

ORDINANCE NO. 175,2007

AN ORDINANCE OF THE TOWNSHIP OF TILDEN, BERKS COUNTY, PENNSYLVANIA, AMENDING SECTION 201, ENTITLED "ADOPTION OF PROPERTY MAINTENANCE CODE"; OF PART 2, ENTITLED "PROPERTY MAINTENANCE CODE", CHAPTER VI, ENTITLED "CODE ENFORCEMENT" OF THE TOWNSHIP OF TILDEN CODE OF ORDINANCES TO ESTABLISH THE PROSECUTION FOR VIOLATION OF THE PROPERTY MAINTENANCE CODE AND TO ESTABLISH PENALTIES FOR VIOLATION THEREOF UP TO \$1,000.00

NOW, THEREFORE, BE IT ENACTED AND ORDAINED by the Board of Supervisors of the Township of Tilden, Berks County, Pennsylvania, and it is hereby ENACTED AND ORDAINED by the authority of the same as follows:

SECTION 1. Section 201, entitled "Adoption of Property Maintenance Code", of Part 2, entitled "Property Maintenance Code" of Chapter VI, entitled "Code Enforcement" of the Code of Ordinances of the Township of Tilden is hereby amended and restated in its entirety as follows:

"Section 201. Adoption of Property Maintenance Code. That a certain document, three (3) copies of which are on file in the office of the Secretary of the Township of Tilden, being marked and designated as the International Property Maintenance Code, 2003 edition, as published by the International Code Council, be and is hereby adopted as the Property Maintenance Code of the Township of Tilden, 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 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 for the demolition of such existing structures as herein provided; providing 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 the Township of Tilden are hereby referred to, adopted, and made a part hereof, as if fully set out in this Section, with the additions, insertions, deletions and changes, if any, prescribed as follows:

(a) Section 101.1 Insert - Township of Tilden

(b) Section 103.5 Insert - Fees assessable by the Township for the administration and enforcement undertaken pursuant to this particular code shall be established by the Board of Supervisors of the Township by resolution from time to time.

(c) Section 106.3. Prosecution of Violation. Persons who shall violate a provision of this Code, fail to comply with any of the requirements thereof or erect, install, alter or repair work in violation of the approved construction documents or directive of the Building Code Official, or of a permit or certificate issued under the provisions of this Code, shall be guilty of a summary offense, punishable by a fine in the amount of not less than One Hundred Dollars (\$100.00) and not more than One Thousand Dollars (\$1,000.00) per violation. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

(d) Section 304.14 Insert - May 15 to October 15.

(e) Section 602.3 Insert - October 1 to May 1.

(f) Section 602.4 Insert - October 1 to May 1."

SECTION 2. If any sentence, clause, section or part of this Ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts of this Ordinance. It is hereby declared as the intent of the Board of Supervisors of the Township that this Ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein.

SECTION 3. All ordinances or parts of ordinances conflicting with the provisions of this Ordinance are hereby repealed insofar as they are inconsistent with this Ordinance.

SECTION 4. This Ordinance shall become effective five (5) days from the date of enactment.

SECTION 5. That nothing in this Ordinance, as amended, hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or cause of action acquired or existing, under any act or ordinance hereby repealed; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this Ordinance.

SECTION 6. The Code of Ordinances of the Township of Tilden, Berks County, Pennsylvania, as amended, shall be and remain unchanged and in full force and effect except as amended, supplemented and modified by this Ordinance. This Ordinance shall become a part of the code of Ordinances of the Township of Tilden, Berks County, Pennsylvania, as amended, upon adoption.

DULY ENACTED AND ORDAINED this 2nd day of January, 2007.

TOWNSHIP OF TILDEN  
BOARD OF SUPERVISORS

Troy R. Hatt

Russell H. Walz

Judy E. Romig

Attest:

Cheryl A. Haus  
Secretary