

ORDINANCE NO. 433

BOROUGH OF HARMONY
BUTLER COUNTY, PENNSYLVANIA

**AN ORDINANCE OF THE BOROUGH OF HARMONY,
BUTLER COUNTY, PENNSYLVANIA, ADOPTING THE 2009 INTERNATIONAL
PROPERTY MAINTENANCE CODE FOR THE BOROUGH OF HARMONY, WITH
CERTAIN AMENDMENTS; PROVIDING PENALTIES FOR THE VIOLATION THEREOF;
AND REPEALING EXISTING INCONSISTENT ORDINANCES**

WHEREAS, in order to promote and protect the health, safety and welfare of the residents of the Borough of Harmony, Butler County, Pennsylvania, the Borough Council has determined it necessary to adopt the 2009 International Property Maintenance Code with certain amendments.

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

Section 1. That a certain document is on file in the Borough of Harmony being marked and designated as:

The 2009 International Property Maintenance Code, as published by the International Code Council, Inc., be and is hereby adopted as the Property Maintenance Code of the Borough of Harmony for the maintenance and use of all property, buildings and structures as herein provided and each and all of the regulations, provisions, penalties, conditions and terms of said above referenced Code is 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, as prescribed in this Ordinance.

Section 2. The following sections of the 2009 International Property Maintenance Code are hereby amended from the text of said Code:

A. Whenever the term "Name of Jurisdiction" or "jurisdiction" is used in this code, it shall be held to mean the Borough of Harmony;

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

C. Whenever the term "board of appeals" or "appeals board" is used in this code, it shall be held to mean the Borough of Harmony Code Enforcement Appeals Board.

Section 103.5. – Fees – There shall be no specific fees for activities and services performed by the Office of Code Enforcement in carrying out its responsibilities under this code except as set for thin other ordinances or resolutions of the Borough of Harmony related to the inspection and review of facilities and structures.

Section 106.4 – Violation Penalties – Any person who shall violate a provision of this code or fail to comply therewith, or shall fail to comply with any of the requirements thereof, shall be guilty of a summary offense punishable by a fine of not more than \$1,000.00, or by imprisonment not exceeding 30 days, or both such fine and imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

Section 111.2 – Code Enforcement Appeals Board – The board of appeals shall consist of three members appointed by the Council of the Borough of Harmony by Resolution as follows: one member to be appointed for not more than three years, one for not more than two years and one for not more than one year. Thereafter, appointments are to be made so that each new member will serve for three years or until a successor has been appointed. The Council shall make appointments such that the members' terms will expire on the first Monday of January in the year their term expires.

Add Section 111.2.1 – Qualifications – Each member shall be a licensed professional engineer, architect or a builder or superintendent of building construction for at least seven years, three years of which that board member shall have been in responsible charge of work.

Renumber Section 111.2.1 to 111.2.2 – Alternate Member – The Council of the Borough of Harmony may appoint one alternate member who shall be called by the Board Chairperson to hear appeals during the absences or disqualification of a member. An alternate member shall possess the qualifications required for board membership and shall be appointed for not more than three years, or until a successor has been appointed.

Renumber Sections 111.2.2 through 111.2.5 to Section 111.2.3 through 111.2.6.

Section 302.3 – Sidewalks and Driveways – addition:

“Section 302.3.1 – Snow and Ice Removal – All sidewalks and similar public thoroughways for pedestrian use shall be maintained free from accumulations of snow and ice. The owner, tenant or occupant of any premises which abuts said public thoroughway shall be responsible for removal within twenty-four (24) hours of receipt of notice.”

Section 302.3 Sidewalks and driveways – addition:

“Section 302.3.2 – Obstruction of Sidewalks – It shall be unlawful for any person (*natural person, partnership, association, firm or corporation*) to occupy any portion of any street, parking lots, alleys or sidewalk with any goods, food, wares or merchandise, or with boxes or other containers thereof, or stands tables or racks for the display thereof except as permitted by Borough of Harmony Ordinances. This prohibition includes, but is not limited to, any crate, keg, lumber, bricks or other articles on any sidewalk that obstructs the free use of such sidewalk, except goods, food, wares or merchandise may be placed on the sidewalk for the purpose of loading and unloading, removing or storing any of same except as set forth in other ordinances of the Borough of Harmony relating to the use of sidewalks.”

Section 302.4 – Weeds – the phrase “six (6) inches” is hereby inserted.

Section 302.10 – Trees and Shrubs – addition:

“Section 302.10 Trees and Shrubs – It shall be unlawful for any person, firm co-partnership or corporation owning property within the confines of the Borough of Harmony to permit trees, shrubs or other bushes upon his or its property or properties to overhang public sidewalks and driveways within the Borough, unless said trees, shrubs or other bushes be so trimmed by such property owner in such manner as to permit no overhang on said sidewalks or driveways at a height of less than nine (9) feet above said sidewalks or driveways. It shall further be unlawful for any person, firm co-partnership or corporation to permit trees, shrubs or other bushes to encroach upon said sidewalks or driveways from the sides thereof, in such manner as to cause less than a full width of said sidewalk or driveway to be freely available for unrestricted public travel thereover and thereupon”.

Section 302.11 – Repair of Sidewalk and Curbing – addition:

“Section 302.11 – Repair of Sidewalk and Curbing – It shall further be unlawful for any person, firm, partnership, or corporation, owning property, or having the right to occupy and having custody of property within the confines of the Borough of Harmony to remove tree(s) from the berm of any property without repairing sidewalk slabs or curbing damaged by the growing tree or damaged as a result of its removal. It shall also be unlawful to fail to remove the remaining tree stump by grinding or other means. Sidewalks, curbs and berms must be returned to acceptable Borough standards prior to vacating the site.”

Section 304.14 – Insect Screens – “May 1 to October 1” is hereby inserted.

Section 308.2 Disposal of Rubbish – addition:

“Section 308.2.1 – Location of Rubbish Storage Facilities – Such containers shall be stored or located at the rear of the structure.”

“Section 308.2.3 – Relocation of Containers for Garbage Pickup – All garbage/rubbish containers and/or recycling bins shall not be placed at the designated trash pickup location prior to eighteen (18) hours of the designated pickup time, and subsequent to being emptied shall be removed from the designated pick-up location within twelve (12) hours.”

Section 403 Ventilation – addition:

“Section 403.6 – Carbon Monoxide Detectors Required – Carbon monoxide detectors shall be installed in all residential structures where garages are located within the primary dwelling unit. Detectors may be battery operated and shall provide an alarm which will be audible in all sleeping areas. All detectors shall be UL approved and listed and shall be installed in accordance with manufacturer’s instructions.”

Section 602.3 – Heat Supply – insert the dates, “September 1 to June 1”.

Section 602.4 – Occupiable work spaces – insert the dates “September 1 to June 1”.

Section 702 – Means egress – addition:

“Section 702.1.1 – Accumulation – Rubbish, garbage or other materials shall not be stored or allowed to accumulate in stairways, passageways, doors, windows, fire escapes or other means of egress.”

“Section 702.1.2 – Hazardous Material – Combustible, flammable, explosive or other Hazardous materials, such as paint, volatile oils and cleaning fluids, or combustible rubbish, such as wastepaper, boxes and rags, shall not be accumulated or stored unless such storage complies with the applicable requirements of the International Building Code and the International Fire Code.”

“Section 702.1.3 – Prosecution – In the event after notice as provided herein, the owner or occupant of the premises where storage of the items referred to in Section 702.1.1 and 702.1.2 is prohibited, the Code Official shall cause the prohibited materials to be removed through any available public agency or by contract arrangement by private persons and the cost thereof, including storage cost if storage is necessary, shall be charged against the real estate upon which the structure is located and shall be alien upon such real estate; and further, the amount of such lien shall include court costs and reasonable attorney’s fees.”

Boarding Standards – addition:

“Boarding Standards – The Boarding Standards set forth in Appendix A of the 2012 International Property Maintenance Code are hereby adopted and enacted as part of this Ordinance and are made mandatory and numbered as A101 through A103.5.

Section 3. Inconsistent Ordinances.

Any ordinance, or part of any ordinance, conflicting with the provisions of this ordinance is hereby repealed, insofar as the same affects this ordinance.

ORDAINED AND ENACTED THIS 2nd DAY OF June, 2019.

ATTEST:

BOROUGH OF HARMONY

Amy Brown
Amy Brown, Borough Secretary

By: Greg Such
Greg Such, President
Harmony Council

Examined and approved this 2nd day of June, 2020.

Cathy Rape Mayor
Cathy Rape, Mayor