

**UPPER TYRONE TOWNSHIP
FAYETTE COUNTY
PENNSYLVANIA**

**INTERNATIONAL PROPERTY MAINTENANCE CODE
ORDINANCE NO. 1 of 2012**

AN ORDINANCE OF THE UPPER TYRONE TOWNSHIP 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 THAT STRUCTURES ARE SAFE, SANITARY AND FIT FOR OCCUPATION AND USE; AND CONDEMNATION OF BUILDINGS AND STRUCTURES UNFIT FOR HUMAN OCCUPANCY AND USE, AND THE DEMOLITION OF SUCH EXISTING STRUCTURES IN UPPER TYRONE TOWNSHIP; KNOWN AS THE PROPERTY MAINTENANCE CODE.

WHEREAS, the purpose of this Ordinance is to promote the general health, safety and welfare of the citizens of Upper Tyrone Township by implementation of the Property Maintenance Code (International Property Maintenance Code), as the said Code may be amended, revised or upgraded from time to time; and

WHEREAS, the Property Maintenance Code requires the enactment of an appropriate Ordinance by Upper Tyrone Township electing to administer and enforce the Code provisions as amended, revised or upgraded from time to time and consistent with the terms and provisions of the Uniform Construction Code (Pennsylvania Construction Code Act, as amended and revised).

NOW, THEREFORE, BE IT ORDAINED AND ENACTED, by the Supervisors of Upper Tyrone Township, in lawful session, assembled as follows:

Section 1. Upper Tyrone Township hereby elects to adopt, administer and enforce the provisions of the Property Maintenance Code (International Property Maintenance Code) and to enforce provisions of said code as may be amended, revised or upgraded from time to time, and all of the companion regulations and references recited therein. The provisions of Chapter 1 of the Code are incorporated herein by reference and made apart hereof as though the same were fully set forth herein. The fees for

activities and services performed by the code enforcement officer in carrying out its responsibilities under the Code shall be as indicated by enactment of fee schedules by the Board of Supervisors of Upper Tyrone Township from time to time, as the said schedules shall be amended and revised in order to reflect current existing conditions.

Section 2. The Property Maintenance Code, as amended and revised from time to time, is hereby adopted and incorporated herein by references as the Upper Tyrone Township Property Maintenance Code with the definitions set forth in Chapter 2 specifically incorporated herein by references and made a part hereof.

Section 3. This Ordinance specifically incorporates the provisions of Chapter 3 of the Code, which explain the general requirements of the Code to establish minimal levels of safety and sanitation for both the general public and occupants of the structure and to maintain the building's structural and weather resistant performance. Section 302.4 establishes a height requirement of 14-inches, unless the same shall be amended by the Township from time to time by resolution. Section 304.14 shall provide that April 1st to November 1st is the enforcement date for insect screens.

Section 4. This section establishes the criteria for light, ventilation and occupancy limitations, and the provisions of Chapter 4 of the Code are incorporated herein by reference and made a part hereof as though the same were fully set forth herein.

Section 5. This section explains the requirements for plumbing facilities and plumbing fixture requirements, listing various principles of environmental sanitation and safety for plumbing systems. The provisions of Chapter 5 of the Code are incorporated herein by reference and made a part hereof as though the same were fully set forth herein.

Section 6. This section establishes the mechanical and electrical requirements for proper installation, maintenance and repair. Section 602.3 covers heating requirements from October 1st through June 1st. Section 602.4 covers occupiable work spaces and time requirements which are from October 1st through June 1st to maintain a temperature of not less than 65° F (18° C) during periods that the spaces are occupied. The specific provisions of Chapter 6 of the Code are incorporated herein by reference and made a part hereof as though the same were fully set forth herein.

Section 7. This section explains in detail the fire safety requirements that arise as a result of a building's occupancy. The provisions of Chapter 7 of the Code are

incorporated herein by reference and made a part hereof as though the same were fully set forth herein.

Section 8. This section provides technical references for the Electrical Code, the Building Code, the Mechanical Code, the Plumbing Code and other Codes. The provisions of Chapter 8 of the Code are incorporated herein by reference and made a part hereof as though the same were fully set forth herein.

Section 9. If any section, subsection, sentence, word or clause of this Ordinance is held for any reason to be invalid, illegal or unconstitutional, such decision or decisions shall not affect the validity of the remaining portions of this Ordinance. This Ordinance shall be interpreted to be consistent with the provisions, terms and conditions of the International Property Maintenance Code (Uniform Construction Code), and any inconsistencies, irregularities or ambiguities shall be resolved in favor of the Property Maintenance Code.

Section 10. Penalties. Any person, business, corporation, entity or organization who shall violate any provisions of this Ordinance shall, upon conviction of a summary offense before the local Magisterial District Judge, be sentence to pay a fine which is consistent with the statutory law of the Commonwealth of Pennsylvania for violation of this type of Ordinance, which may be revised, amended or changed from time to time by the statutory law of Pennsylvania. In addition, any person who violates any provision of this Ordinance shall pay the costs of prosecution, plus costs of enforcement, including reasonable attorney's fees, and in default of such payment, shall be sentenced to undergo a period of imprisonment for a term which is consistent with and specified by the statutory law of the Commonwealth of Pennsylvania in effect on the date of the violation. Each day of violation shall constitute a separate offense, separately punishable.

ENACTED AND ORDAINED by the Board of Supervisors of Upper Tyrone Township on the _____ day of _____, 2012. This Ordinance shall take effect five (5) days after enactment.

Upper Tyrone Township Supervisors

By: _____
William A. Edwards, Chairman

By: _____
Charles B. Cook, Vice Chairman

By: _____
Samuel D. Killinger, Supervisors

ATTEST:

Lori Henry, Secretary/Treasurer