

BOROUGH OF HOMESTEAD
ALLEGHENY COUNTY, PENNSYLVANIA
ORDINANCE NO. 4-2025

AN ORDINANCE OF THE BOROUGH OF HOMESTEAD, ALLEGHENY COUNTY, PENNSYLVANIA, AMENDING THE PROPERTY MAINTENANCE REGULATIONS SET FORTH IN CHAPTER 5 OF THE BOROUGH OF HOMESTEAD CODE OF ORDINANCES TO ADOPT THE 2021 INTERNATIONAL PROPERTY MAINTENANCE CODE ("IPMC") AS THE PROPERTY MAINTENANCE CODE OF THE BOROUGH OF HOMESTEAD

WHEREAS, the International Property Maintenance Code ("IPMC") provides comprehensive regulations and standards to help insure that properties, buildings and structures in the Borough are maintained in a safe, sanitary and fit for occupation and/or use; and

WHEREAS, in or about 2004, the Borough of Homestead adopted the IPMC, with certain revisions, as its official Property Maintenance Code; and

WHEREAS, the International Code Council ("ICC") published the 2021 IPMC.

WHEREAS, the Borough of Homestead wishes to have the 2021 IPMC as its adopted Property Maintenance Code.

NOW THEREFORE, BE IT ORDAINED AND ENACTED by the Borough of Homestead, Allegheny County, Pennsylvania, and it is hereby ordained and enacted by and with the authority of the same as follows:

SECTION 1. Chapter 5 of the Borough of Homestead Code of Ordinances is hereby amended to provide as follows:

§ 5-201. Adoption of standards.

That a certain document, a copy of which is on file in the office of the Building Code Official of Homestead Borough, being marked and designated as the "International Property Maintenance Code, 2021 edition," as published by the International Code Council, be and is hereby adopted as the Property Maintenance Code of the Borough of Homestead, in the State 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 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 Borough of Homestead are hereby referred to, adopted and made a part hereof, as if fully set out in this chapter, with the additions, insertions, deletions and changes, if any, prescribed in § 5-202 of this chapter.

§ 5-202. Additions, insertions, deletions and changes.

The following sections of the Property Maintenance Code adopted in this Chapter are hereby revised as follows:

- A. Section 101.1. Insert: The Borough of Homestead into [Name of Jurisdiction].
- B. Section 102.3. Delete: *International Zoning Code* and replace with Homestead Borough Zoning Ordinance.
- C. Section 103.1. Insert: Code Enforcement Department into [Insert name of department].
- D. Section [A] 109.4: Delete the section and replace with: Any person who shall violate a provision of this code as adopted by this Chapter, or fails to comply therewith, or with any of the requirements thereof, shall, upon conviction by a Judge of the Court of Common Pleas of Allegheny County or a Magisterial District Judge (hereinafter collectively referred to as Judge), be liable to pay a penalty of no less than \$100.00 per violation and no more than \$1,000.00 per violation with the actual amount of the penalty within this range in a particular case to be determined at the discretion of the Judge before whom the violation action is brought. The Judge is additionally authorized to sentence a violator to up to 30 days in prison for each violation at his or her discretion. Each day that a violation continues after due notice has been served shall be deemed a separate offense. The Borough of Homestead shall also be entitled to an award of attorney fees and costs of prosecution incurred in connection with the violation action. The imposition of the penalties herein prescribed shall not preclude the Borough from instituting appropriate action to restrain, enjoin, correct or abate a violation, or to prevent illegal occupancy of a building, structure or premises, or to stop any illegal or unsafe conduct or activity involving the utilization of a building, structure or premises.
- E. Add Section 113.5. Permit for Demolition. The applicant for a permit to demolish or remove any building, structure, part thereof or appurtenance thereto shall satisfy the code official that such demolition or removal shall be done in a manner as to prevent any hazard to adjoining properties or to any persons using any public thoroughfare abutting upon the property on which the building or structure is situated. The code official shall have the authority to require that any barricade or other safeguard deemed necessary be erected and maintained in a safe condition during the progress of the work. If, after demolition of a building or structure or part thereof, any depression on the lot may be deemed to constitute a hazard to life or limb, the code official shall have the authority to require such depression to be filled or otherwise made safe or barricaded in such a manner as to eliminate such hazard. If, after the issuance of a permit to demolish or remove a building, structure, part thereof or appurtenance thereto, it is found that the work or demolition or removal is not being performed in a safe manner, the code official shall have authority to revoke such

permit. Any work of demolition or removal performed after such revocation shall be a violation of this code and subject to the penalties of Section 109.4.

- F. Add Section 113.6. Notification. As a condition for the issuance of a demolition permit, the owner or the owner's agent shall give written notice to the owners of adjoining properties and to the owners of any property whose utility services must be temporarily shut, removed or affected because of the proposed demolition work.
- G. Add Section 113.7. Service Connections. Before a structure is demolished or removed, the owner or agent shall notify all utilities having service connections within the structure such as water, electricity, gas, sewer and other connections. A permit to demolish or remove a structure shall not be issued until a release is obtained from the utilities, stating that their respective service connections and appurtenant equipment, such as meters and regulators, have been removed or sealed and plugged in a safe manner.
- H. Add Section 113.8. Lot Regulations. Whenever a structure is demolished or removed, the premises shall be maintained free from all unsafe or hazardous conditions by the proper regulation of the lot, restoration of established grades and the erection of the necessary retaining walls and fences in accordance with the provisions of Chapter 33 of the 2021 International Building Code or current code as adopted by the Pennsylvania Uniform Construction Code.
- I. Section 201.3. Insert; as amended by the Allegheny County Department of Health, Article XV, Plumbing Code after the words *International Plumbing Code*. Delete: *International Zoning Code* and replace with Homestead Borough Zoning Ordinance.
- J. Section 202, General Definitions, Rubbish. Insert: scrap, building materials or supplies after the word rubble.
- K. Section 302.4. Insert; twelve (12) inches [Jurisdiction to insert height in inches]; Insert at the end of second paragraph: Failure to pay such invoice within thirty (30) days after receipt by the owner or agent responsible for the property will cause a lien to be filed for the total of all costs incurred by the Borough of Homestead associated with the cutting, destruction and removal of weeds.
- L. Section 302.8. Replace the word motor vehicle on line two, paragraph one with: or not currently inspected motor vehicle, trailer or other equipment.
- M. Add Section 304.1.2. Required Inspections. All buildings or structures shall be inspected by a licensed professional engineer or registered architect to determine structural soundness of the items covered in Sections 302.7, 304.4, 304.5, 304.6, 304.7, 304.8, 304.9, 304.10, 304.11, 305.1.1, 305.2 and 306.1.1 when required by

the code official. These reports shall bear the signature and raised seal of the Commonwealth of Pennsylvania design professional submitting the report.

- N. Section 304.7. Add to end of paragraph: The discharge shall be done in a manner that promotes evapotranspiration and infiltration at the site. Where possible, discharge shall be directed to rain gardens (bio retention systems), bioswales, rain barrels and/or infiltration sumps. If the discharge is from an existing roof leader, sheet flow discharge to large lawn areas, the natural waterway or to hill sides not having substantial neighboring development, may be appropriate with the approval of the code official or borough engineer.

- O. Section 304.14. Insert: April 1 into first [Date], October 1 into second [Date]

- P. Section 308.2. Insert: or owner; after the word *occupant*.

- Q. Section 308.3. Insert: owner; after the word *occupant*.

- R. Section 502.5. Insert: amended by the Allegheny County Department of Health, Article XV, Plumbing Code after *International Plumbing Code*.

- S. Section 505.1. Insert: amended by the Allegheny County Department of Health, Article XV, Plumbing Code after *International Plumbing Code*.

- T. Section 507.1. Add to end of paragraph: The discharge shall be done in a manner that promotes evapotranspiration and infiltration at the site. Where possible, discharge shall be directed to rain gardens (bio retention systems), bioswales, rain barrels and/or infiltration sumps. If the discharge is from an existing roof leader, sheet flow discharge to large lawn areas, the natural waterway or to hill sides not having substantial neighboring development, may be appropriate with the approval of the code official or borough engineer.

- U. Section 602.2. Delete: based on the winter outdoor design temperature by the locality indicated in Appendix D of the *International Plumbing Code*; replace with, in accordance with the Allegheny County Health Department, Article VI, Houses and Community Environment, Section 631.

- V. Section 602.3. Insert: October 1 into first [Date], May 1 into second [Date]

- W. Section 602.4. Insert: October 1 into first [Date], May 1 into second [Date]

- X. Chapter 8: Referenced Standards, ICC. Insert: amended by the Allegheny County Department of Health, Article XV, Plumbing Code after International Plumbing Code ®; Replace: Replace: International Zoning Code ® with Homestead Borough Zoning Ordinance.

Y. Appendix A: Boarding Standard. Adopted in its entirety.

Z. Appendix B: Adopted in its entirety.

AA. Section B101.3: Replace: Each member shall serve for [INSERT NUMBER OF YEARS] years or until a successor has been appointed. The board member's terms shall be staggered at intervals, so as to provide continuity. With: There are no term limits for the members of the Board.

§ 5-203. Repealer.

Ordinance No. 2017-01 of Homestead Borough entitled Chapter 199, Property Maintenance Code, and all other ordinances or parts of ordinances in conflict herewith are hereby repealed.

§ 5-204 Validity.

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 remaining portions of this ordinance. The Borough of Homestead hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

§ 5-205 Effect on Pending Suits and Proceedings.

That nothing in this ordinance or in the Property Maintenance Code 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 causes of action acquired or existing, under any act or ordinance hereby repealed as cited in this ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance.

SECTION 2 The Ordinance shall be effective July 13, 2025 or as soon thereafter as the applicable laws of the Commonwealth of Pennsylvania allow.

ORDAINED AND ENACTED by the Council of the Borough of Homestead, County of Allegheny and Commonwealth of Pennsylvania, this _____ day of _____, 2025.

Borough of Homestead



President, Borough Council

ATTEST



Borough Secretary

Examined and approved by me this _____ day of _____, 2025

Mayor