

**BERWICK TOWNSHIP
ADAMS COUNTY, PENNSYLVANIA**

ORDINANCE NO. 2023-06

AN ORDINANCE OF BERWICK TOWNSHIP, ADAMS COUNTY, PENNSYLVANIA, ADOPTING THE 2018 EDITION OF THE INTERNATIONAL PROPERTY MAINTENANCE CODE, REGULATING AND GOVERNING THE CONDITIONS AND MAINTENANCE OF ALL PROPERTY, BUILDINGS AND STRUCTURES AND 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 FOR THE CONDEMNATION OF BUILDINGS AND STRUCTURES UNFIT FOR HUMAN OCCUPANCY AND USE, AND FOR THE DEMOLITION OF SUCH EXISTING STRUCTURES IN BERWICK TOWNSHIP; AND FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES THEREFOR; REPEALING ALL ORDINANCES OR PARTS OF LAWS IN CONFLICT THEREWITH.

WHEREAS, Section 1704-A of the Second Class Township Code authorizes the Board of Supervisors to enact a Property Maintenance Ordinance; and

WHEREAS, the Board of Supervisors deem it in the best interest of the health, safety and welfare of its residents to adopt the 2018 Edition of the International Property Maintenance Code.

BE IT ENACTED AND ORDAINED by the Board of Supervisors of Berwick Township, Adams County, Pennsylvania, and it is hereby enacted and ordained by the authority of the same as follows:

SECTION 1: A certain document, three (3) copies of which are on file in the office of Berwick Township, being marked and designated as the International Property Maintenance Code, 2018 edition, as published by the International Code Council (the "code"), be and is hereby adopted as the Property Maintenance Code of Berwick Township, Pennsylvania for regulating and governing the conditions and maintenance of all property, buildings and structures and 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 for the condemnation of buildings and structures unfit for human occupancy and use, and for the demolition of such existing structures as herein provided; and 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 Berwick Township 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, prescribed in Section 2 of this Ordinance.

SECTION 2: The following sections are hereby revised (those sections or portions thereof not revised hereby shall remain as originally stated in the code.)

A. **Section 101.1 Title.** These regulations shall be known as the International Property Maintenance Code of Berwick Township hereinunder referred to as “this code”.

B. **Section 103.5 Fees.** The fees for activities and services performed by the Township in carrying out its responsibilities under this code shall be as set forth in a resolution adopted by the Board of Supervisors, with such fees to be modified from time to time by a resolution of the Board of Supervisors.

C. **Section 106.3. Prosecution of violation.** Substitute for first sentence: Any person failing to comply with a notice of violation or order served in accordance with Section 107 shall be deemed guilty of a summary offense and prosecution for every such offense shall be by action brought before a Magisterial District Judge in the same manner provided for in enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure. Any such violation shall be deemed a strict liability offense.

D. **Section 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, upon conviction, be liable to pay a fine not to exceed \$1,000.00 plus court costs, or, in default thereof, to be sentenced and committed to the county jail to the extent allowed by law for the punishment of summary offenses. Any such person shall also be subject to all penalties as set forth in the Second Class Township Code (53 P.S. §§65101-68701) or as otherwise provided by law. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

E. **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, upon conviction, be liable to pay a fine not to exceed \$1,000.00, plus court costs, or, in default thereof, to be sentenced and committed to the county jail to the extent allowed by law for the punishment of summary offenses.

F. **Section 302.4. Weeds.** Insert: twelve inches.

G. **Section 304.14. Insect screens.** Insert: from April 1 to November 30.

H. **Section 602.3. Heat supply.** Insert: from October 1 to April 30.

I. **Section 602.4. Occupiable work spaces.** Insert: October 1 to April 30.

SECTION 3: All other Ordinances or parts of laws in conflict herewith are hereby repealed to the extent of the conflict.

SECTION 4: If any section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this Ordinance. The Board of Supervisors of Berwick Township hereby declares that it would have passed this Ordinance, and each section, subsection, clause or phrase thereof, irrespective of that fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

SECTION 5: Nothing in this legislation or in the Property Maintenance Code hereby adopted shall be construed to affect any suit or proceeding pending 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 Ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this Ordinance.

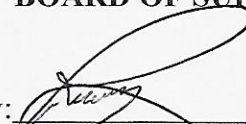
SECTION 6: This Ordinance shall take effect and be in full force and effect in five (5) days from the date of enactment.

ENACTED AND ORDAINED this 7th day of October 2023.

ATTEST:

**BERWICK TOWNSHIP
BOARD OF SUPERVISORS**


Secretary

By: 
Peter L. Socks, Jr., Chairman