

SOUTH SHENANGO TOWNSHIP
CRAWFORD COUNTY, PENNSYLVANIA

0
Filed for Record in
CRAWFORD COUNTY, PA
REBECCA J. JORDAN
On 07-07-1997 At 03:21 pm.
ORDINANCE 5.00

ORDINANCE 1997 - 1

AMENDING No. 10

AN ORDINANCE AMENDING ORDINANCE No. 10 ADOPTED DECEMBER 29, 1969 (AS PREVIOUSLY AMENDED), 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 OR OTHER PURPOSES, AND FOR THE SANITATION AND INSPECTION OF THE LAND APPURTENANT THERETO, AND PROVIDING PENALTIES FOR THE VIOLATION THEREOF WITH VARIOUS AMENDMENTS.

Whereas, the Supervisors of the Township of South Shenango did at a meeting held the 29th day of December, A.D., 1969, adopt Ordinance No. 10, known as the Housing Code of South Shenango Township, Crawford County, Pennsylvania and they have amended said Ordinance from time to time; and

Whereas, after careful consideration by the present Supervisors of circumstances existing within the Township as pertains to the public health, safety and welfare in connection with buildings used for dwelling purposes on the land appurtenant thereto, and also the use and occupancy of licensed travel trailers and related matters, the Supervisors have determined that certain changes and revisions are necessary and desirable to the objectives of and effective administration of the Housing Code.

NOW, THEREFORE, BE IT ORDAINED by the Supervisors of South Shenango Township, 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, by affirmative vote of a majority of the Supervisors in lawful meeting assembled pursuant to public notice, that Ordinance No. 10 of South Shenango Township entitled as above, be and the same is hereby amended and re-enacted by the adoption, addition, deletion or modification of the following sections of said Ordinance, as follows:

SECTION 101. SHORT 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 and other 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) The following sections of this Ordinance 10 shall not apply to any building requiring the approval of the Pennsylvania Department of Labor and Industry for its intended use for the reason that they shall be deemed to be pre-empted by state regulations, as follows:

Section 119. Minimum Thermal Standards;

Section 120. Minimum Standard for Basic Equipment and Facilities;

Section 121. Light and Ventilation;

Section 122. Plumbing and Plumbing Fixtures.

(B) 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 building now or hereafter used for human habitation by persons who are members of a generally recognized bona fide religious order, sect or organization which forbids 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 building which is 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 other such 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, 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.

(C) The term "vehicle" as used herein shall include, but not be limited to, all automobiles, trucks, buses, tractors, semi-trailers, motorcycles, trailbikes, farm tractors, or other self-propelled farm equipment or other devices manufactured for use or intended to be used upon public highways and all component parts thereof.

(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 PREMISES** - Land consisting of ten (10) acres or more which is actually used by the occupant thereof for farming for monetary gain.

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

(5) **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 permanent structure having a roof supported by columns or walls, including manufactured homes and trailers
- (8) BUILDING INSPECTOR - The official designated by the municipality to enforce housing codes or his duly authorized representative.
- (9) DWELLING, MULTI-FAMILY - A building designed for and used exclusively for occupancy by two (2) 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 and 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 or 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 communication corridors, stairways, closets, storage spaces, and workshops, hobby and recreation areas in unsealed or uninsulated parts of structure below ground level or in attic.
- (17) HOUSING INSPECTOR - SEE BUILDING INSPECTOR
- (18) JUNKED VEHICLE - SEE ABANDONED VEHICLE
- (19) KITCHEN - Space, forty (40) square feet or more in area used for cooking and preparation of food.

- (20) KITCHENETTE - Any area used for cooking and preparation of food which has less than forty (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) MAJOR REPAIR - Reconstruction, renovation, alteration or relocation of a building.
- (23) MINOR REPAIR - The replacement of existing work with equivalent materials for the purpose of routine maintenance and upkeep, but not including any addition or structural change in construction.
- (24) NEW CONSTRUCTION - The construction, extension, expansion of a building or structure.
- (25) 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.
- (26) OPERATOR - Shall mean any person who has charge, care or control of the building, or part thereof, in which dwelling units or rooming units are let.
- (27) ORDINARY MINIMUM WINTER CONDITION - Shall mean the temperature 15 deg. F above the lowest recorded temperature for the previous 10 year period.
- (28) OWNER - The owner or owners of the freehold of the premises or lesser estate therein, a mortgagee or vendee in possession, assignee or rents, receiver, executor, trustee, lessee or other person, firm or corporation in control of the building, or there duly authorized agents.
- (29) PERSON - Shall mean and include any individual, firm, corporation, association or partnership.
- (30) 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.
- (31) POTABLE WATER - Water which is approved for drinking, culinary and domestic purposes by approved and accepted tests or agencies.
- (32) PREMISES - A lot, plot or parcel of land including the buildings or structures thereon.
- (33) RESIDENTIAL PREMISES - A building used for human habitation or occupancy, or intended for use for human habitation or occupancy, and including the lot surrounding such building.
- (34) 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.

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

(36) STRUCTURE - Anything built, constructed or erected which requires location on the ground or attachment to something on the ground, including buildings and sheds that exceed 100 sq.ft.

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

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

(39) TRUCK TRAILER. A trailer built to be hauled or towed by a truck upon the highway for the purpose of transporting freight, goods or other property therein.

SECTION 107. BUILDING INSPECTOR

The Township Supervisors shall appoint a qualified person as building inspector to enforce this ordinance. Such building inspector shall not have any interest whatever directly or indirectly in the sale or manufacture of any material, process or devise entered 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. BUILDING PERMITS AND RECORDS

(1) Any person intending to engage in new construction, to create a building or major repair of a building, or to convert any building into a dwelling for human habitation, shall first obtain a building permit from the building inspector. Application for such permit shall be made upon forms furnished by the building inspector and if such application establishes that such construction or use will be in conformity with this ordinance, the building inspector shall issue a permit. All applicants for such building permits shall pay a fee of \$30.00 to the building inspector as established by resolution of the Board of Supervisors from time to time, for the use of the township, said fee being established for the purpose of offsetting in part the administration and enforcement of this ordinance. The building inspector shall keep careful and comprehensive records of all applications, of building permits issued, of inspections made and of reports rendered.

(2) After the issuance of a building permit by the building inspector, no changes of any kind shall be made to the application, permit, or any of the plans, specifications or other documents submitted with the application without the written consent or approval of the building inspector.

(3) Work on the proposed construction shall begin within six (6) months after the date of issuance of the building permit or the building permit shall expire unless a time extension is granted

in writing by the building inspector. Construction shall be considered to have started with the first placement of permanent construction on the site but shall not include land preparation, land clearing, grading, filling or excavation. Work under the terms of the permit shall be completed within twenty-four (24) months after commencement, and if such work is not completed within said period or any extension thereof granted in writing by the building inspector, such permit shall expire and all work will be required to be terminated and the building in its then present condition shall not be used for the purpose of human habitation. All permits must have estimated time of completion with in time frame up to 24 months.

SECTION 108.1 TEMPORARY OCCUPANCY PERMIT

Where an applicant shall, in the application, indicate the intention to place or construct a permanent dwelling or mobile home in conformance with the provisions of this Ordinance 10 as amended, or is intending a major project which precludes occupancy of the current dwelling, then the Building Inspector shall be authorized to issue a temporary permit upon the following conditions:

- (a) Such permit shall be only for temporary placement and occupancy of a mobile home, travel trailer or recreational vehicle, upon the same premises on which the applicant intends to place or construct a regularly permitted dwelling or mobile home.
- (b) The provisions of this Ordinance concerning water service, heating and electric service shall apply to such temporary dwelling.
- (c) The provisions of this Ordinance concerning living area, skirting of mobile homes and approved septic or sewer system service shall not apply to such temporary dwelling; provided however that the permittee shall be required to dispose of sewage waste in a manner which complies with the laws of the Commonwealth of Pennsylvania and regulations of the Pennsylvania DER.
- (d) A temporary building and occupancy permit shall be issued for a term of twenty-four (24) months. Upon completion of the new or major construction the permittee has 60 days to remove the temporary dwelling from the site.
- (e) The fee for initial application for a temporary building and occupancy permit shall be the same as the fee charged for a permit regularly issued under this Ordinance 10.
- (f) All remedies and provisions for the enforcement of Ordinance 10, and which apply to a permit regularly issued under Ordinance 10, shall apply equally to matters treated under this section 108.1

SECTION 108.2 TRUCK TRAILERS - PERMITS

Where an applicant shall, in the application, indicate the intention to place or construct a permanent dwelling or mobile home in conformance with the provisions of this Ordinance 10 as amended. or is intending a major project, then the Building Inspector shall be authorized to issue a temporary permit for the placement of a truck trailer for use for storage, for a period not to exceed one year, after which such permit shall expire finally and the owner or person entitled to possession shall be

responsible to promptly remove the truck trailer. Except as herein set forth, no building permits shall be issued hereunder for any truck trailer, whether or not the wheels have been removed, and the placement, use, ownership or possession of such a trailer which constitutes a building or structure pursuant to the terms of this ordinance, shall be in violation hereof.

SECTION 109. COMPLIANCE WITH LAWS AND REGULATIONS

Compliance with all other applicable laws, ordinances and regulations, including but not limited to, sewage facilities and subdivision regulations, shall be a requirement for the issuance of a permit as provided at Section 108 hereof.

SECTION 110. ENTRY AND INSPECTION OF DWELLING

The building inspector is authorized to enter any building or residential premises at any 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 purpose of entering and inspecting said building to determine if there have been any violations or infractions of this ordinance.

SECTION 111. 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 therefore. 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 112. 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;
- (5) To enforce the penalty provisions of this code.

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, or the date when the permit application is denied by the Building Inspector as applicable, 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, ordinance, resolutions or laws, the provisions which establish 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 undergrowth 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, and areas likely to harbor rodents, and rodent infestation. The storage of old lumber, metal, pipes, plumbing fixtures, broken concrete or stone, shall not be permitted for longer than a ninety (90) day period.
- (e) No abandoned or junked vehicle as defined in this ordinance, which presents a threat to the public health or safety, and which constitutes a nuisance in fact, shall be parked, stored or allowed to remain in the open for a period in excess of thirty (30) days. Nothing herein contained shall be deemed to prohibit the storage of not more than three (3) abandoned or junked vehicles on an agricultural premises.
- (f) Travel trailers, recreational vehicles (defined to be any self contained combination truck/travel trailer), truck mount type campers (whether or not then mounted on a truck), boat trailers and boats resting on trailers shall not be stored in the open on any part or portion of a residential premises which is nearer to the street or road than the front foundation line of the residence erected on such premises for a period of more than seven (7) consecutive days.

Furthermore, no travel trailer, recreational vehicle combination truck/travel trailer, constructed on a single chassis, truck mount type camper (whether or not then mounted on a truck), boat trailer or boat shall be stored on any premises, lot or parcel of real estate, except only a premises, lot or parcel of real estate which is a residential premises as defined in this Ordinance 10. And no more than one, in total of any of the following types of facilities shall be stored on any residential premises at any time: travel trailer, recreational vehicle or truck mount type camper (whether or not then mounted on a truck). Also, no more than one boat and no more than one boat trailer shall be stored on any residential premises at any time.
- (g) Every window, exterior door and basement hatchway of a building shall be reasonably weather tight, watertight and rodent proof and shall be kept in sound working condition and good repair.
- (h) 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.
- (i) 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 dwelling units shall maintain the shared or public areas of the dwelling and premises in 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 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 watertight.
- (E) Every occupant of a dwelling unit shall keep all plumbing fixtures therein in a clean sanitary and operable condition.

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 the floor level under ordinary winter minimum conditions. (SEE ORDINARY MINIMUM CONDITIONS)

SECTION 120. MINIMUM STANDARD 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) Heated water, to a temperature of at least 120 deg. F, shall be connected with the hot water lines at kitchen and toilet installation.

(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 safe keeping; 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 and refrigerator shall be provided, but they need not be installed when a dwelling unit is not occupied and when the occupant is expected to provide same on occupancy, and sufficient space and adequate connections for safe and efficient installation and operation of stove, refrigerator and/or similar devices shall be provided. Solid fuel burning cooking equipment shall be vented gas supply connections shall be of pipe or tubing of solid metal.

(B) Within every dwelling unit there shall be a nonhabitable 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 handrails shall be provided on any steps containing five risers or more. If steps are not enclosed, handrails and banisters 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 handrails thirty (30) to thirty-six (36) inches high, and if un-enclosed, banisters spaced no less than six (6) inches 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.

(H) All dwelling units including manufactured dwellings whether or not their mobility is then maintained, but excluding travel trailers, truck campers, motor homes, shall be constructed on a Frost-Free Foundation. A Frost-Free Foundation shall be defined as meeting one or more of the following characteristics:

(1) Continuous Wall Type: Having a solid, permanent continuous foundation wall of masonry or wood construction the footing of which extends a minimum of 30 inches below grade; the foundation wall may have the normal ventilating spaces and/or windows in accordance with good construction practices.

(2) Multiple Wall Type: Having a series of masonry footing walls adequate to support the structure and spaces at appropriate intervals, each wall a minimum of 18 inches in width and extending a minimum of 30 inches below grade.

(3) Slab Type: Having a minimum of 12 inches of properly drained clean gravel upon which is constructed a concrete slab of a minimum of 6 inches in depth throughout, reinforced with a wire mesh or more substantial reinforcing material, and which is of the same area (or greater) than the first floor area of the building or structure.

(4) Alternative Type: Any other type of foundation as to which both the design and the material components have been approved in writing by a licensed architect or professional engineer, or which conforms to recommended building codes adopted by Building Officials and Code Administrators International, Inc. or by the Council of American Building Officials, in current form or as hereafter revised.

(I) Tie-downs: Appropriate mobile home tie-downs shall be defined as meeting one or more of the following characteristics:

(1) Strap-Type: Having a minimum of 4 non-perforated metal straps or rails of No. 29 gauge or stronger each attached with I-bolts to the foundation or attached to augers anchored a minimum of 6 feet below grade. The straps shall be extended upward along the side of the mobile home across the roof trusses and down the opposite side and anchored to the foundation or augers as set forth above.

(2) Cable or Chain Type: Having a minimum of 6 cables or chains; 3 to each side. each of which shall be a minimum of 3/8 of an inch in diameter and shall securely anchor the mobile home to the foundation.

(3) Any dwelling unit which consists, wholly or in part, of a mobile home or travel trailer which has been placed on a foundation shall be equipped with skirting which shall totally cover the area between the mobile home or trailer floor and the ground, on all exposed sides. Such skirting shall be of the same or comparable material, or of comparable travel trailer to which it is attached.

(J) The minimum habitable floor space of dwelling units shall be as follows:

(1) For a single family detached residential unit, seven hundred (700) square feet.

(2) For a dwelling unit located in an apartment not less than 400 square feet.

(3) Mobile home (including mobile homes or trailers which have had wheels removed and have been placed on foundations), a minimum habitable floor space of not less than 500 square feet. All exterior materials for additions shall be of substantially the same material as the basic mobile home unit.

(K) Where trailers or manufactured homes are to be used as additions:

(1) The dwellings shall be attached as one and look substantially similar to one another.

(2) There shall be a common roof over both dwellings with a pitch of no less than 3' to 12' pitch.

SECTION 120.1 MINIMUM BUILDING SET BACK LINES

(A) *Establishment of Building Lines.* Minimum building setback lines or building lines are hereby established as to all the public streets, roads and highways within South Shenango Township, as follows:

Minimum Building Setback Line

U.S. 322	Collector Road	Local Road
50 feet	30 feet	25 feet

(B) *Location of Building Lines.* The location of the minimum building setback line or building line established by this ordinance shall be measured from the nearest boundary of the road right-of-way.

(C) *Prohibition of Construction and Violation of Minimum Setback.* No person or entity shall build or construct, or shall cause the building or construction, of any structure in the area by and between any building line or minimum building setback line established under this ordinance, and the boundary of the road right-of-way with reference to which the building line is established.

(D) *Compliance a Requirement for Issuance of a Permit.* Compliance with the terms of this ordinance shall be a requirement for the Issuance of a Permit pursuant to Sections 108 and 108.1 of this Ordinance.

(E) *Definitions.* The terms “Collector Road” and “Local Road” as used in this ordinance, shall have the meanings set forth at Section 301 of the South Shenango Township Subdivision and Land Dev. Regulations, Ordinance 1-81, as now in effect or as may be hereafter amended.

(F) *Provisions for Variance.* The foregoing provisions of this Section 120.1 notwithstanding, the Board of Supervisors, upon appeal brought pursuant to Section 113 hereof, may grant a variance from the foregoing set back requirements, and may attach reasonable conditions and safeguards thereto, provided that the following findings are made in a given case:

(1) The subject lot or parcel of real estate was laid out or subdivided prior to the date of adoption of this ordinance; in the event such lot or parcel shall have been subdivided pursuant to the South Shenango Township Subdivision and Land Development Regulations, Ordinance 1-81, as amended from time to time, then any set-back shall conform to a subdivision or development plan which has been approved through the subdivision process.

(2) There are unique circumstances affecting such lot or parcel such as, irregularity or shallowness of lot size, unusual shape, or exceptional topographical or other physical conditions peculiar to the particular property, such that strict compliance with this Section 120.1 would result in unreasonable hardship.

(3) Any such unique circumstances has not been created by the appellant.

(4) The variance, if authorized, will represent the minimum variance that will afford relief and will represent the least possible modification of the foregoing regulation.

SECTION 120.2 SPECIAL RESTRICTIONS AS TO LICENSED TRAVEL TRAILERS

(A) Licensed travel trailers, recreational vehicles and truck mount type campers, as defined herein, while in use shall be attached to a sewer system constructed in accordance with the applicable ordinance of the Township; provided however, that self-contained licensed travel trailers, recreational vehicles and truck mount type campers equipped with a holding tank, not occupied for more than seven consecutive days need not be attached to such sewer system, but the owner and each of the occupants of any such travel trailer shall be responsible to dispose of sewage wastes from the holding tanks of said trailer, in accordance with law and environmental regulations, after no more than five days of occupancy.

(B) No permanent additions shall be attached to any licensed travel trailer, recreational vehicle or truck mount type camper.

(C) Except as provided at Section 117, subsection (F) of this Ordinance 10, no person shall place, park or occupy any licensed travel trailer, recreational vehicle or truck mount type camper (whether or not then mounted on a truck), as defined herein, upon private property within South Shenango Township during the period from December 16 of any year until March 31 of any following year. And, except as provided at said subsection (F), the owner and any occupant or other person in charge of any licensed travel trailer which is parked or is otherwise in place on private property within South Shenango Township at any time during such period shall be deemed to have committed a violation of this Ordinance 10 if he or she shall fail to immediately remove the said travel trailer from South Shenango Township.

(D) If any person shall place or park a licensed travel trailer, recreational vehicle or truck mount type camper upon private property within South Shenango Township during the period from December 16 of any year until March 31 of any following year in violation of subsection (B) of Section 120.1, then such person shall be deemed to occupy such licensed travel trailer, recreational vehicle or truck mount type camper, and the provisions of this Ordinance 10 concerning dwelling units and occupied dwellings shall apply to such facility.

(E) The owner and all occupants of any licensed travel trailer, recreational vehicle or truck mount type camper shall be responsible at all times to post or display a placard, at a window or upon the trailer, and reasonably visible and legible from outside the trailer, setting forth the full name and address of the owner or owners.

(F) The provisions of this Section 120.1 and of Section 120, subsection (I) part (3) shall not apply to licensed travel trailers, recreational vehicles or truck mount type campers, which are occupied or stored at any trailer park licensed or permitted by the Pennsylvania Department of Environmental Resources.

SECTION 121. LIGHT AND VENTILATION

Every habitable room shall have at least one (1) window or ventilating skylight facing to the outside which can easily be opened and which shall adequately light and ventilate the room. Each dwelling unit shall have at least two exits usable as fire escape exits. Such exits may be doors or windows and if windows, must have a minimum dimension of 16" by 24". No obstruction or installation of ventilating equipment, fans or air-conditioning units may be inserted in openings qualifying as such exits.

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 back-flow, back-siphonage 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 have a trap;

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

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

(G) All water closets shall be of a trapped 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 an 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, nonflammable and reasonable 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.
- (D) The owners or occupants of any building or property shall dispose of all refuse and rubbish within a reasonable time by having the same picked up by a licensed waste hauler or by delivering the same to a permitted landfill facility.

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 incinerated the garbage leaving no organic refuse, or shall be disposed of in one or more flytight, watertight, metal or plastic garbage storage containers equipped with tightly fitting metal or plastic covers, 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 (in any area where the family density is one or less per ten (10) acres).
- (F) The occupants of any building shall dispose of all garbage, which is not otherwise incinerated or disposed of by a sink garbage disposal or grinder, within a reasonable time by having the same picked up by a licensed waste hauler or by delivering the same to a permitted landfill facility.

SECTION 125. REASON 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 and 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 and safety of the occupants or the public shall again be used for human habitation until written approval is secured from the building inspector.

SECTION 128. VIOLATION A SUMMARY OFFENSE; CRIMINAL AND CIVIL PENALTIES, AND ENFORCEMENT

Enforcement and penalties for violation of this Ordinance 10, as amended from time to time, shall be as hereinafter set forth, and the Township shall be entitled to exercise any or all of such remedies and enforcement proceedings, as follows:

- (A) Any violation of the terms and provisions of this Ordinance, adopted December 29, 1969 and re-enacted this day, redesignated Ordinance No. 1997- 1, as amended from time to time, shall constitute a criminal summary offence, and the Building Inspector or other township official shall be authorized to bring a criminal complaint for enforcement by an action brought before a district justice in the same manner provided for the enforcement of summary offences under the Pennsylvania Rules of Criminal Procedure. Furthermore, the Building Inspector is hereby designated to be a law enforcement officer having authority to institute criminal proceedings for the enforcement of this ordinance by issuing a citation to the defendant. Any person or entity found guilty of the violation of this Ordinance 10 shall be sentenced to pay a fine not exceeding \$1,000.00, or to imprisonment for a term not exceeding thirty (30) days, or both. Each day of a continuing offence shall constitute a separate offence. The municipal solicitor may assume charge of the prosecution without consent of the District Attorney as required under Pa. R. Crim.P. No. 83(c) (Relating to trial in summary offences).

(B) Every person, firm or corporation who or which shall violate any of the provisions of this ordinance shall, upon being found liable therefore in a civil enforcement proceeding commenced by the municipality, South Shenango Township, or a municipal official or representative, be required to pay a fine not exceeding \$1,000.00 (or \$600.00 in the event of enforcement under 53 P.S. Section 66601 (c.1)(1)), plus all court costs, including reasonable attorney fees, incurred by the Township. The Township Building Inspector shall be authorized to commence civil enforcement proceedings. Each day of a continuing violation, after the time set forth in any notice of violation, shall be deemed to be a separate offence. The procedure for the administration of any such penalty shall be in accordance with the provisions of 53 P.S. § 66601.

(C) The foregoing penalties and enforcement proceedings shall not be the exclusive remedies available to the Township in the event of a violation hereof, and Township shall be entitled to enjoin a violation and to enforce the compliance with this Ordinance by an action in equity, and to exercise any other remedies which may be available under law.

SECTION 130. DISCLAIMER

The issuance of permits under this Ordinance shall be for the administrative purposes and convenience of the South Shenango Township government, and shall not create any warranty or assurance, to permittees or others, as to character or quality of any structure or facility, or as to compliance with other laws and regulations.

SECTION 131. REPEALER

All ordinances and parts of ordinances inconsistent herewith are hereby repealed; provided, however, that prior Ordinance 10, as amended, shall continue in force for the limited purpose of regulating matters and conditions which were in existence on the effective date of this Ordinance 1997-1, and to which this Ordinance does not apply, but which are in violation of prior Ordinance No. 10.

Adopted, enacted and ordained this 10 day of June, 1997.

SOUTH SHENANGO TOWNSHIP SUPERVISORS

By: Kerry L. Hornum
Chairman
Joseph R. Wright
Supervisor
Larry Com
Supervisor

Attest:

Rebecca A. Sokar
Secretary