

**INTERNATIONAL PROPERTY MAINTENANCE CODE**  
**ORDINANCE NO. 2022-03**

An Ordinance of Swatara Township adopting the 2021 edition of the *International Property Maintenance Code*, 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 in the Township of Swatara; providing for the issuance of permits and collection of fees therefor; repealing **ORDINANCE** No. 2016-03 and Chapter 165 of the Code of Ordinances of Swatara Township and all other ordinances or parts of laws in conflict therewith and repealing and/or amending inconsistent portions of Chapter 128, as necessary.

The Board of Commissioners of the Swatara Township does ordain as follows:

**Section 1.** That a certain document, three (3) copies of which are on file in the office of Code Enforcement of Swatara Township, 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 Township of Swatara, 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 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 Code Enforcement, Swatara Township are hereby referred to, adopted, and made a part hereof, as if fully set out in this legislation, with the additions, insertions, deletions and changes, if any, prescribed in Section 2 of this ordinance.

**Section 2.** The following sections are hereby revised:

Section 101.1. Insert: "Swatara Township, Dauphin County"

Section 103.1. Insert: "Swatara Township Office of Code Enforcement"

Section 104.2. Amend to read: "The Township Board of Commissioners may establish a refund policy."

Section 109.4. Amend to read "Violators shall be liable for a fine of not more than \$1,000 per offense. Each day that a violation continues after due notice has been served shall be deemed a separate offense."

Section 110.4. Amend to read: "Violators shall be liable for a fine of not more than \$1,000."

Section 202. Amend the definition of "Code Official" to read: "The official who is charged with the administration and enforcement of this code, or any duly authorized representative. Also includes the term 'Code Enforcement Officer' or 'Building Official' and any duly authorized representative."

Section 302.1. Add to the end: "Accumulation of trash, junk, debris, building materials, newspapers, circulars, flyers, notices (except those required by federal, state, or local law),

abandoned vehicles, portable storage containers, discarded personal items, furniture, clothing, large and small appliances is prohibited.”

Section 302.4. Insert: “six (6) inches”

Section 302.4. Add to the end: “Noxious weeds shall be prohibited. Noxious weeds shall be defined as those plants that may give off a noxious odor and weeds listed as noxious by the Pennsylvania Department of Agriculture, as well as bamboo, poison ivy, poison oak, and poison sumac. Weeds shall be defined as all grasses, annual plants and vegetation, other than trees or shrubs provided; however, this term does not include cultivated flowers and gardens, but does include overgrown brush, ground covers, bushes, shrubs, hedges or similar plantings. Dead vegetation and all trimmings shall be removed.

No vegetation, bushes or plants shall overhang, extend or grow from one property across the boundary line to another property without the written consent of the owner of the property onto which the vegetation extends, except for branches of trees more than 14 feet in height above the ground.”

Section 304.14. Insert: “April 1” and “November 1”

Section 602.3. Insert: “October 15” and “May 15”

Section 602.4. Insert: “October 15” and “May 15”

**Section 3.** That **ORDINANCE** No 2016-03 of Swatara Township entitled International Property Maintenance Code 2015 and all other ordinances or parts of laws in conflict herewith are hereby repealed.

**Section 4.** That Chapter 165 (Grass, Weeds and Other Vegetation) and all ordinances a part thereof, are hereby repealed.

**Section 5.** The following sections of Chapter 128 (Code Enforcement) and all ordinances a part thereof, are hereby repealed:

Section 128-4.I. Required inspections. Section 128-4.J. shall be renumbered to be 128-4.I.

Section 128-5.A. Delete Sections 128-5.A(1) and (3) and renumber the remaining subsections in 128-5.A. accordingly.

Section 128-5.G. Amend the first sentence to read: “Plans and specifications. The application for the permit shall be accompanied by two (2) copies of specifications and of plans, drawn to scale, with sufficient clarity and detail dimension to show the nature and character of the work to be performed.”

Sections 128-7., 128-8., 128-9., 128-10., 128-11. and 128-12., and all other ordinances or parts of laws in conflict herewith are hereby repealed.

Section 128-14.A. shall be replaced with the following: “Board of Appeals. There is hereby created a Board of Appeals, consistent with International Property Maintenance Code of 2021, Section 107.”

Section 128-14.A.(1) shall be replaced with the following: "Quorum. A quorum of the Board of Appeals shall exist when any three (3) members of the Board of Appeals are present."

The last sentence of Section 128-14.C.(1) shall be replaced with the following: "An appeal must be taken within twenty (20) days of the mailing date of written notice of any decision or ruling which is being appealed."

**Section 6.** That if any section, subsection, sentence, clause or phrase of this legislation is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The Township of Swatara hereby declares that it would have passed this law, 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.


**Section 7.** That nothing in this legislation 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 Sections 2-5 of this law; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this legislation

**Section 8.** This Ordinance, having been advertised in a newspaper of general circulation in Swatara Township not more than sixty days nor less than seven days prior to passage and a copy of the proposed ordinance having been available for public inspection pursuant to 53 P.S. § 58306-A, shall become effective immediately upon its adoption.

ADOPTED this 6 day of APRIL, 2022.

ATTEST:

  
Secretary

  
Christine Zubeck, President  
Board of Commissioners of  
Swatara Township