

N O T I C E

NOTICE is hereby given that the following Ordinance will be considered for adoption by the Susquehanna Township Supervisors at its regular meeting to be held on March 29, 1985 at 7:00 P.M. at the Meeting Room of the Township Supervisors, Municipal Building, Barnesboro, PA 15714.

1-85

Property Maintenance

Mar. 29, 1985

ORDINANCE NO. 1-85

AN ORDINANCE OF THE TOWNSHIP OF SUSQUEHANNA ADOPTING A PROPERTY MAINTENANCE CODE TO PROTECT PUBLIC HEALTH, SAFETY AND WELFARE IN ALL STRUCTURES BY ESTABLISHING MINIMUM MAINTENANCE STANDARDS AND TO PROVIDE FOR ADMINISTRATION, ENFORCEMENT AND PENALTIES FOR VIOLATION.

The Board of Supervisors hereby ordains:

§1. Adoption of Property Maintenance Code. The Board of Supervisors hereby adopts, for the purpose of establishing rules and regulations for the maintenance of all structures, including administration, enforcement and penalties, the property maintenance code known as the "BOCA Basic Property Maintenance Code, 1981 Edition," as revised by COG, save and except such portions as are hereinafter deleted, modified or amended, of which three (3) copies have been and are now filed in the office of the Township Secretary, and the same are hereby adopted and incorporated as fully as if set out at length herein. From the date on which this ordinance shall take effect, the provisions thereof shall be controlling in the maintenance of all structures, and in all other subjects therein contained, within the corporate limits of the Township.

§2. Amendments Made in Property Maintenance Code. The property maintenance code hereby adopted is amended as follows:

1. Township of Susquehanna shall be inserted wherever the words "Name of Municipality" or "Jurisdiction" appear therein.

Whenever the term "legal officer" or "legal representative" is used in this code, it shall be held to mean the Township Solicitor.

2. Section PM-109.2 is hereby amended to read as follows:

PM-109.2 Penalty: Any person, firm or corporation, who shall violate any provision of this code shall, upon conviction thereof, be subject to a fine of not more than three hundred dollars (\$300.00) and/or to imprisonment for not more than ninety (90) days. Every day that a violation of this code continues shall constitute a separate offense.

3. Section PM-111.4 is hereby amended to read as follows:

PM-111.4. Restraining actions: Anyone affected by any such order shall within thirty (30) days after service of such order apply to a court of record for an order restraining the code official from razing and removing such struc-

ture or parts thereof. The court shall determine whether the order of the code official is reasonable, and if found reasonable, the court shall dissolve the restraining order, and if found not reasonable, the court shall continue the restraining order or modify it as the circumstances may require.

§3. State Law and Regulations. In all matters that are regulated by the laws of the Commonwealth of Pennsylvania or by regulations of departments or agencies of the Commonwealth promulgated by authority of law, such laws or regulations, as the case may be, shall control where the requirements thereof are the same as or in excess of the provisions of this ordinance. The code shall control in all cases where the state requirements are not as strict as those contained in this ordinance.

§4. Provisions to be Continuation of Existing Regulations. The provisions of this ordinance so far as they are the same as those of ordinances and/or codes in force immediately prior to the enactment of this ordinance, are intended as a continuation of such ordinances and codes and not as new enactments. The provisions of this ordinance shall not affect any act done or liability incurred, nor shall they affect any suit or prosecution pending or to be instituted to enforce any right or penalty or punish any offense under the authority of any of the repealed ordinances.

§5. Repealer. All ordinances or parts of ordinances which are inconsistent herewith are hereby repealed.

§6. Severability. If any sentence, clause, section, or part of this ordinance 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 ordinance. It is hereby declared as the intent of the Board of Supervisors that this ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein.

§7. Effective Date. This ordinance shall become effective sixty (60) days after its enactment.

ENACTED INTO AN ORDINANCE of the Township of Susquehanna this 29th day
of March, 1985.

TOWNSHIP OF SUSQUEHANNA:

ATTEST:

George R. Kelly
Secretary

By Edward S. Sherry
Chairman

APPROVED:

Vasil Fisanick, Esq.
Solicitor
1111 Philadelphia Avenue
Barnesboro, PA 15714