

**HEIDELBERG TOWNSHIP
LEBANON COUNTY, PENNSYLVANIA**

ORDINANCE NO. 167

AN ORDINANCE ESTABLISHING THE MINIMUM REGULATIONS GOVERNING THE CONDITIONS AND MAINTENANCE OF ALL PROPERTY, BUILDINGS, AND STRUCTURES; BY PROVIDING THE STANDARDS FOR SUPPLIED UTILITIES AND FACILITIES AND REQUIRING THAT OTHER PHYSICAL STRUCTURES ARE SAFE, SANITARY, AND FIT FOR OCCUPATION AND USE; AND PROVIDING FOR THE CONDEMNATION OF BUILDINGS AND STRUCTURES UNFIT FOR HUMAN OCCUPANCY AND USE AND THE DEMOLITION OF SUCH STRUCTURES; REPEALING ORDINANCE 133; AND ADOPTING THE CODE KNOWN AS THE INTERNATIONAL PROPERTY MAINTENANCE CODE, 2018 VERSION.

WHEREAS, the Board of Supervisors deems it be in the best interest and general welfare of the citizens and the residents of this Township to prohibit the unreasonable, unwarrantable, or unlawful use of private or public property which causes injury, damage, inconvenience, annoyance, or discomfort to the person or property of others; and

WHEREAS, the Board of Supervisors seeks to promote the health, comfort, and safety of its citizens by establishing regulations for Property Maintenance set forth herein; and

WHEREAS, Article XVII-A of the Second Class Township Code authorizes townships of the second class to prohibit nuisances, to remove same, and to impose penalties therefore; to regulate property maintenance within the township; and to promote in other respects, the health, comfort, and safety of its citizens; and

WHEREAS, the Board of Supervisors of Heidelberg Township, adopted Ordinance #133 on August 28, 2012, thereby adopting the 2006 version of the International Property Maintenance Code ("IPMC"); and

WHEREAS, the Board of Supervisors has determined that updating the version of the IPMC to be used by the Township for addressing property maintenance issues is in the best interest of the health, safety, and welfare of Township residents.

NOW, THEREFORE, BE IT ENACTED AND ORDAINED, and it is enacted and ordained, by the Board of Supervisors of the Township of Heidelberg as follows:

SECTION 1. Adoption of 2018 International Property Maintenance Code.

The Township of Heidelberg, Lebanon County, Pennsylvania, does hereby adopt the Code known as the "International Property Maintenance Code," 2018 version, as published by the International Code Council. Copies of the 2018 International Property Maintenance Code are presently on file in the office of Heidelberg Township, 111 Mill Road, Schaefferstown, Pennsylvania 17088, and hereby adopted as though fully set forth at length herein with the insertions, deletions and changes, if any, prescribed as follows:

- (A.) Section 101.1 – Insert – "Township of Heidelberg"
- (B.) Section 103.5 – Insert – "Fees assessed by the Township for the administration and enforcement undertaken pursuant to this particular code shall be established by the Board of Supervisors of Heidelberg Township by resolution from time to time."
- (C.) Section 106.4 – Insert the following additional paragraph after the existing language of 106.4:

In the event that the Township prosecutes the violation by way of a civil action, the Township may also seek the reimbursement of legal fees and other costs incurred as a result of the prosecution, in addition to a maximum fine of \$600 per violation. In the event that the Township prosecutes the violation by way of a criminal action, the Township may seek a criminal fine not exceeding \$1,000 per violation and imprisonment to the maximum extent allowed under the law for the punishment of summary offenses, or both. Should the person in violation of this ordinance fail, neglect, or refuse to comply with the notice, the Township or its representative may take such actions reasonably necessary to bring the property into compliance with the notice and this ordinance, the costs of which, together with a penalty of ten

percent (10%) of those costs incurred by the Township, shall be collected by the Township from such person in any manner provided by law, including but not limited to filing a charge against the real estate upon which the structure is located, and which shall be a lien upon such real estate as provided under the Municipal Claims and Tax Liens Act, 53 P.S. § 7101, *et seq.*"

- (D.) Section 112.4 – Insert – "\$100.00" and "\$600.00"
- (E.) Section 302.4 – Insert – "twelve (12) inches"
- (F.) Section 304.14 – is not adopted and is excluded from this Ordinance.
- (G.) Section 503 – is not adopted and is excluded from this Ordinance.
- (H.) Section 602.3 – Insert – "October 1st to May 1st"
- (I.) Section 602.4 – Insert – "October 1st to May 1st"
- (J.) Section 603.2 – 603.6; Section 605.2 – 605.4; Section 606; Section 607 – are not adopted and are excluded from this Ordinance.
- (K.) Sections 703 – 705 – are not adopted and are excluded from this Ordinance.

SECTION 2. Administration.

The Township shall be empowered by resolution to prepare and adopt such rules and regulations as may be necessary to implement the provisions of this Ordinance.

SECTION 3. Appeals.

In all cases involving the International Property Maintenance Code as adopted herein, any person directly affected by the decision of the Enforcement Officer may appeal the decision to the Board of Appeals under the procedures set forth in the International Property Maintenance Code. The Board of Appeals shall be established from time to time by Resolution of the Board of Supervisors of Heidelberg Township, Lebanon County, Pennsylvania, and the Appellant shall pay to Heidelberg Township

such fees and costs as are determined by the Board of Supervisors of Heidelberg Township by Resolution.

SECTION 4. Severability.

In the event any provision, section, sentence, clause or part of this Ordinance shall be held to be invalid, such invalidity shall not affect or impair any remaining provision, section, sentence, clause or part of the Ordinance, it being the intent of the Township that such remainder shall be and shall remain in full force and effect.

SECTION 5. Repealer.

All Ordinances and Resolutions or parts of Ordinances and Resolutions of Heidelberg Township, Lebanon County, Pennsylvania that are inconsistent herewith expressly shall be and are repealed. As such, the Board of Supervisors does hereby repeal in its entirety Heidelberg Township Ordinance #133, duly adopted on August 28, 2012. In the event that any provisions of the International Property Maintenance Code are in conflict with any other Heidelberg Township Ordinances, the provisions of the International Property Maintenance Code of 2018 as adopted herein shall control.

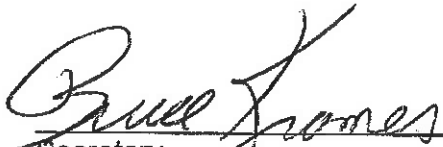
SECTION 6. Effective Date.

This Ordinance shall become effective five (5) days after its enactment by the Board of Supervisors of the Township of Heidelberg, County of Lebanon, Commonwealth of Pennsylvania.


Enacted this 24 day of August, 2021.

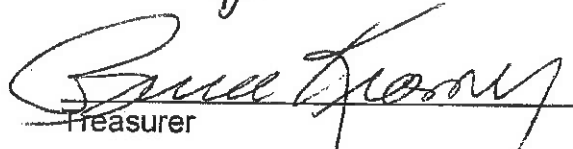
ATTEST:

BOARD OF SUPERVISORS
TOWNSHIP OF HEIDELBERG


Secretary

By: 
Chairman


Vice Chairman


Treasurer