

BOROUGH OF CURWENSVILLE
CLEARFIELD COUNTY, PENNSYLVANIA

ORDINANCE NO. 498 OF 2021

AN ORDINANCE AMENDING ORDINANCE NO. 483, CODIFIED IN CHAPTER 85 OF THE CODE OF THE BOROUGH OF CURWENSVILLE, INCLUDING ANY AMENDMENTS THERETO, TO REVISE AND ADD ENFORCEMENT AND PENALTY PROVISIONS THERETO.

WHEREAS, the Borough of Curwensville enacted Ordinance No. 483, the same being codified in Chapter 85 of the Code of the Borough of Curwensville, to adopt the International Property Maintenance Code (2009 Edition) (“IPMC”), for application, use, and enforcement within Curwensville Borough; and

WHEREAS, the Borough of Curwensville desires to amend Ordinance No. 483, to revise and add certain enforcement and penalty provisions, with such enforcement and penalty provisions being cumulative in nature to any other lawful remedy available to the Borough under applicable law or regulation.

NOW THEREFORE, BE IT ORDAINED AND ENACTED by the Borough of Curwensville, Clearfield County, Pennsylvania, and it is hereby ordained and enacted by the authority of same as follows:

1. AMENDMENT TO ORDINANCE NO. 483. Ordinance No. 483, which, *inter alia*, adopted the IPMC within Curwensville Borough, is amended, as follows:

- a.** To delete and replace a portion of Section 2, relating to permissible amounts of fines under IPMC Section 112.4, with the following: “Fine of not less than \$100.00 or more than \$1,000.00.”
- b.** To add an additional penalty provision to Section 2, which penalty provision shall wholly replace and supersede the existing penalty provision in IPMC Section 106.4, with the following: “Any person, firm or corporation who shall violate any provision of this code [*i.e.*, the IPMC], upon conviction thereof in an action brought before a magisterial district judge in the manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure, shall be sentenced: (a) to pay a fine of not less than \$100.00 nor more than \$1,000.00; (b) to pay costs and attorney’s fees; and (c) in default of payment of said fine, costs and/or attorney’s fees, to a term of imprisonment not to exceed 90

days. Each day that a violation hereof continues or each section hereof which shall be found to have been violated shall constitute a separate offense.”

2. PRIOR ORDINANCES. All other provisions of Ordinance No. 483, including any amendments thereto, not inconsistent herewith shall remain in full force and effect.

3. EFFECTIVE DATE. This Ordinance shall take effect immediately upon adoption by Borough Council.

ORDAINED AND ENACTED THIS ____ day of _____, 2021.

ATTEST:

BOROUGH OF CURWENSVILLE

Secretary

Borough Council President

Passed and approved by Council of the
Borough of Curwensville on the ____ day
of _____, 2021.