

BOROUGH OF WEST NEWTON

ORDINANCE No. 2019-2

An ordinance of the borough of west newton, Westmoreland county, Pennsylvania adopting the 2015 edition of the International Property maintenance code, 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 esure that structures are safe, sanitary and fit for occupancy and use; and the condemnation of buildings and structures for unfit for human occupancy an use, and the demolition of such existing structures in the Borough of West Newton; providing for the issuance of permits and collection of fees therefore; repealing Ordinance No. 2006-2 of the Borough of West newton and all other ordinances and parts of the ordinances in conflict therewith.

WHEREAS, Council for the Borough of West Newton is desirous of continuing to maintain the beauty of the Borough;

WHEREAS, Council for the Borough has previously adopted an older version of the International Property Maintenance Code governing the maintenance of properties within the Borough and wish to adopt the 2015 edition of said Code;

NOW, THEREFORE, be it ordained and enacted by Council of the Borough of West Newton, as follows:

**Section 1.** That a certain document, three (3) copies of which are on file in the office of the Secretary of West Newton Borough, being marked and designated as the International Property Maintenance Code, 2015 edition, as published by the International Code Council, be and is hereby adopted as the Property Maintenance Code of the Borough of West Newton, 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 of the regulations, provisions, penalties, conditions and terms of said Property Maintenance Code on file in the office of the Borough of West Newton are hereby referred to, adopted, and made a part hereof, as if fully set out in the 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, amended or deleted as follows:

Section 101.1

The name of Borough of West Newton shall be inserted for jurisdiction.

Section 103.1

Deleted

Section 103.2-Appointment

The Code Official shall be appointed by the Borough Council of West Newton, and the Code Official may be removed by the Borough Council of West Newton

Section 103.5-Fees

The fees for activities and services performed by the Department in caring out its responsibilities under this Code shall be as follows: \$25.00 for each call plus \$20.00 per hour for each call.

Section 106.3-Prosecution of Violation

Any person failing to comply with a Notice of Violation or Order served in accordance with Section 107, upon being found guilty, shall be assessed a fine of no less than \$100.00 and no more than \$300.00, with each day the violation continues being counted as a separate violation.

Section 106.4 - Violation Penalties

Any person who shall violate a provision of this Code, shall be fined a minimum of \$100.00, up to a maximum of \$300.00, for each violation thereof. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

Section 108.4.1 - Placard Removal

The Code Official shall remove the condemnation placard whenever the defect or defects upon which the condemnation and placarding action were based have been eliminated. Any person who defaces or removes a condemnation placard without the approval of the Code Official shall be subject to a fine of \$100.00.

Section 112.2.5 - Compensation of Members

Deleted

Section 302.4 - Vegetation

The height of 10 inches shall be used where it states jurisdiction to insert height in inches. The remainder of 302.4 shall remain as is.

Section 304.14 - Insect screens

Deleted

Section 602.3 - Heat Supply

Deleted

Section 602.4 - Occupiable work spaces

Deleted

**Section 3.** That Ordinance No. 2006-2 of West Newton Borough entitled "Adoption of 2006 Property Maintenance Code" and all other ordinances or parts of ordinances in conflict herewith are hereby repealed.

**Section 4.** 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 Council hereby declares that it would have passed this ordinance, and each section, subsection, sentence, clause or phrase thereof, irrespective of the fact that any one or more section, subsection, sentence, clause or phrase be declared unconstitutional.

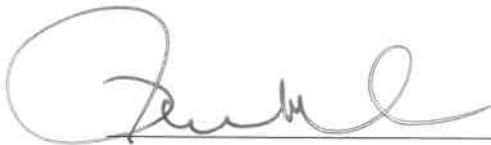
**Section 5.** That nothing in this ordinance or in the Property Maintenance Code hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights, acquired, or liability incurred, or any cause or causes or action acquired or existing under any act or ordinance 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 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 effective after the date of its final passage and adoption.

ORDAINED and ENACTED as an Ordinance of the Borough Council of the Borough of West Newton, Westmoreland County, Pennsylvania, this 9th day of April, 2019.

ATTEST:

BOROUGH OF WEST NEWTON



Pamela Humenik, Borough Secretary (SEAL)



Charles Krasnavich, President of Council

Examined and approved this 9th day of April, 2019.



Mary Popovich, Mayor