

BOROUGH OF KOPPEL
ORDINANCE NO. 01-RD11

AN ORDINANCE OF IRE BOROUGH OF KOPPEL, COUNTY OF BEAVER AND COMMONWEALTH OF PENNSYLVANIA, ESTABLISHING MINIMUM REGULATIONS 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 STRUCTURES; KNOWN AS THE INTERNATIONAL PROPERTY MAINTENANCE CODE; PROVIDING PENALTIES FOR THE VIOLATION THEREOF;

The Council of the BOROUGH OF KOPPEL hereby ordains: Section

I. Adoption of Property Maintenance Code.

That a certain document, two (2) copies of which are on file in the Code Enforcement Office of the BOROUGH OF KOPPEL, being marked and designated as "The International Property Maintenance Code 2006" and any subsequent edition, as published by the International Code Council, Inc., be and is hereby adopted as the Property Maintenance Code of the BOROUGH OF KOPPEL, Beaver County, Pennsylvania; for the control of buildings and structures as herein provided; and each and all of the regulations, provisions, penalties, conditions and terms of said International Property Maintenance Code, 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 4 of this Ordinance.

Section 2. Definitions.

- (a) Whenever the phrase "Code Official" is used and appears in said Code, it shall be held to mean and shall be and hereby is amended to read "Code Enforcement Officer or designee".
- (b) Whenever the phrase "legal representative" is used and appears in said Code, it shall be held to mean and shall be and hereby is amended to read "Solicitor".

Section 3. Inconsistent Ordinances Repealed. Any Ordinance of the BOROUGH OF KOPPEL and all other ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 4. Additions and Insertions. That the following sections are hereby revised as follows:

Section 101 — General

101.1 Title. These regulations shall be known as the Property Maintenance Code of the BOROUGH OF KOPPEL, hereinafter referred to as "this code".

Section 106 — Violations

106.4 Violation Penalties. Any person who shall violate a provision Of this ordinance or shall fail to comply with any of the requirements thereof, or shall be in violation of any approved plan or directive of the Inspector or of a permit issued under the provisions of the ordinance shall, upon conviction thereof before the District Magistrate of the BOROUGH OF KOPPEL, Pennsylvania, be liable to pay the following penalties:

1. First violation — a fine of \$200.00, or thirty (30) days imprisonment, or both;
2. Second violation a fine of \$500.00, or thirty (30) days imprisonment, or both;
3. Third and each subsequent violation a fine of \$1,000.00, or thirty (30) days imprisonment, or, both

Each day of violation shall constitute a separate and distinct offense.

Section 108 - Unsafe Structures and Equipment

108.2 Closing of vacant structures

Subsection 108.2.1. No exterior window, skylight or door frame of any structure facing toward or visible from the public right of way shall be covered with plywood or other non-approved materials longer than 60 days. After 60 days, all temporary cover over exterior windows, skylights and doors that face toward or are visible from the public right of way, shall be removed, and the exterior windows, skylights and doors shall be restored. Restoration of exterior windows, skylights and doors must include proper fitting windows and door frames, hardware, locks and glazing and be maintained in proper working condition. All exposed exterior metal or wood surfaces shall be protected from the elements and against decay or rust by periodic application of weather proofing/coating material.

Section 302 - Exterior Property Areas

302.4. Weeds. All premises and exterior property shall be maintained free from weeds or plant growth in excess of 10 inches (10"). 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 and gardens.

Sub-section 302.4.1. Hedges shall be maintained free from growth in excess of six feet (6') in height and shall not over grow onto public right of ways.

302.8 Motor Vehicles. No person shall abandon and/or store any unregistered vehicle on private property within the BOROUGH OF KOPPEL. No vehicle at any time shall be in a state of major disassembly, disrepair or in the process of being stripped or dismantled. Painting of vehicles is prohibited unless conducted inside an approved spray booth.

1. A vehicle, other than a pedal cycle, shall be presumed to be abandoned under one or more of the following circumstances, but the presumption is rebuttable by a preponderance of the evidence:

- i. The vehicle is physically inoperable and is left unattended on private property for more than 48 hours.
- ii. The vehicle has remained illegally on private property for more than 48 hours.

The vehicle is left unattended on private property for more than 48 hours and does not bear the following:

- a. A valid registration plate
- b. A current certificate of inspection
- c. An ascertainable vehicle identification number

Exception: A vehicle of any type is permitted to undergo major overhaul, including body work provided that such work is performed inside a structure or similarly enclosed area designed and approved for such purpose, that is an accessory use, incidental to the dwelling as defined in BOROUGH OF KOPPEL Zoning Ordinance. All wrecked car parts and similar unused components of a junk vehicle must not be stored on any private property in clear view of the public right of way.

2. A vehicle shall be deemed to be abandoned when it remains on private property for more than 48 hours and any of the following conditions apply:

1. The vehicle is physically inoperable
2. The vehicle is left unattended
3. The vehicle does not have a valid registration plate
4. The vehicle does not have a current certificate of inspection
5. The vehicle identification number (VIN) is not ascertainable
6. The vehicle remains without the consent of the owner or person in charge of the property

If the owner of the abandoned and/or junked motor vehicle cannot be located or does not remove the vehicle, the code official shall contact the BOROUGH OF KOPPEL Police Department, who, is authorized to remove said vehicle (s) under Transportation 67 PA Code Chapter 253 titled Salvage and Vehicles Title 75 Chapter 73 of the abandoned vehicles and Cargos Code of the Commonwealth of Pennsylvania.

Any vehicle undergoing major overhaul, including body work, shall be registered to the owner of the property where such work is being done or registered to the lawful resident/tenant of the property where the work is being done.

SECTION 304 — EXTERIOR STRUCTURE

304.14 Insect screens. During the period from May 1 to September 30, every door, window and other outside opening utilized or required for ventilation purposes serving *and structure containing habitable rooms, food preparation areas, food service areas or any other 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 and every swinging door shall have self-closing device in good working condition:

SECTION 307 — RUBBISH AND GARBAGE

307.4 Furniture. MI furniture, materials and other similar products designed, built, and manufactured exclusively for indoor living use shall not be placed or stored on exterior porches, in yards or any part of an exterior property in residential and non-residential areas. The storage or placement of automobile car seats and other non-weather resistant materials shall also be prohibited. Any person who fails to comply with this section after forty-eight (48) hours notice from the City to do so, shall be guilty of violating the provisions of this section and shall be subject to the fines set forth in Section 106.4.

SECTION 602 — HEATING FACILITIES

602.3 Heat Supply. Every owner and operator of any building who rents, leases or lets one or more dwelling unit, rooming unit, dormitory or guestroom on terms, either express or implied, to furnish heat to occupants thereof shall supply sufficient heat during the period from November 1 to April 30 to maintain the room temperatures specified in Section 602.2.

602.4 Occupiable work spaces. Indoor Occupiable Work Spaces shall be supplied with sufficient heat during the period from November 1 through April 30 to maintain a temperature of not less than 65 degrees F. during all working hours.

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 activity.

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

Section 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 Council that this ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein.

Section 7. Effective Date. This ordinance shall become effective immediately upon final passage.

PASSED AND ADOPTED BY THE COUNCIL of the BOROUGH OF KOPPEL,
this 20 day of Dec., 2011.

ATTEST:

BOROUGH OF KOPPEL:

Haren Krupp
City Manager - Secretary/Treasurer

David Mangan
Mayor