

**BROWNSVILLE TOWNSHIP
FAYETTE COUNTY, PENNSYLVANIA**

ORDINANCE NO. 01-10

AN ORDINANCE OF THE TOWNSHIP OF BROWNSVILLE, ADOPTING THE *INTERNATIONAL PROPERTY MAINTENANCE CODE*, AND ANY FUTURE AMENDMENTS THERETO 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 THE CONDEMNATION OF BUILDINGS AND STRUCTURES UNFIT FOR HUMAN OCCUPANCY AND USE AND THE DEMOLITION OF SUCH EXISTING STRUCTURES IN THE TOWNSHIP OF BROWNSVILLE; AND PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECITON OF FEES THEREFOR; REPEALING ALL OTHER ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT WITH THIS ORDINANCE.

The SUPERVISORS of BROWNSVILLE TOWNSHIP do ordain as follows:

SECTION 1. That a certain document, three copies of which are on file in the office of the Township of Brownsville, being marked and designated as the *International Property Maintenance Code*, 2009 edition, as published by the International Code Council, be and is hereby adopted as the Property Maintenance Code of the Township of Brownsville in the State of Pennsylvania for regulating and governing the conditions and maintenance of all property, buildings and structures; by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; and the condemnation of buildings and structures unfit for human occupancy and use, and the demolition of such existing structures as herein provided; providing for the issuance of permits and collection of fees therefore; and each and all the regulations, provisions, penalties, conditions and terms of said *International Property Maintenance Code* on file in the office of the Township of Brownsville are hereby referred to, adopted, and made a part hereof, as if fully set out in this ordinance, with the additions, insertions, deletions and changes, if any, prescribed in Section 2 of this ordinance.

SECTION 2. The following sections are hereby revised:

Section 101.1 Title: These regulations shall be known as the *International Property Maintenance Code* of the Township of Brownsville, hereinafter referred to as “this code.”

Section 103.5 Fees: The fees for activities and services performed by the department in carrying out its responsibilities under this code shall be as indicated in the following schedule or as otherwise adopted:

Certificate of Occupancy – Single Residential Dwelling	\$40.00
Apartment Units	\$40.00
Commercial Buildings	\$80.00

Section 112.4 Failure to Comply: Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable to a fine of not less than \$200.00 or more than \$1,000.00.

Section 302.4 Weeds: All *premises* and *exterior property* shall be maintained free from weeds or plant growth in excess of six inches. All noxious weeds shall be prohibited. Weeds shall be defined as all grasses, annual plants and vegetation, other than trees or shrubs provided; however, this term shall not include cultivated flowers or gardens.

Upon failure of the owner or agent having charge of a property to cut and destroy weeds after service of a notice of violation, they shall be subject to prosecution in accordance with Section 106.3 and as prescribed by the authority having jurisdiction. Upon failure to comply with the notice of violation, any duly authorized employee of the jurisdiction or contractor hired by the jurisdiction shall be authorized to enter upon the property in violation and cut and destroy the weeds growing thereon, and the costs of such removal shall be paid by the *owner* or agent responsible for the property.

Section 304.14: Insect Screens: During the period from March 1 to November 1 of each year every door, window and other outside opening required for *ventilation* of habitable rooms, food preparation areas, food service areas or any areas where products to be included or utilized in food for human consumption are processed, manufactured, packaged or stored shall be supplied with *approved* tightly fitting screens of not less than 16 mesh per inch (16 mesh per 25 mm), and every screen door used

for insect control shall have a self-closing device in good working condition.

Exception: Screens shall not be required where other *approved* means, such as air curtains or insect repellent fans, are employed.

Section 602.3: Heat Supply: Every *owner* and *operator* of any building who rents, leases or lets one or more *dwelling units* or *sleeping units* on terms, either expressed or implied, to furnish heat to the *occupants* thereof shall supply heat during the period from August 15 to June 15 to maintain a temperature of not less than 68° F (20° C) in all habitable rooms, *bathrooms* and *toilet rooms*.

Exceptions:

1. When the outdoor temperature is below the winter outdoor design temperature for the locality, maintenance of the minimum room temperature shall not be required provided that the heating system is operating at its full design capacity. The winter outdoor design temperature for the locality shall be as indicated in Appendix D of the *International Plumbing Code*.
2. In areas where the average monthly temperature is above 30° F (-1° C) a minimum temperature of 65° F (18° C) shall be maintained.

Section 602.4: Occupiable work spaces. Indoor occupiable work spaces shall be supplied with heat during the period from August 15 to June 15 to maintain a temperature of not less than 65°F (18°C) during the period the spaces are occupied.

Exceptions:

1. Processing, storage and operation areas that require cooling or special temperature conditions.
2. Areas in which persons are primarily engaged in vigorous physical activities.

SECTION 3. That if any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The Supervisors hereby declare that they would have passed this ordinance, and, each subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, clauses and phrases be declared unconstitutional.

SECTION 4. That nothing in this ordinance or in the *International Property Maintenance Code* hereby adopted shall be construed to affect any suit or proceeding pending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in Section 3 of this ordinance, nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance.

SECTION 5. That the Secretary is hereby ordered and directed to cause this ordinance to be published.

SECTION 6. That this ordinance and the rules, regulations, provisions, requirements, orders and matters established and adopted hereby shall take effect and be in full force and effect thirty (30) days from and after the date of its final passage and adoption.

SECTION 7. That any amendments made to the 2009 Edition of the *International Property Maintenance Code*, and any subsequent edition of the *International Property Maintenance Code*, is/are hereby adopted, without Brownsville Township enacting additional ordinances.

ORDAINED and **ENACTED** by the Supervisors of Brownsville Township, Fayette County, Pennsylvania, on this 5th day of January, 2010.

BROWNSVILLE TOWNSHIP SUPERVISORS

Homer Yeardie

ATTEST:

Timothy Scott

Secretary

Barry Bookshar