

Chapter 5

Code Enforcement

Part 1

Uniform Construction Code

- §5-101. General
- §5-102. Adoption of Uniform Construction Code
- §5-103. Enforcement of Uniform Construction Code
- §5-104. Board of Appeals Established
- §5-105. Minimum Requirements
- §5-106. Fees

Part 2

Storefronts

- §5-201. Caption and Recitals
- §5-202. Maintenance of Storefronts
- §5-203. Penalty for Violation

Part 3

Neighborhood Blight

- §5-301. Adoption of Neighborhood Blight Reclamation and Revitalization Act

Part 4

International Property Maintenance Code

- §5-401. Findings and Purpose
- §5-402. Code Adoption
- §5-403. Code Revisions
- §5-404. Prior Enforcement Actions Unaffected
- §5-405. Severability
- §5-406. Repealer
- §5-407. Effective Date

Part 1**Uniform Construction Code****§5-101. General.**

This Borough hereby elects to administer and enforce the provisions of the Pennsylvania Construction Code Act, Act 45 of 1999, 35 P.S. §§7210.101-7210.103, as amended from time to time, and its regulations.

(*Ord. 1059, 6/15/2004, §1*)

§5-102. Adoption of Uniform Construction Code.

The Uniform Construction Code, contained in 34 Pa.Code, Chapters 401-405, as amended from time to time, is hereby adopted and incorporated herein by reference as the municipal building code of the Borough of Glassport.

(*Ord. 1059, 6/15/2004, §2*)

§5-103. Enforcement of Uniform Construction Code.

Administration and enforcement of the Code within this Borough shall be undertaken in any of the following ways as determined by the governing body of this Borough from time to time by resolution:

A. By the designation of an employee of the Borough to serve as the Borough Code Official to act on behalf of the Borough.

B. By the retention of one or more construction code officials or third-party agencies to act on behalf of the Borough.

C. By agreement with one or more other municipalities for the joint administration and enforcement of this Act through an intermunicipal agreement.

D. By entering into a contract with another municipality for the administration and enforcement of this Act on behalf of this Borough.

E. By entering into an agreement with the Pennsylvania Department of Labor and Industry for plan review, inspections, and enforcement of structures other than one-family or two-family dwelling units and utility and miscellaneous use structures.

F. By entering into an agreement with the Allegheny County Health Department to serve as the Borough Code Official concerning the continued enforcement of rules and regulations for plumbing, Article XV, and to maintain its long standing plumbing section of the Public Drinking Water and Waste Management Program.

(*Ord. 1059, 6/15/2004, §3*)

§5-104. Board of Appeals Established.

A Board of Appeals shall be established by resolution of the governing body of this Borough in conformity with the requirements of the relevant provisions of the Code, as amended from time to time, and for the purposes set forth therein. If at any time

enforcement and administration is undertaken jointly with one or more other municipalities, said Board of Appeals shall be established by joint action of the participating municipalities.

(Ord. 1059, 6/15/2004, §4)

§5-105. Minimum Requirements.

1. All building code ordinances or portions of ordinance which were adopted by this Borough on or before July 1, 1999, and which equal or exceed the requirements of the Code shall continue in full force and effect until such time as such provisions fail to equal or exceed the minimum requirements of the Code, as amended from time to time.

2. All building code ordinances or portions of ordinances which are in effect as of the effective date of this Chapter and whose requirements are less than the minimum requirements of the Code are hereby amended to conform with the comparable provisions of the Code.

3. All relevant ordinances, regulations, and policies of this Borough not governed by the Code shall remain in full force and effect.

(Ord. 1059, 6/15/2004, §5)

§5-106. Fees.

Fees assessable by the Borough for the administration and enforcement undertaken pursuant to this Part and the Code shall be established by the governing body by resolution from time to time.

(Ord. 1059, 6/15/2004, §6)

Part 2

Storefronts

§5-201. Caption and Recitals.

The caption of and the recitals to this Part as set forth above are incorporated by reference.¹

(*Ord. 1028, --/--*, §1)

§5-202. Maintenance of Storefronts.

Storefronts in the Borough of Glassport must be kept clean, painted, and maintained in full compliance with all applicable codes and ordinances including, but not limited to, the following:

A. All brick and stone work to be kept in good repair (i.e., pointed, caulked, etc.).

B. All non-masonry, such as wood, aluminum, foam-based products, mortar/epoxy coated finishes to be kept clean and painted, or in such condition acceptable under applicable codes, in particular, the Uniform Construction Code and applicable sections of Act 45.

C. All signs and/or lettering pertaining to a business or enterprise are to be kept in good repair and maintained in good condition. Business owners whose business is no longer in existence must remove said signs and/or lettering making all necessary repairs to correct any defect created from said removal essentially leaving the premises in a presentable [condition].

D. The storefront shall be cleaned regularly, including around the outside of the building, sidewalk in front of the business property to the curb.

¹Editor's Note: The caption and recitals of *Ord. 1028, --/--*, provided:

"AN ORDINANCE OF THE BOROUGH COUNCIL FOR THE BOROUGH OF GLASSPORT, ALLEGHENY COUNTY, PENNSYLVANIA, SO AS TO KEEP THE STOREFRONTS THROUGHOUT THE BUSINESS DISTRICT IN COMPLIANCE WITH ALL CURRENT BOROUGH ZONING, HEALTH, SAFETY AND BUILDING CODES, AND TO MANDATE THAT THE PROPERTY (LAND AND/OR BUILDING), IN PARTICULAR THE STOREFRONTS, BE CLEAN, PAINTED, AND/OR MAINTAINED IN GOOD REPAIR.

"WHEREAS, the Borough Council of the Borough of Glassport has determined that the property comprising the business district must be maintained in a condition consistent with all applicable codes which require that said properties be clean, painted, and maintained;

"WHEREAS, the Borough Council acknowledges that the present and primary business district is that portion of the Borough of Glassport consisting of properties beginning north on Monongahela Avenue at Third Street, and continuing south on Monongahela Avenue to Ohio Avenue terminating at the Clairton Bridge; and further acknowledge that the businesses existing outside of the primary business district are subject to and shall also be in compliance³ with this ordinance;

"WHEREAS, the same Council has determined that continued economic development requires that the Borough of Glassport maintain compliance with all state, county, and borough codes and/or ordinances affecting the condition and presentation of all business properties situated within the Borough of Glassport to its citizens and potential citizens[.]"

E. No accumulation of mail, packages, papers, or debris will be permitted at any business site or property site whether occupied or not occupied.

F. All business sites, regardless of occupancy, must be kept in good repair consistent with reasonable and prudent guidelines of a business owner, and in a condition no less than that minimum mandated by present code and ordinances affecting the same.

G. Vacant lots along said business district shall have lawns kept trimmed to a height of no more than 4 inches. Frontages of flowers, small trees, and shrubs along with benches and gazebos are welcomed, but must be pre-approved by the Code Enforcement Officer to insure compliance with any applicable code or ordinance.

H. Vacant storefronts may not use newspaper or soap to obscure windows; no plastic tarps of any kind may be used to block the windows. All window storefronts are to be maintained in good repair free of broken or fractured glass. If the owner intends the building to be closed and/or vacant, then the owner must insure that all windows are in good repair, and may temporarily conceal any broken window with an appropriate coverings for a period not exceeding 15 days or such reasonable time needed to obtain proper replacement material.

I. All repairs required to be performed on any property in violation of this Part shall be performed completely and thoroughly in a good and workmanlike manner so as to insure compliance with this Part and all applicable building and zoning codes.

J. All properties in violation of this Part shall be issued a citation identifying that ordinance or code in violation and which citation shall be deemed notice of the infractions when said citation is delivered either in person or by certified mail. Citation shall be deemed received by the owner(s) upon acceptance of personal delivery or upon mailing to the owners listed at the property address, or the last known property address of the owner.

K. All violations are to be corrected immediately, or at such reasonable time as may be deemed acceptable to the building and zoning officials. All repairs shall comply with all codes including, but not limited to, the Uniform Construction Code of the Commonwealth of Pennsylvania and manufacturer's suggested application and installation practices.

(Ord. 1028, --/--, §2)

§5-203. Penalty for Violation.

Any person, firm or corporation who shall violate any provision of this Part, upon conviction thereof, shall be sentenced to pay a fine of not more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 30 days. Provided that each day after having been deemed to have received the original notice and no remedial action employed, each and every subsequent citation shall constitute a separate and distinct offense punishable by the fines and costs defined herein.

(Ord. 1028, --/--, §3; as amended by Ord. 1077, 5/23/2006)

Part 3**Neighborhood Blight****§5-301. Adoption of Neighborhood Blight Reclamation and Revitalization Act.**

The Neighborhood Blight Reclamation and Revitalization Act, Subchapter A, §6101–6103; Subchapter B, §6111–6114; Subchapter C, §6131; and Subchapter D, §6141–6145; be and are hereby adopted by the Council of the Borough of Glassport for the purpose of regulating, governing and safeguarding of life and property from deteriorated properties as result of neglect by their owners and, furthermore, regulating deteriorated properties that create public nuisances which have an impact on crime and the quality of life of the residents of the Borough; and each and all of the regulations, provisions, conditions and terms of the Neighborhood Blight Reclamation and Revitalization Act hereby referred to, are adopted and made a part hereof as if fully set forth in this Section, and as attached hereto and marked as Exhibit “A.”²

(*Ord. 1145, 4/21/2015, §1*)

²Editor’s Note: The regulations, provisions, conditions and terms of the Neighborhood Blight Reclamation and Revitalization Act are on file in the Borough office.

Part 4**International Property Maintenance Code****§5-401. Findings and Purpose.**

The Borough Council of the Borough of Glassport has determined that it is in the best interests of the Borough of Glassport and the health, safety and welfare of the Borough's residents to adopt the 2009 edition of the *International Property Maintenance Code*, as may be amended from time to time, regulating and governing the conditions and maintenance of all property, buildings and structures within the Borough; 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; establishing a procedure for the condemnation of buildings and structures unfit for human occupancy and use and the demolition of such structures in the Borough; providing for the issuance of permits, collection of fees and imposing penalties for the violation thereof.

(Ord. 1161, 12/20/2016, §1)

§5-402. Code Adoption.

Borough Council hereby adopts the *International Property Maintenance Code* (IPMC), 2009 edition, as may be amended from time to time, as published by the International Code Council, as the Property Maintenance Code of the Borough of Glassport, 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 establishing a procedure for the condemnation of buildings and structures unfit for human occupancy and use and the demolition of such structures as herein provided; providing for the issuance of permits and collection fees therefore; and each and all of the regulations, provisions, penalties, conditions and terms of said Property Maintenance Code are hereby referred to, adopted, and made a part hereof, as if fully set forth in this Part, with the additions, insertions, deletions and changes, if any, prescribed in §5-403 of this Part.

(Ord. 1161, 12/20/2016, §2)

§5-403. Code Revisions.

The following sections of the IPMC are hereby revised:

Section 101.1. Insert: Borough of Glassport

Section 103.5 is hereby amended to provide:

§103.5 Fees. The fees for activities and services performed by the department, known as the Borough of Glassport's Code Enforcement Officer and Building Code Official, in carrying out its responsibilities under this code shall be in such amounts as established from time to time by Resolution of Borough Council.

Section 112.4. Section 112.4 is restated as follows:

Section 112.4: Failure to Comply

Any person who or which violates or fails to comply with any provision of the IPMC and its adopting Ordinance shall, upon conviction, be sentenced to pay a fine of not less than \$200 and not more than \$600, or the maximum amount which may be in effect under Pennsylvania law, plus costs for each such violation. Each day or portion thereof in which a violation exists shall be considered a separate violation. Each provision of the IPMC which is violated shall be considered a separate violation. Such fine shall be in addition to any other fine which may be imposed under the provisions of any other ordinances of the Borough, Pennsylvania law, or Federal law. In default of payment of any fine, such person shall be subject to imprisonment for not more than 30 days.

Section 302.4. Insert: 10 inches

Section 304.14. Insert: May 1 and September 30

Section 602.3. Insert: October 1 and April 30

Section 602.4. Insert: October 1 and April 30
(*Ord. 1161, 12/20/2016, §3*)

§5-404. Prior Enforcement Actions Unaffected.

Nothing in this Part or in the IPMC 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 5-406, nor shall any just or legal right or remedy of any character be lost, impaired or affected by this Part.

(*Ord. 1161, 12/20/2016, §4*)

§5-405. Severability.

If any sentence, clause, section, or part of this Part is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts of this Part. It is hereby declared as the intent of the Council that this Part would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein.

(*Ord. 1161, 12/20/2016, §5*)

§5-406. Repealer.

All ordinances or parts of ordinances which are inconsistent herewith, except to the extent otherwise provided herein, are hereby repealed.

(*Ord. 1161, 12/20/2016, §6*)

§5-407. Effective Date.

This Part shall become effective immediately upon its adoption.

(*Ord. 1161, 12/20/2016, §7*)