

West Lebanon Township  
Ordinance No. 538

**AN ORDINANCE OF THE TOWNSHIP OF WEST LEBANON AMENDING PART 2 OF THE INTERNATIONAL PROPERTY MAINTENANCE CODE IN ORDER TO PROVIDE FOR A NEW PENALTY SECTION LOCATED AT SECTION 5-202(D) OF THE WEST LEBANON TOWNSHIP CODIFIED ORDINANCE AND AMENDING CHAPTER 10 SECTION 10-302 IN ORDER TO DELETE CERTAIN SECTIONS WHICH DEFINE NUISANCES UNDER THE HEALTH AND SAFETY PROVISIONS OF THE WEST LEBANON TOWNSHIP CODIFIED ORDINANCE.**

**WHEREAS**, on or about July 6, 2010, the Township adopted Ordinance No. 464 which regulates and enacts the International Property Maintenance Code.

**WHEREAS**, on or about September 4, 2018, the Township adopted Ordinance No. 510 which amended Ordinance No. 464.

**WHEREAS**, on or about June 7, 2004, the Township adopted Ordinance No. 414 Section 2 as amended by Ordinance No. 429 on October 3, 2005 as well as by Ordinance No. 454 on September 2, 2008 and by Ordinance No. 459 on November 2, 2009.

**WHEREAS**, the penalty provision of the International Property Maintenance Code is located in the Township's Codified Ordinance in Chapter 5, Part 2, Section 5-202(D).

**WHEREAS**, the Township Commissioners have determined that it is in the best interest of the Township to amend Section 5-202(D).

**WHEREAS**, Ordinance No. 414 as amended is codified in the West Lebanon Township Codified Ordinance at Section 10-302.

**WHEREAS**, the Township Commissioners have determined to amend Section 10-302 by deleting certain subsections which define certain nuisances.

**AND NOW**, on the 1st day of April, 2024, the Township's Codified Ordinance is amended as follows:

1. Chapter 5, Part 2, Section 5-202 is hereby amended by the deletion of the current language contained at Section 5-202(1)(D). Section 5-202(1)(D) is amended by the addition of the following language:

“Section 106.4 shall be amended to indicate that: any person, firm, corporation organization, equitable interest, or other entity who shall be in violation of any provision of this part upon conviction thereof, will be sentenced to pay a fine of not less than \$200.00

and not to exceed \$1,000.00 and/or to undergo imprisonment for a term not exceeding 90 days. Each day that a violation continues beyond the date fixed for compliance shall constitute a separate offense. In any enforcement action brought under this section, the guilty party shall in addition to any fines pay the costs of prosecution, including any reasonable attorney's fees incurred by the Township of West Lebanon."

2. Chapter 10, Part 3, Section 10-302(1) is hereby amended by the deletion of the following subsections:

The following subsections are hereby deleted: A, B, C, D, F, H, I, K, M.

The following sections of 10-302(1) shall remain in full force and effect: E, G, J, L, N, O, P, Q, R.

3. Except as explicitly stated herein, all of the ordinances amended hereby shall remain in full force and effect except as specifically amended by this Ordinance.

4. If any chapter, part, section, subsection, provision or other part of this Ordinance is for any reason found to illegal and/or unenforceable by a competent court of jurisdiction, the remaining provisions of this Ordinance including any chapters, parts, sections, subsections, or parts or provisions thereof which have not been found to be unenforceable by a court of competent jurisdiction shall remain in full force and effect.

5. This Ordinance shall become effective as permitted by law.

**ENACTED AND ORDAINED**, this 1<sup>st</sup> day of April 2024, by the Board of Commissioners of the Township of West Lebanon, in lawful session duly assembled.

WEST LEBANON BOARD OF  
COMMISSIONERS  
Lebanon County, Pennsylvania

ATTEST:

  
Secretary

  
President