running water shall have a water pressure adequate to permit a proper flow of water from any open water faucet at any time.

#### Section 123 - Rubbish storage and Disposal

Any building located in a residential area and all residential premises shall comply with the following minimum requirements relating to the storage and disposal of rubbish:

(A) All rubbish stored outdoors shall be stored in one or more rubbish storage containers which are flytight, rodent-proof, non-flammable and reasonably waterproof.

(B) Rubbish stored in a basement, cellar or enclosed structure shall be stored in non-flammable containers.

(C) No loose rubbish shall be placed upon or strewn about on the floor of any basement, cellar or any other part of a building or the grounds surrounding a building.

#### Section 124 - Garbage Storage and Disposal

The occupants of all buildings shall comply with the following minimum requirements relating to garbage and garbage storage and disposal:

(A) Garbage shall be disposed of in a garbage incinerator,

operated in a sanitary manner, and which totally incinerates the garbage leaving no organic refuse, or shall be disposed of in one or more flytight, water-tight, metal or plastic garbage storage containers equipped with tightly fitting metal or plastic covers having capacities of not less than 10 gallons or larger than 30 gallons, or shall be disposed of in a garbage grinder or garbage disposal attached to a kitchen sink and which grinds the garbage sufficiently fine to be disposed of through the sink drain in a sanitary manner.

(B) All outside garbage storage containers shall be so maintained and located that odors therefrom shall not permeate any building ;

(C) All garbage storage containers shall be cleaned regularly;

(D) No loose garbage shall be placed or strewn on the floor of any building or on the ground surrounding any building;

(E) No garbage shall be buried in the soil.

#### Section 125 - Reasons for condemnation

Any building which shall be found to have any of the following defects shall be condemned as unfit for human habitation and shall be so designated and placarded by the Building Inspector:

(A) One which is so damaged, decayed, dilapidated, unsanitary, unsafe or vermin infested that it creates a serious hazard to the health or safety of the occupants or of the public;

(B) One which lacks illumination, ventilation or sanitation facilities adequate to protect the health or safety of the occupants or of the public.

Section 126 - Vacating of Building

Any building condemned as unfit for human habitation and so designated and placarded by the Building Inspector shall be vacated within a reasonable time as directed by the Building Inspector.

Section 127 - Reoccupation of Building

No building which has been condemned and placarded as unfit for human habitation or dangerous to the health or safety of the occupants or the public shall again be used for human habitation until written approval is secured from the Building Inspector.

PASSED AND ORDAINED this 29<sup>th</sup> day of December, 1969.

  
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Supervisor

  
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Supervisor

  
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Supervisor