

BILL NO. 1 OF 2011

INTRODUCED: November 16, 2011

BY: Marilyn Weaver

ENACTED: December 21, 2011

ORDINANCE NO.: 1483

CITY OF CONNELLSVILLE

ADOPTION OF THE INTERNATIONAL  
PROPERTY MAINTENANCE CODE ORDINANCE NO. 1483

An ORDINANCE of the CITY OF CONNELLSVILLE adopting the 2012 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 ensure that structures are safe, sanitary, and 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 CITY OF CONNELLSVILLE; providing for the issuance of permits and collection of fees therefor; repealing ORDINANCE NO. 1407 of the CITY OF CONNELLSVILLE and all other ordinances or parts of laws in conflict therewith.

The CITY COUNCIL of the CITY OF CONNELLSVILLE does ordain as follows;

**Section 1.** That a certain document, three (3) copies of which are on file in the office of the CITY CLERK of the CITY OF CONNELLSVILLE, being marked and designated as the *International Property Maintenance Code*, 2012 edition, as published by the International Code Council, be and is hereby adopted as the Property Maintenance Code of the CITY OF CONNELLSVILLE, 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 therefor; and each and all of the regulations, provisions, penalties, conditions, and terms of said Property Maintenance Code on file in the office of the CITY OF CONNELLSVILLE are hereby referred to, adopted, and made a part hereof, as if fully set out in this legislation, 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 CITY OF CONNELLSVILLE, hereinafter referred to as "this code."

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

1. Vegetation Cutting: \$300 per incident under five man (5) hours.

2. Rubbish Removal: \$300 per incident under five man (5) hours.
3. Road Clearing or Special Treatment: \$300 per incident under two (2) hours.
4. Any service provided by The City's employees in addition to, or over the hours of the above mentioned, will be billed at \$200 per hour plus material charges and a 10% service fee.
5. Contracted Services: Cost to the City plus 10% service charge.

106.4 Violation penalties. Any person who shall violate a provision of this code, or fail to comply therewith, or with any of the requirements thereof, shall be prosecuted with-in the limits provided by state or local laws. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

Upon Conviction thereof, The City of Connellsville sets this fine of not less than Fifty (50) dollars or more than One Thousand (1000) Dollars per offense, and in default of payment, to imprisonment for not more than thirty (30) days per offense.

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 Fifty (50) dollars or more than One Thousand (1000) dollars, and in default of payment, to imprisonment for not more than thirty (30) days per offense.

Section 302.4. Weeds: All *premises* and *exterior property* shall be maintained free from weeds or plant growth in excess of twelve (12) inches in height. All noxious weeds shall be prohibited. Weeds shall be defined as all grasses, annual plants and vegetation, other than trees and shrubs; however, this term shall not include cultivated flowers and 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 April 1 to October 1, 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 minimum 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 October 1 to May 1 to maintain a

minimum temperature of 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 should 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 October 1 to May 1 to maintain a minimum temperature of 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 ORDINANCE NO. 1407 of the CITY OF CONNELLSVILLE entitled An Ordinance for the adoption of the International Property Maintenance Code and all other ordinances or parts of laws in conflict herewith are hereby repealed.

**Section 4.** That if any section, subsection, sentence, clause or phrase of this legislation is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The CITY COUNCIL hereby declares that it would have passed this law, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

**Section 5.** That nothing in this legislation 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 of action acquired or existing, under any act or ordinance hereby repealed as cited in Section 3 of this law; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this legislation.

**Section 6.** The CITY CLERK is hereby ordered and directed to cause this legislation to be published

**Section 7.** That this law and the rules, regulations, provisions, orders and matters established and adopted hereby shall take effect and be in full force and effect January 1, 2012.

ORDAINED AND ENACTED this 21<sup>st</sup> day of December, 2011.

CITY OF CONNELLSVILLE

*Charles W. Matthews*

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CHARLES W. MATTHEWS  
MAYOR

ATTEST:

*Antoinette Tesauro*

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ANTOINETTE TESAURO  
CITY CLERK

