

Chapter 5

Code Enforcement

Part 1

Uniform Construction Code

A. Adoption

- §5-101. Construction Code Act
- §5-102. Uniform Construction Code
- §5-103. Administration and Enforcement
- §5-104. Board of Appeals
- §5-105. Preservation of Existing Provisions
- §5-106. Repeals
- §5-107. Saving Clause
- §5-108. Fees

B. Sewer Laterals

- §5-111. Township Standards
- §5-112. Refund of Excess Fees

Part 2

Property Code

A. Administration

- §5-201. General
- §5-202. Applicability
- §5-203. Duties and Powers of the Township Manager and Designee(s)
- §5-204. Violations
- §5-205. Notices and Orders
- §5-206. Unsafe Structures and Equipment
- §5-207. Emergency Measures
- §5-208. Demolition
- §5-209. Means of Appeal

B. Definitions

- §5-211. General
- §5-212. General Definitions

C. General Requirements

- §5-221. General
- §5-222. Exterior Property Areas
- §5-223. Exterior Structure

§5-224. Rubbish and Garbage

Part 1**Uniform Construction Code****A. Adoption****§5-101. Construction Code Act.**

This municipality hereby elects to administer and enforce the provisions of the Pennsylvania Construction Code Act, Act 45 of 1999, 35 P.S. §§7210.101-7210.1103, as amended from time to time, and its regulations.

(Ord. 2004-348, 3/30/2004, §1)

§5-102. Uniform Construction Code.

The Uniform Construction Code, contained in 34 Pa.Code, Chapters 401- 405, as amended from time to time, is hereby adopted and incorporated herein by reference as the municipal building code of Cranberry Township.

(Ord. 2004-348, 3/30/2004, §2)

§5-103. Administration and Enforcement.

Administration and enforcement of the code within Cranberry Township shall be undertaken in any of the following ways as determined by the governing body of Cranberry Township from time to time by resolution:

A. By the designation of an employee of Cranberry Township to serve as the municipal code official to act on behalf of Cranberry Township.

B. By the retention of one or more construction code officials or third-party agencies to act on behalf of Cranberry Township.

C. By agreement with one or more other municipalities for the joint administration and enforcement of this Act through an intermunicipal agreement.

D. By entering into a contract with another municipality for the administration and enforcement of this Act on behalf of Cranberry Township.

E. By entering into an agreement with the Pennsylvania Department of Labor and Industry for plan review, inspections and enforcement of structures other than one-family or two-family dwelling units and utility and miscellaneous use structures.

(Ord. 2004-348, 3/30/2004, §3)

§5-104. Board of Appeals.

A Board of Appeals shall be established by resolution of the governing body of Cranberry Township in conformity with the requirements of the relevant provisions of the code, as amended from time to time, and for the purposes set forth therein. If at any time enforcement and administration is undertaken jointly with one or more other municipalities, said Board of Appeals shall be established by joint action of the participating municipalities.

(Ord. 2004-348, 3/30/2004, §4)

§5-105. Preservation of Existing Provisions.

All building code ordinances or portions of ordinances which were adopted by this Municipality on or before July 1, 1999, and which equal or exceed the requirements of the code shall continue in full force and effect until such time as such provisions fail to equal or exceed the minimum requirements of the code, as amended from time to time. Provisions continuing in effect which exceed the requirements of the code include the following:

A. Each sleeping room shall have at least one door with a minimum width of 2 feet, 6 inches, which shall lead to a corridor not less than 36 inches in width or to an unobstructed area providing access to an exterior door. In no case shall access to an exit be through a bathroom, bedroom, or other room subject to locking. (Ord. 292, 3/25/1999, Chapter 3, §310.¹)

B. All doors exiting from a room shall not be less than 3 feet, 6 inches in width. Exception: Lavatory rooms shall be a minimum of 2 feet, 4 inches in width. (Ord. 292, 3/25/1999, Chapter 3, §311.²)

C. All new and proposed buildings or structures shall have at least one fire hydrant located and/or installed within 50 feet of the fire department connections on the building. All hydrants shall be in accordance with the technical specifications for hydrants as provided within the rules and regulations of the Cranberry Township Sewer and Water Department and the Fire Department. All fire department connections shall be four "STORZ" type connectors. All fire department connections shall be located within 50 feet of a fire hydrant. (Ord. 290, 3/25/1999, Chapter 9, §§917.3, 917.4.³)

(Ord. 2004-348, 3/30/2004, §5)

§5-106. Repeals.

All building code ordinances or portions of ordinances which are in effect as of the effective date of this Part and whose requirements are less than the minimum requirements of the code are hereby amended to conform with the comparable provisions of the code.

(Ord. 2004-348, 3/30/2004, §6)

¹Editor's Note: Ord. 292, 3/25/1999, adopted the International One- and Two-Family Dwelling Code, 1998 edition, by reference, and added §310.4, "Sleeping Room," to Chapter 3, §310, thereof.

²Editor's Note: Ord. 292, 3/25/1999, adopted the International One- and Two-Family Dwelling Code, 1998 edition, by reference, and added §311.5, "Doors," to Chapter 3, §311, thereof.

³Editor's Note: Ord. 290, 3/25/1999, adopted the BOCA National Building Code, 1999, 14th Edition, by reference, and added §917.3, "Fire Hydrants," and §917.4, "Fire Department Connections," to Chapter 9, §917, thereof.

§5-107. Saving Clause

All relevant ordinances, regulations and policies of Cranberry Township not governed by the code shall remain in full force and effect.

(Ord. 2004-348, 3/30/2004, §7)

§5-108. Fees.

Fees assessable by Cranberry Township for the administration and enforcement, and any appeals undertaken pursuant to this Part and the code shall be established by the governing body by resolution from time to time. Fees assessable by the Commonwealth of Pennsylvania shall be collected as provided for by law.

(Ord. 2004-348, 3/30/2004, §8)

B. Sewer Laterals⁴**§5-111. Township Standards.**

All Township standards for lateral connections located on private property and connecting to public infrastructure owned by the Township that were in effect on January 1, 2005, and contain provisions that equal or exceed the requirements of the regulations promulgated under the UCC Code shall remain in effect until such time as such provisions fail to equal or exceed the minimum requirements of the requirements of the UCC Code, as amended from time to time. Provisions continuing in effect which exceed the requirements of the Code include the following. These standards were originally promulgated by the Municipal Sewer and Water Authority of Cranberry Township and enacted by Cranberry Township by *Ord. 2002-325*, 1/13/2002:

A. *Installation.* Prior to excavation of any trench, the contractor should expose the building sewer connection and the building drain. The trench width shall be kept to minimum width and have a uniform slope at approved grade, and as near as possible at right angles to the street. All trenches must be excavated at least 6 inches below the invert of the pipe. Granular backfill (maximum ¾ inch gravel size) shall be placed in the trench to grade of pipe and after providing bell holes and laying pipe, backfill to a minimum height of 12 inches over the top of the

⁴Editor's Note: The preamble to *Ord. 2005-359*, 7/7/2005, provides:

WHEREAS, the purpose of this ordinance is to promote the general health, safety and welfare of the citizens of Cranberry Township and to conform to the requirements of the Pennsylvania Construction Code, Act 45 of 1999, 35 P.S. §§7210.101-7210.1103, and regulations to the Act promulgated by the Pennsylvania Department of Labor and Industry, as amended, 34 Pa.Code, Ch. 401-405 (hereinafter sometimes collectively referred to as the "UCC Code"); and

WHEREAS, by *Ord. 2004-348*, the Township of Cranberry adopted the UCC Code as the municipal building code of Cranberry Township, subject to the continuing applicability of certain portions of Township building code ordinances which were adopted on or before July 1, 1999, and as set forth in Ordinance 3004-348; and

WHEREAS, the Pennsylvania Construction Code Act was amended to provide that municipality or municipal authority standards for lateral connections located on private property and connecting to public infrastructure owned by a municipality or municipal authority that were in effect on January 1, 2005, and contain provisions that equal or exceed the requirements of the regulations promulgated under the UCC Code shall remain in effect until such time as such provisions fail to equal or exceed the minimum requirements of the requirements of the UCC Code, Act 239 of 2004, 35 P.S. §7210.305; and

WHEREAS, the Township desires to identify those standards for lateral connections which will continue in effect pursuant to 35 P.S. §7210.305; and

WHEREAS, the UCC Code authorizes a municipality may establish fees for the administration and enforcement of the Code and may establish a fee refund policy and the Township desires to establish a fee refund policy."

pipe. Granular backfill must be carefully tamped along both sides of the pipe. Remaining backfill, if satisfactory, may be material from the original excavation. Backfilling shall not be accomplished prior to inspection. A test tee shall be installed in the building sewer immediately before the wye. If unusual trench conditions exist, such as excessive depth, unstable soil, under a stream or other water course, the Township may require the owner, at his own expense, to encase the building sewer in concrete or take such other steps which, in the opinion of the Township, are necessary for proper installation. The Township may refuse a permit to allow a connection directly to the main intercepting sewer and require extensions and connections to a manhole, the manhole, sewer and other work to be accomplished at the expense of the owner. In no event will a connection be made through a hole cut in the sewer. (*Ord. 2002-325, §6.40*)

B. The applicant for the building sewer permit shall notify the Township when the building drain, building sewer and related facilities are ready for inspection and connection to the public sewer but prior to connection to the trap, and prior to backfilling. Final inspection will not be scheduled until all applications for service have been submitted and approved, and all tapping fees or other charges due and payable have been remitted to the Township. The inspection of the building drain, building sewer and related facilities shall include but may not be limited to the following:

(1) Inspection of installation to ensure that proper bedding and embedment of the pipe has been accomplished. Concrete encasement has been placed where required. An air pressure test of the lines at a pressure of 5 psi for 15 minutes without any loss of pressure.

(*Ord. 2002-325, §6.41*)

C. *Installation.* Before digging the trench, the installer should expose the lateral connection and the building drain. Trench width shall be kept to a minimum width and have uniform slope as near as possible at right angles to the street. Excavate all trenches at least 6 inches below the bottom of the pipe. Place an aggregate backfill, maximum of $\frac{3}{4}$ -inch gravel size, in the trench to grade of the pipe. Install the pipe keeping any gravel, dirt or water from entering the pipe. Place 12 inches approved aggregate on top of the pipe ensuring uniform bedding to all sides of the pipe. The remainder of the trench may be backfilled with material from the original excavation. The sewer line trench shall have a minimum 3-foot horizontal separation and 18-inch vertical separation from other pipelines such as water service lines, gas lines, french drains or storm sewers. A Township inspector must be present to visually inspect the backfilling of the sewer lateral trench. (*Ord. 2002-325, App, §6*)

D. *Materials and Size.* The material for all service lines 2 inches in size and under shall be Type K soft copper tubing per Fed Spec WW-T-799 with mechanical coupling joints, and the service lines for all service lines over 2 inches in size shall be double cement lined ductile iron pipe per ANSI A21.6 with push on or mechanical joints. The Township shall have the right at any time to revise these requirements and to specify the size and weight per foot of pipe, kind and quality of material laid between the curb stop and the premises which are to be furnished and installed by the owner of the property. The service line shall be not less than $\frac{3}{4}$ -inch in size and shall be in keeping with the service for the larger size. All water

pressure reducing valves will be suitable for maximum line pressure of 300 psi with built in bypass manufactured in accordance with ASSE 1003-1 with a pressure delivery of 45 to 55 psi. (*Ord. 2002-325, §6.11*)

E. *Water Meter.* The Township requires 24 hours advance notice prior to scheduling meter installations. All necessary applications for service and required deposits must be completed prior to scheduling meter installations. The meter set shall conform to the diagram as shown on the attached meter installation detail (SD-31). Under no circumstances shall water service be initiated prior to installation of the water meter. (*Ord. 2002-325, App. II, §7*)

F. The corporation stops designed for insertion into water mains under pressure shall be the Mueller Type B-25008 as manufactured by the Mueller Company or approved equal. The stops shall be constructed with an inlet thread and outlet fitting thread in accordance with the "Standard Specifications for Threads for Underground Service Line Fittings," as prepared by the American Water Works Association and designated C800, specifically in accordance, respectively, with Figure 1 - Standard Corporation Stop Thread and Figure 2 - Fitting Thread for Use with Compression Copper Service Tube, Type K.

The stop shall be of all bronze construction. Full port ball valve with blow-out proof stem, double o-rings and a 300 psig working pressure rating. Meets the ANSI/AWWA Standard C-800 as the AWWA taper thread. The stops shall be furnished with a straight coupling nut, the nut to have an extra long skirt to give added support to the pipe and prevent leaky joints. The concave surface of the nut shall oppose the convex surface of the body uniformly to permit a tight and smooth joint. The opposed convex surfaces shall not compress the end of the flange. Each corporation stop shall be fully tested in both open and closed position.

The curb stops shall be Type B25209 by the Mueller Company or approved equal. All stops shall be ¼ turn. The stops shall be constructed with an inlet and outlet having fitting threads for use with compression copper service tubes, Type K. The curb stop bodies shall be precision fitted. The taper on the key shall be steeper than average to permit easier operation. The stops shall be of all bronze construction. Full port ball valve with blow-out proof stem, double o-rings and a 300 psig working pressure rating with a true bi-directional (two-way) flow. Meets the ANSI/AWWA 0-800 standard.

Each curb stop shall be fully tested in both the open and closed position.

The curb boxes shall be the Buffalo Type and shall be as manufactured by Tyler Pipe, or approved equivalent. The curb boxes shall be size 94-E, having an extension of 40 inches to 60 inches. The curb boxes shall be constructed of cast iron. The screw for the curb box lid shall be pentagonal and made of red brass, be $1\frac{7}{32}$ inch in diameter, and $1\frac{12}{32}$ inches long, and have twelve threads to the inch. The curb box lid shall be furnished with the word "WATER" cast thereon. The curb stop and curb box shall not be located within 3 feet of perpendicular utility lines or other underground appurtenances, and shall not be located in driveways, walkways, parking lots, or other finished surfaces.

Service saddles shall be made with a double strap of brass or stainless steel construction.

Pipe coupling used for service line connections up to 2-inch shall be brass and

as manufactured by Mueller Company, or approved equal (*Ord. 2002-325, App. A, Part III, §19*).

G. All sewers below floors of buildings and 5 feet outside the building shall be Schedule 40 PVC or ABS. A running trap with vent shall be installed at the end of the building drain. Vents may not be located in driveways or other impervious surfaces. (*Ord. 2002-325, §6.37*)

H. *Outside Sewer Size.* Residential - 4-foot minimum diameter pipe that is installed to a minimum slope of $\frac{1}{4}$ inch per foot. Non-Residential - 6-inch minimum diameter pipe that is installed to a minimum slope of $\frac{1}{8}$ inch per foot. (*Ord. 2002-325, App. III, §2*)

I. *Materials* All sewers below floors of building and to a maximum of 5 feet outside the building wall and the sewer service line shall be Schedule 40 PVC or ABS. A running trap with a vent pipe and Pittsburgh pattern vent cap shall be installed at the end of the drain as shown. All pipe under the floor and passing through the floor shall be a minimum of 4-inch unless prior approval is granted by the Township. The pipe as it exits the building wall shall be installed at a minimum depth of 36 inches. From the trap to the main line connection, the pipe shall be the same as listed above or PVC SDR 35. Vent pipes and clean-outs are not permitted to be located in driveways, cart paths, walkways or other finished surface areas unless prior approval is granted by the Township. The vent cap shall be installed 6 inches above grade to prevent the inflow of water into the sewer line. (*Ord. 2002-325, App. III, §3*)

(*Ord. 2005-359, 7/7/2004, §1*)

§5-112. Refund of Excess Fees.

In the case of the revocation of a building permit or the abandonment and/or discontinuance of a building project, the portion of the work actually completed shall be computed and any excess fee for the incomplete work shall be returned to the permit holder upon written request. All plan examination and permit processing fees and all penalties that have been imposed on the permit holder under the requirements of this code shall first be collected.

(*Ord. 2005-359, 7/7/2004, §2*)

Part 2**Property Code****A. Administration****§5-201. General.**

1. *Title.* These regulations shall be known as the "Property Code of Cranberry Township," hereinafter referred to as the "code."

2. *Scope.* The provisions of this code shall apply to all residential and nonresidential structures and premises and constitute minimum requirements for premises and structures for safe and sanitary maintenance; the responsibility of owners, operators and occupants; the occupancy of existing structures and premises, and for administration, enforcement and penalties.

3. *Intent.* This code shall be construed to secure its expressed intent, which is to ensure public health and safety insofar as they are affected by the continued occupancy and maintenance of structures and premises, structures and premises that do not comply with these provisions shall be altered or repaired to provide a minimum level of health and safety as required herein.

(Ord. 2002-326, 2/7/2002, §101)

§5-202. Applicability.

1. *General.* The provisions of this code shall apply to all matters affecting or relating to structures and premises, as set forth in §5-201. Where, in a specific case, different Sections of this code specify different requirements, the most strict shall govern.

2. *Maintenance.* Equipment, systems, devices and safeguards required by this code or a previous regulation or code under which the structure or premises was constructed, altered or repaired shall be maintained in good working order. The requirements of this code are not intended to provide the basis for removal or abrogation of fire protection and safety systems and devices in existing structures. Except as otherwise specified herein, the owner or the owner's designated agent shall be responsible for the maintenance of buildings, structures and premises.

3. *Application of Other Codes.* Construction, repairs, additions or alterations to a structure, or changes of occupancy, shall be done in accordance with the procedures and provisions of the building, plumbing and mechanical codes and NFPA 70. Nothing in this code shall be construed to cancel, modify or set aside any provision of the Cranberry Township Zoning Ordinance [Chapter 27] or any other Township ordinances, codes, State, or Federal regulations.

4. *Existing Remedies.* The provisions in this code shall not be construed to abolish or impair existing remedies of the jurisdiction or its officers or agencies relating to the removal or demolition of any structure which is dangerous, unsafe and insanitary.

5. *Historic Buildings.* The provisions of this code shall not be mandatory for existing buildings or structures designated by the state or local jurisdiction as historic

buildings when such buildings are judged by the Township Manager or designee to be safe and in the public interest of health and safety.

(Ord. 2002-326, 2/7/2002, §102)

§5-203. Duties and Powers of the Township Manager and Designee(s).

1. *General.* The Township Manager and/or designee(s) shall enforce the provisions of this code.

2. *Authority.* The Township Manager and/or designee(s) shall have authority as necessary in the interest of public health and safety to adopt and promulgate procedures; to interpret and implement the provisions of this code; to secure the intent thereof; and to designate requirements applicable because of local climatic or other conditions.

3. *Inspections.* The Township Manager and/or designee(s) shall make all of the required inspections, or shall accept reports of inspection by approved agencies or individuals. All reports of such inspections shall be in writing and be certified by a responsible officer of such approved agency or by the responsible individual. The Township Manager or designee(s) are authorized to engage such expert opinion as deemed necessary to report upon unusual technical issues that arise, subject to the approval of the Board of Supervisors.

4. *Right of Entry.* The Township Manager and/or designee(s) are authorized to enter the premises at reasonable times to inspect, subject to constitutional restrictions on unreasonable searches and seizures. If entry is refused or not obtained, the Township Manager and/or designee(s) are authorized to pursue recourse as provided by law.

5. *Identification.* The Township Manager and/or designee(s) shall carry proper identification when inspecting structures or premises in the performance of duties under this code.

6. *Notices and Orders.* The Township Manager and/or designee(s) shall issue all necessary orders to ensure compliance with this code.

7. *Township Records.* The Township Manager and/or designee(s) shall keep official records of all business and activities of the Township specified in the provisions of this code. Such records shall be retained in the official records as long as the building or structure to which the records relate remains in existence, unless otherwise provided for by other regulations.

(Ord. 2002-326, 2/7/2002, §103)

§5-204. Violations.

1. *Unlawful Acts.* It shall be unlawful for a person, firm or corporation to be in conflict with or in violation of any of the provisions of this code.

2. *Notice of Violation.* The Township Manager and/or designee(s) shall serve a notice of violation or order in accordance with §5-205.

3. *Prosecution of Violation.* If the notice of violation is not complied with, the Township Manager or designee shall institute the appropriate proceeding at law or in equity to restrain, correct or abate such violation, or to require the removal or termination of the unlawful occupancy of the structure in violation of the provisions of

this Code or of the order or direction made pursuant thereto.

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 be prosecuted within the limits provided by State or local laws. Each day that a violation continues after due notice has been served shall be deemed a separate offense. Any person, firm, corporation or entity who violates, causes or permits the violation of any provision of this code or shall fail to comply with any of the requirements thereof or who shall fail to maintain premises, structures or equipment in accordance with these provisions, upon conviction thereof in an action brought before a district judge in the manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure, shall be sentenced to pay a fine of not more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 90 days. Each day that a violation of this Part shall continue or each Section of this Part which shall be found to have been violated shall constitute a separate offense. The initial determination of code violation and the service of notice of violation are hereby delegated to the Township Manager or the designee. [Ord. 2005-362]

5. *Abatement of Violation.* The imposition of the penalties herein prescribed shall not preclude the legal officer of the jurisdiction from instituting appropriate action to restrain, correct or abate a violation, or to prevent illegal occupancy of a building, structure or premises, or to stop an illegal act, conduct, business or utilization of the building, structure or premises.

(Ord. 2002-326, 2/7/2002, §104; as amended by Ord. 2005-362, 12/15/2005)

§5-205. Notices and Orders.

1. *Notice to Owner or to Persons Responsible.* Whenever the Township Manager and/or designee(s) determine that there has been a violation of this Code notice shall be given to the owner, operator and/or occupant responsible therefore in the manner prescribed in subsections .2 and .3. Notices for condemnation procedures shall also comply with §5-208.

2. *Form.* Such notice prescribed in subsection .1 shall:

- A. Be in writing.
- B. Include a description of the real estate sufficient for identification.
- C. Include a statement of the violation or violations and why the notice is being issued.
- D. Include a correction order allowing a reasonable time to make the repairs and improvements required to bring the structure or premises into compliance with the provisions of this code.
- E. Inform the property owner, occupant and/or operator of the right to appeal.

3. *Method of Service.* Such notice shall be deemed to be properly served if a copy thereof is:

- A. Delivered personally.
- B. Sent by certified or first class mail addressed to the last known address.
- C. If the notice is returned showing that the letter was not delivered, a copy

thereof shall be posted in a conspicuous place in or about the structure and/or premises affected by such notice.

4. *Penalties.* Penalties for noncompliance with orders and notices shall be as set forth in §5-204.4.

5. *Owners Severally Responsible.* If the premises and/or structure are owned by more than one owner, each owner shall be severally liable for compliance with the code and subject to prosecution for violation of the code.

(Ord. 2002-326, 2/7/2002, §105)

§5-206. Unsafe Structures and Equipment.

1. *General.* When a structure or equipment is found by the Township Manager and/or designee(s) to be unsafe, such structure or equipment shall be condemned pursuant to the provisions of the code.

A. *Unsafe Structures.* An unsafe structure is one that is found to be dangerous to the life, health, property or safety of the occupants or members of the public because such structure is so damaged, decayed, dilapidated, structurally unsafe or of unstable foundation that partial or complete collapse is possible. The Township Manager or designee shall not investigate or pursue under the provisions of this code any structural defects or complaints, real or alleged, on the interior of structures.

B. *Unsafe Equipment.* Unsafe equipment shall not include equipment located on the inside of a structure. All other equipment on the premises which is in a condition that such equipment is a hazard to life, health, property or safety of the public or occupants of the premises or structure shall be governed by this code.

2. *Closing of Vacant Structures.* If a structure is vacant and unfit for human habitation and occupancy, but is not in danger of structural collapse, the Township Manager or designee is authorized to post a placard of condemnation on the premises and order the structure to be secured so as not to be an attractive nuisance. Upon failure of the owner to secure the premises within the time specified in the order, the Township Manager and/or designee shall cause the premises to be secured through any available public agency or by contract or arrangement with private persons and the cost thereof shall be charged against the real estate upon which the structure is located and may be a lien upon such real estate.

3. *Notice.* Whenever the Township Manager or designee has condemned a structure or equipment under the provisions of this Section, notice shall be posted in a conspicuous place in or about the structure affected by such notice and served on the owner, occupant, operator or the person or persons responsible for the structure or equipment in accordance with §5-205.3. If the notice pertains to equipment, it shall also be placed on the condemned equipment. The notice shall be in the form prescribed in §5-205.2.

4. *Placarding.* Upon failure of the owner, occupant, operator, or person responsible to comply with the notice provisions within the time given, the Township Manager or designee shall post on the structure or equipment a placard bearing the word "condemned" and a statement of the penalties provided for occupying the structure, operating the equipment or removing the placard.

5. *Prohibited Occupancy.* Any person who shall occupy a placarded structure or shall operate placarded equipment, and any owner or any person responsible for the structure who shall let anyone occupy a placarded structure or operate placarded equipment shall be liable for the penalties provided by this code.

6. *Removal of Placard.* The Township Manager or designee shall remove the condemnation placard whenever the defect or defects upon which the condemnation and placarding action were based have been eliminated. Any person who defaces or removes a condemnation placard without the approval of the Township Manager or the designee shall be subject to penalties provided by this code.

(Ord. 2003-326, 2/7/2002, §106)

§5-207. Emergency Measures.

1. *Temporary Safeguards.* Whenever, in the opinion of the Township Manager or designee, there is imminent danger to the public due to the unsafe condition of a structure or equipment, the Township Manager or designee may order the necessary work to be done, including the boarding up of openings, to render such structure or equipment temporarily safe; and shall cause such other action to be taken as the Township Manager or designee deems necessary to meet such emergency.

2. *Emergency Repairs.* For the purposes of this Section, the Township Manager or designee shall employ the necessary labor and materials to perform the required work as expeditiously as possible.

3. *Costs of Emergency Repairs.* Costs incurred in the performance of emergency work shall be paid by Cranberry Township. The Solicitor of Cranberry Township shall institute appropriate action against the owner, occupant or operator of the premises where the unsafe structure or equipment is or was located, and the costs of such repair shall constitute a lien against the real estate.

4. *Hearing.* Any person ordered to take emergency measures shall comply with such order forthwith. Any affected person shall thereafter, upon petition directed to the Building and Fire Code Appeals Board, be afforded a hearing as described in this code.

(Ord. 2002-326, 2/7/2002, §107)

§5-208. Demolition.

1. *General.* The Township Manager or designee shall order the owner of any premises upon which is located any unsafe structure, to demolish and remove the structure; or if such structure is capable of being made safe by repairs, to repair and make safe and sanitary or to demolish and remove at the owner's option.

2. *Notices and Orders.* All notices and orders shall comply with §5-205.

3. *Failure to Comply.* If the owner of a premises fails to comply with a demolition order within the time prescribed, the Township Manager or the designee shall cause the structure to be demolished and removed, either through an available public agency or by contract or arrangement with private persons, and the cost of such demolition and removal shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate.

4. *Salvage Materials.* When any structure has been ordered demolished and removed, the governing body or other designated officer under said contract or

arrangement aforesaid shall have the right to sell the salvage and valuable materials at the highest price obtainable. The net proceeds of such sale, after deducting expenses of such demolition and removal, shall be promptly remitted with a report of such sale or transaction, including the items of expense and the amounts deducted, to the person who is entitled thereto, subject to any order of a court. If such surplus does not remain to be turned over, the report shall so state.

(*Ord. 2002-326, 2/7/2002, §108*)

§5-209. Means of Appeal.

1. *Application for Appeal.* The owner of a building or structure or any other person may appeal from a decision of the Township Manager or the designee regarding provisions of this code covering the maintenance of structures, premises and equipment as previously identified, to the Building and Fire Code Appeals Board consistent with the provisions of Cranberry *Ord. 194, 9/21/1989* [Chapter 1, Part 4B]; provided, however, such an appeal must be taken within 10 days of the decision of the Township Manager or the designee.

2. Any appeal filed to the Appeals Board shall not affect the right of the Township to enforce the code in law or in equity as set forth herein.

(*Ord. 2002-326, 2/7/2002, §109*)

B. Definitions**§5-211. General.**

1. *Scope.* Unless otherwise expressly stated, the following terms shall, for the purposes of this code, have the meanings shown in this Part.

2. *Interchangeability.* Words stated in the present tense include the future; words stated in the masculine gender include the feminine and neuter; the singular number includes the plural and the plural the singular.

3. *Terms Defined in Other Codes.* Where terms are not defined in this code and are defined in the building, fire prevention, zoning, plumbing or mechanical codes and NFPA 70, such terms shall have the meanings ascribed to them as in those codes.

4. *Terms Not Defined.* Where terms are not defined, through the methods authorized by this section, such terms shall have ordinarily accepted meanings such as the context implies.

(Ord. 2002-326, 2/7/2002, §201)

§5-212. General Definitions.

Approved - approved by the Township Manager or designee.

Designee - any Township employee or consultant that is designated by the Township Manager with implementing the provisions of the code.

Condemn - to adjudge as unfit for occupancy or use.

Equipment - the implements or physical resources by which any operation or activity is performed on the exterior of structure.

Exterior property - the area on the premises and on adjoining property under the control of owners or operators of such premises.

Garbage - the animal or vegetable waste resulting from the handling, preparation, cooking and consumption of food.

Imminent danger - a condition which could cause serious or life threatening injury or death at any time.

Labeled - devices, equipment, appliances, or materials to which has been affixed a label, seal, symbol or other identifying mark of a nationally recognized testing laboratory, inspection agency or other organization concerned with product evaluation that maintains periodic inspection of the production of the above labeled items and by whose label the manufacturer attests to compliance with applicable nationally recognized standards.

Occupant - a person residing at or in possession of a premises or structure.

Operator - any person who has charge, care or control of a structure or premises which is let or offered for occupancy.

Owner - any person, agent, operator, firm or corporation having a legal equitable interest in the property; or recorded in the official records of the state, county or municipality as holding title to the property; or otherwise having control of the property, including the guardian of the estate of any such person if ordered to take possession of real property by a court.

Person - an individual, corporation, partnership or any other group acting as a unit.

Premises - a lot, plot or parcel of land including any structures thereon.

Rubbish - combustible and noncombustible waste materials, except garbage; the term shall include the residue from the burning of wood and other combustible materials, paper, rags, cartons, boxes, wood, rubber, tree branches, yard trimmings, building and construction materials, and other similar materials.

Structure - that which is built or constructed or a portion thereof; the term shall include pools (above and below ground) and all accessory and principal structures.

Township Manager - the person appointed by the Board of Supervisors to implement the code.

Vehicle - any motorized or non motorized automobile, truck, motorcycle, trailer, boat or camper.

Yard - an open space on the same lot with a structure.

(Ord. 2002-326, 2/7/2002, §202)

C. General Requirements

§5-221. General.

1. *Scope.* The provisions of this Part shall govern the minimum conditions and the responsibilities of persons for maintenance of structures, equipment and exterior property.

2. *Responsibility.* The owner, occupant and/or operator of the premises shall maintain the structures and the exterior property in compliance with these requirements. A person shall not occupy as owner, occupant or operator or permit another person to occupy premises which do not comply with the requirements in this Part.

3. *Vacant Structures and Land.* All vacant structures and premises thereof or vacant land shall be maintained in a clean, safe, secure and sanitary condition as provided herein so as not to adversely affect the public health or safety.

(Ord. 2002-326, 2/7/2002, §301)

§5-222. Exterior Property Areas.

1. *Sidewalks.* All sidewalks, walkways, stairs and similar spaces in nonresidentially zoned areas shall be kept in a proper state of repair, and maintained free from hazardous conditions.

2. *Rodent Harborage.* All structures and exterior property shall be kept free from rodent harborage and infestation.

3. *Accessory Structures.* All accessory structures, including detached garages, pools, fences and walls, shall be maintained structurally sound and in safe and sanitary condition.

A. Gates which are required to be self-closing and self-latching in accordance with the building code or any Township approvals shall be maintained such that the gate will positively close and latch when released from still position of 6 inches from the gatepost.

4. *Junk Vehicles.* A vehicle shall be deemed abandoned or junked under this Section if the vehicle is not operable and lacks a current inspection or registration sticker. Except as provided for in other regulations, the parking or storage of abandoned or junked vehicles in exterior property areas, which also pose a threat to the public health, safety and welfare due to conditions including but not limited to the following, are prohibited:

A. Broken windshields, mirrors or other glass with sharp edges.

B. One or more flat or open tires or tubes which could permit a vermin harborage.

C. Missing doors, windows, hood, trunk or other body parts which could permit animal harborage or entry of children. Any body parts with sharp edges including holes resulting from rust.

D. Missing tires resulting in unsafe suspension of the motor vehicle.

E. Upholstery which is torn or open which would permit animal and/or vermin harborage.

- F. Broken head lamps or tail lamps with sharp edges.
- G. Protruding sharp objects from the chassis.
- H. Broken vehicle frame suspended from the ground in an unstable manner.
- I. Leaking or damaged oil pan or gas tank which could cause fire or explosion.
- J. Exposed battery containing acid.
- K. Inoperable locking mechanism for doors or trunk.
- L. Open or damaged floor boards including trunk and fire wall.
- M. Damaged bumpers pulled away from the perimeter of the vehicle.
- N. Broken grill with protruding edges.
- O. Vehicle suspended on unstable supports.

5. *Maintenance of Equipment and Materials.* All appliances, equipment and construction materials stored in the open on exterior property areas shall be maintained free from hazardous conditions. Such storage shall constitute a hazard if any of the following conditions exist:

- A. Broken glass or metal parts with sharp or protruding edges.
- B. Containers which are conducive of the harboring and growth of vermin or animals.
- C. Storage in any manner which would allow the equipment, machinery, materials or any parts thereof to easily shift, tilt, or fall from the original storage position.
- D. Refrigerators with doors remaining attached.

(Ord. 2002-326, 2/7/2002, §302)

§5-223. Exterior Structure.

1. *Address Numbers.* Address numbers shall be maintained free from deterioration and shall be kept as was provided for in the building codes when the structure was erected.

2. *Structural Members.* All structural members shall be maintained free from deterioration, and shall be capable of safely supporting the imposed dead and live loads.

3. *Exterior Stairways, Decks, Porches and Balconies.* Every exterior stairway, deck, porch and balcony, and all appurtenances attached thereto, shall be maintained structurally sound, in good repair, with proper anchorage and capable of supporting the imposed loads.

(Ord. 2002-326, 2/7/2002, §303)

§5-224. Rubbish and Garbage.

1. *Accumulation of Rubbish or Garbage.* All exterior property and premises shall be free from any accumulation of rubbish or garbage.

2. *Disposal of Rubbish.* Every occupant of a structure shall dispose of all rubbish in a clean and sanitary manner by placing such rubbish in approved containers and

then having such rubbish removed from the site on a weekly basis.

A. *Rubbish Storage Facilities.* The owner of every occupied premises shall supply approved covered containers for rubbish, and the owner of premises shall be responsible for the weekly removal of rubbish.

B. *Building/Construction Materials.* Building and construction materials shall not be stored on the exterior property of the premises as to constitute a hazardous condition. Building and construction materials resulting from the demolition of a structure or damage to a structure due to fire, wind or other causes shall be removed from the premises or otherwise secured within 30 days of the demolition or damage.

C. *Disposal of Garbage.* Every occupant of a structure shall dispose of garbage in a clean and sanitary manner by placing such garbage in an approved garbage disposal facility or approved garbage containers.

(1) *Garbage Facilities.* The owner of every dwelling shall supply the following: a leakproof, covered garbage container.

(2) *Containers.* The operator of every establishment producing garbage shall provide, and at all times cause to be utilized, leakproof containers provided with close fitting covers for the storage of such materials until removed from the premises for disposal.

(Ord. 2002-326, 2/7/2002, §304)

