

ORDINANCE NO __-22
SOUTH STRABANE TOWNSHIP
WASHINGTON COUNTY, PENNSYLVANIA

AN ORDINANCE AMENDING CHAPTER 172 OF THE SOUTH STRABANE TOWNSHIP MUNICIPAL CODE ADDING ARTICLE II ENTITLED “THE SOUTH STRABANE TOWNSHIP QUALITY OF LIFE ORDINANCE” AND PRESCRIBING PENALTIES FOR VIOLATIONS THEREOF

WHEREAS, in 2019 the Board of Supervisors adopted Ordinance 2-19, known as the “International Property Maintenance Code of South Strabane Township”, to address the condition of structures and property in the Township; and

WHEREAS, since adopting the International Property Maintenance Code of South Strabane Township it has become apparent certain Quality of Life issues comprise the majority of all violations; and

WHEREAS, the current citation process prescribed is lengthy and inefficient for Quality of Life violations and often does not result in the expedient rectification of these violations; and

WHEREAS, South Strabane Township believes it to be in the best interest of the health, safety and welfare of its residents, as well as the success of its businesses, to adopt this Ordinance.

NOW, THEREFORE, pursuant to the authority conferred upon it by the Pennsylvania Second-Class Township Code, the Board of Supervisors of South Strabane Township, Washington County, Pennsylvania, does hereby ENACT and ORDAIN the following:

SECTION 1. NEW ARTICLE II ESTABLISHING QUALITY OF LIFE

Chapter 172, entitled “Property Maintenance” of the South Strabane Township Municipal Code, as amended, is hereby further amended by establishing Article II titled “Quality of Life” and will hereafter be and read as follows:

Section 172-4 Title.

This Article shall be known as the “South Strabane Township Quality of Life Ordinance”

Section 172-5 Purpose.

- A. The lack of maintenance of properties, littering, improper storage of trash and rubbish, and other nuisances are costly problems that contribute to the deterioration of property values and general disorder of a community. Recognizing this problem, the purpose of this ordinance is to promote the health, safety and general welfare of South Strabane Township by helping to create a clean environment for the residents while eliminating safety and welfare concerns for both residents and emergency service personnel.
- B. Implementing a mechanism for the issuance of a ticket rather than a citation permits the Township to maintain and enforce its laws and permits a property owner or resident so accused to resolve the

dispute in a manner that does not unduly burden the property owner or resident by requiring the issuance of a citation and a court hearing.

Section 172-6 Violations.

- A. This ordinance shall allow for certain actions to be taken against property owners for violations to the following sections of the International Property Maintenance Code (“IPMC”).
 - 1. §302.4 of the IPMC, as amended by §172-3G, Weeds;
 - 2. §302.8 of the IPMC, as amended by §172-3H, Motor Vehicles;
 - 3. §308 of the IPMC, as amended by §172-3R, Rubbish and garbage; and
 - 4. §303 of the IPMC, Swimming pools, spas and hot tubs.

Section 172-7 Authority for issuance.

Upon finding a Quality of Life violation, the Code Enforcement Officer or an entity appointed by the Board of Supervisors, may issue quality of life violations tickets and/or citations to the owner and/or occupant of the property or to the individual responsible of the violation.

Section 172-8 Service.

- A. The Quality of Life Ticket shall be in writing and shall identify the property address (if applicable), violation(s), specify the maximum time frame to take corrective action, and the fine.
- B. The Code Enforcement Officer or other designated entity shall serve the Quality of Life Ticket to the violator in one of the following manners:
 - 1. Personally handing the Quality of Life Ticket to the violator;
 - 2. Personally handing the Quality of Life Ticket to be served to an adult member of the household or other person in charge of the residence at the residence of the person to be served;
 - 3. Leaving or affixing the Quality of Life Ticket to the property where the violation exists (if applicable);
 - 4. Personally handing the Quality of Life Ticket to the violator’s agent or to the person in charge thereof at any office or usual place of business of the violator; or
 - 5. Mailing the Quality of Life Ticket by certified mail to the violator’s address of record.

Section 172-9 Violations.

- A. Any person or business violating any of the referenced ordinances shall pay a fine as set forth herein for each offense:
 - 1. The amount of the fine for the Quality of Life Ticket shall be \$50.
 - 2. Failure to respond. If a person fails to make payment and the violation is not addressed to the satisfaction of the Code Enforcement Officer or other designated entity in the abatement period provided, or the person fails to file an appeal within ten (10) days of a violation ticket, they shall be subject to a citation for failure to pay.
 - 3. Repeated violations. Upon issuance of one Quality of Life Ticket under this Ordinance, right is reserved for a Code Enforcement Officer or other designated entity to issue a citation for all subsequent violations.
 - 4. Continuous or egregious violations. If violations are continuous or egregious, the Code Enforcement Officer or other designated entity has the right to issue a citation without first

issuing a Quality of Life Ticket, provided notice has been given. Any previously issued Quality of Life Tickets will be considered as notice given.

5. Citation fine. Any person, firm or corporation who shall fail, neglect, or refuse to comply with any of the terms or provisions of this chapter, or of any regulation or requirement pursuant hereto and authorized hereby shall, upon conviction, be ordered to pay a fine as established by the Magisterial District Judge.

B. If the Township acts to correct the violation, the cost thereof shall be charged to the individual or property owner (if applicable) to whom the ticket has been issued. If the costs are not paid to the Township, the Township Solicitor shall institute appropriate action against the owner of the premises where the violation was abated by the Township.

Section 172-10 Appeals.

Any person who receives a Quality of Life Ticket for any offense under this Article may, within ten (10) days of the service of the violation ticket, appeal to the Building Official, by filing their appeal request in writing, stating their reasons for appeal, accompanied by the appropriate fine amount.

SECTION 2. SEVERABILITY.

The provisions of this Ordinance are hereby declared severable, and if any of its provisions shall be held to be invalid or unconstitutional, or otherwise void for any reason, such decision shall not affect or impair any of the remaining provisions hereof, it is hereby declared to be the intent of the Township that this Ordinance would have been adopted if such invalid, unconstitutional or otherwise void provision had not been included herein.

SECTION 3. REPEALER.

Any Ordinance containing any provision inconsistent herewith to the extent that such provisions are inconsistent, those provisions are also hereby repealed.

SECTION 4. EFFECTIVE DATE.

This Ordinance shall be effective five days following enactment.

ORDAINED AND ENACTED INTO LAW by the Board of Supervisors of the South Strabane Township in lawful session assembled this _____ day of _____, 2022.

ATTEST:

SOUTH STRABANE TOWNSHIP

Brandon J. Stanick, Township Manager

By: _____
K. Robert Weber, Chairman