

**ORDINANCE
NO. 1870**

**AN ORDINANCE OF THE CITY OF WARREN, A HOME RULE MUNICIPALITY
IN THE COMMONWEALTH OF PENNSYLVANIA
ADOPTING THE 2012 EDITION OF THE INTERNATIONAL PROPERTY
MAINTENANCE CODE, AND AMENDMENTS THERETO, REGULATING AND
GOVERNING THE CONDITIONS AND MAINTENANCE OF ALL PROPERTY,
BUILDINGS AND STRUCTURES WITHIN THE CITY; 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 IN THE CITY OF WARREN; PROVIDING FOR THE ISSUANCE OF
PERMITS AND COLLECTION OF FEES THEREFORE; REPEALING ORDINANCE
NO'S. 1366, 1622, 1735, 1736, 1771, 1828, and 1866 OF THE CITY OF WARREN
AND ALL OTHER ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT
HEREWITH**

WHEREAS, by Ordinance No. 1735, as amended by Ordinance No. 1828, the Council of the City of Warren adopted the 2003 Edition of the International Property Maintenance Code (IPMC), in major part, as the Property Maintenance Code (PMC), for the City of Warren; and

WHEREAS, the IPMC is amended on a triennial basis but the City has taken no action to adopt an updated version thereof; and

WHEREAS, the City's Building and Codes Department, which is responsible for the enforcement of the PMC, has purchased a license to use software to make departmental operations more efficient; and

WHEREAS, the software utilizes the 2012 Edition of the IPMC; and

WHEREAS, training and certification on the 2003 Edition of the IPMC is no longer available; and

WHEREAS, Council has requested that the 2012 and 2003 Editions of the IPMC be compared and the amendments, alterations, and deletions be noted; and

WHEREAS, Council has reviewed the aforementioned changes and has determined that repeal of the 2003 Edition of the IPMC is appropriate and that adoption of the 2012 Edition of the IPMC, with the following amendments, is in the best interest of the City; and

WHEREAS, it is deemed advisable and in the best interest of the City to repeal the City's ordinance regarding numbering of buildings (No's. 1366 and 1622), and its ordinances regarding nuisance (No's. 1736 and 1771).

NOW, THEREFORE BE IT ORDAINED AND ENACTED, AND IT IS HEREBY ORDAINED AND ENACTED BY THE CITY COUNCIL OF THE CITY OF WARREN, PENNSYLVANIA AS FOLLOWS:

Section 1.

Ordinance No. 1735, of the City of Warren, as amended by Ordinance No. 1828, and other ordinances or parts of ordinances that may be in conflict herewith are hereby repealed in their entirety.

Section 2.

Ordinance No. 1366 as amended by Ordinance No. 1622 are hereby repealed in their entirety.

Section 3.

Ordinances No's 1736 and 1771, and other ordinances or parts of ordinances that may be in conflict herewith are hereby repealed in their entirety.

Section 4.

Ordinance No. 1866 is hereby repealed in its entirety.

Section 5.

That a certain document, three (3) copies of which are on file in the office of the City Manager of the City of Warren, being marked and designated as the International Property Maintenance Code, 2012 Edition, as published by the International Code Council, (and also accessible at www.iccsafe.org), be and hereby is adopted as the Property Maintenance Code for the City of Warren, in the Commonwealth 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 structures are safe, sanitary and fit 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 therefore; 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 Manager are hereby referred to, adopted and made a part hereof, as if fully set forth in this Ordinance, with the additions, insertions, deletions and changes, if any, prescribed below.

Section 6.

The following sections are hereby revised:

- a. Section 101.1
Insert [The City of Warren];
- b. Section 106.2
Add: A citation without prior Notice of Violation may be served upon the same property owner for the same property where a notice of the same violation was served within the immediately prior 24 month period.
- c. Section 103.5
Insert [as provided for in the most recent Fee Resolution adopted by Council];
- d. Section 106.3
Delete "Misdemeanor or Civil Infraction as determined by the local municipality" and replace with "Summary Offense".
- e. Section 106.4
Replace with: Any person who shall violate a provision of this code, fail to comply herewith, or with any of the requirements hereof, shall be issued a citation in a form acceptable to the Magistrate Judge. Each offense shall be deemed a summary offense subject to a fine of not less than \$600.00 nor more than \$1,000 for each day that a violation continues. Each day following the passage of seven (7) days from the date of the original citation shall constitute a separate violation. Any costs incurred in the enforcement of this Ordinance shall also be sought. Failure to pay penalties, fines, and costs shall cause the City of Warren to file a municipal lien against the property at the Warren County Courthouse or to take such other action as may be authorized by law.
- f. Section 112.4
Insert [not less than \$600.00 nor more than \$1,000] then add:

Failure to comply with the provisions of such order will result in the issuance of a citation in a form acceptable to the Magistrate Judge. Each offense shall be deemed a summary offense subject to a fine of not less than \$600.00 nor more than \$1,000 for each day that a violation continues. Each day following the passage of seven (7) days from the date of the original citation shall constitute a separate violation. Any costs incurred in the enforcement of this Ordinance shall also be sought. Failure to pay penalties, fines, and costs shall cause the City of Warren to file a municipal lien against the property at the Warren County Courthouse or to take such other action as may be authorized by law.

- g. Section 202 insert the definition of **CLUTTER**. An accumulation of items other than garbage or rubbish in such a manner that it would be considered unsightly by reasonable living standards. Examples of this would include, but not be limited to, construction materials not associated with a current building project, automobile parts, appliances etc.
- h. Section 202
Add "excessive animal feces" to the definition of rubbish;
- i. Section 302.4 Weeds
Insert [8 inches];
- j. Section 304.3 following Buildings, in the first line of the paragraph,
Add "which include all principal buildings, including, but not limited to, single and multiple-family dwellings and places of business, but shall not include accessory buildings on the same lot that are occupied by the same person as the principal building on such lot;"
- k. Section 304.14
Insert [April 1st to October 31st];
- l. Section 308
Change caption to read Rubbish, Garbage and Clutter
- m. Add Section 308.4 All exterior property and premises shall be free from the accumulation of clutter.
- n. Section 602.3 insert [October 1st to May 15th];
- o. Section 602.4
Insert [October 1st to May 15th].

Section 7.

The following Sections are hereby added:

- a. Section 106.6 The City of Warren may abate any violation, at its discretion, and shall demand payment from the responsible party for all costs incurred in the abatement of the violation. If all costs are not paid within fourteen days of demand, the City of Warren may seek payment of costs, fines and penalties through the court system and/or may file a municipal lien against the property at the Warren County Courthouse.
- b. Section 108.8 The City of Warren may abate any unsafe condition, at its discretion, and shall demand payment from the responsible party for all costs incurred in the abatement of such condition. If all costs are not paid within fourteen days of demand, the City of Warren may seek payment of costs,

finances and penalties through the court system and/or may file a municipal lien against the property at the Warren County Courthouse.

c. Section 302.8.1

FRONT YARD PARKING. Parking or storage of vehicles (as defined by the Pennsylvania Motor Vehicle Code), in the front yard of a property (as defined by the City of Warren Zoning Ordinance), is prohibited. This is to include recreational equipment including, but not limited to, recreational vehicles, motor homes, campers, watercraft, including boats, personal watercraft, canoes, and kayaks, and off-road vehicles, including three and four-wheeled all-terrain vehicles, snowmobiles etc., utility trailers or equipment.

d. Appendix A of the International Property Maintenance Code of 2012.

Section 8.

If any section, subsection, sentence, clause, or phrase of this Ordinance is, for any reason, determined to be unconstitutional, such decision shall not affect the validity of the remaining portions of this Ordinance. The City of Warren hereby declares that it would have adopted this Ordinance, and each section, subsection, sentence, clause or phrase hereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and/or phrases be declared unconstitutional.

Section 9.

Nothing in this Ordinance or the International Property Maintenance Code hereby adopted shall be construed to affect any suit or proceeding pending in any court, or rights acquired, or liability incurred, or any cause(s) of action acquired or existing, under any act or ordinance hereby repealed as cited in Sections 1 and 2 of this ordinance; nor shall any right or remedy of any kind or nature be lost, impaired or affected by this Ordinance.

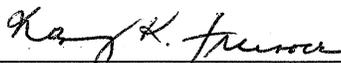
ADOPTED this 20th day of June, 2016.

CITY OF WARREN



Maurice J. Cashman, Mayor

ATTEST:



Nancy K. Freeman, City Clerk

APPROVED AS TO FORM:



Andrea Stapleford, Esq., Solicitor