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PART 1

UNIFORM CONSTRUCTION CODE

§4-101. Adoption of Uniform Construction Code

- A. Ebensburg Borough 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.
- B. 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 Ebensburg Borough.
- C. Administration and enforcement of the Code within Ebensburg Borough shall be undertaken in any of the following ways as determined by the Borough Council of Ebensburg Borough, from time to time, by resolution.
 - 1. By the designation of an employee of the Borough to serve as the Municipal Code Official to act on behalf of the Borough;
 - 2. By retention of one or more construction code officials or third-party agencies to act on behalf of the Borough;
 - 3. By agreement with one or more other municipalities for the joint administration and enforcement of this Act through an intermunicipal agreement;
 - 4. By entering into a contract with another municipality for the administration and enforcement of this Act on behalf of this Borough;
 - 5. 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.
- D. A Board of Appeals shall be established by resolution of the Borough Council of Ebensburg Borough in conformity with the requirements of the relevant provisions of the Code, as amended from time to time, and for the purpose set forth therein. If at any time enforcement and administration is undertaken jointly with one or more municipalities, said Board of Appeals shall be established by joint action of the participating municipalities.
- E. Repealer
 - 1. All building code ordinances or portions of ordinances which were adopted by Ebensburg Borough 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.
 - 2. All building code ordinances or provisions of the 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.

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3. All relevant ordinances, regulations and policies of Ebensburg Borough not governed by the Code shall remain in full force and effect.
- F. Fees assessable by Ebensburg Borough for the administration and enforcement undertaken pursuant to this Part and the Code shall be established by the Borough Council by resolution from time to time.

(Ord. No. 516, 4/26/2004)

PART 2

INTERNATIONAL PROPERTY MAINTENANCE CODE

§4-201. Adoption of International Property Maintenance Code

A certain document, three (3) copies of which are on file in the office of the Secretary of Ebensburg Borough, being marked and designated as the International Property Maintenance Code, 2003, and all subsequent editions, as published by the International Code Council, be and is hereby adopted as the Property Maintenance Code of the Borough of Ebensburg, 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 Ebensburg are hereby referred to, adopted, and made a part hereof, as if fully set out in this Part, with the additions, insertions, deletions and changes, if any, prescribed in §4-202 of this Part.

(Ord. 517, 4/26/2004, §1)

§4-202. Additions, Revisions and Deletions

The following articles and sections of the International Property Maintenance Code, as adopted, are amended, deleted, or altered as follows:

§101.1. Insert: “Ebensburg.”

§106.3. Delete and replace with:

§106.3(a) Any person, partnership or corporation who or which has violated or permitted the violation of the provisions of this chapter or shall have failed to comply with a notice of violation shall, upon being found liable therefor in a civil enforcement proceeding commenced by the Borough, pay a judgment of not more than \$500 plus all court costs, including reasonable attorneys’ fees incurred by the Borough as a result thereof. No judgment shall commence or be imposed, levied, or payable until the date of the determination of a violation by the District Justice. If the defendant neither pays nor timely appeals the judgment, the Borough may enforce the judgment pursuant to applicable rules of civil procedure. Each day that a violation continues shall constitute a separate violation, unless the District Justice determines that there was a good-faith basis for the defendant to have believed there was no violation, in which event there shall be deemed to have been only one such violation until the fifth day following the date of the determination of a violation by the District Justice, and thereafter each day that a violation continues shall constitute a separate violation. All judgments, costs and reasonable attorneys’ fees collected for the violation of this chapter shall be paid over to the Borough of Ebensburg. The Court of Common Pleas, upon petition, may grant an order of stay, upon cause shown, tolling the per-diem fine pending a final adjudication of the violation and judgment.

§106.3(b) District Justices shall have the initial jurisdiction over proceedings brought under this section.

§106.3(c) Nothing contained in this section shall be construed or interpreted to grant any persons or entity other than the Borough or its agents the right to commence any action for enforcement pursuant to this section.

§304.14. Insert: “April 1 through October 1.”

§602.3. Insert: “October 1 through June 1.”

§602.4. Insert: “October 1 through June 1.”

(Ord. No. 517, 4/26/2004; as amended by Ord. 560, 10/27/2008)

PART 3

NUMBERING OF BUILDINGS

§4-301. Adoption of House Numbering System

The plan and system for the numbering of houses and buildings prepared by the Cambria County Department of Emergency Services is hereby approved and adopted.

§4-302. Responsibility for Numbering Buildings

On and after the passage of this Ordinance, it shall be the duty of each and every owner, trustee, lessee, agent and occupant of each and every house, building or other structure in the Borough to cause the same to be numbered in accordance with this Ordinance and the system and plan hereby adopted and approved.

§4-303. Requirements for Numbers

The numbers shall be placed in a conspicuous place on every house, building or other structure in a conspicuous manner so that said numbers can be readily seen and read from the sidewalk in front of said building, and in full view from the opposite side of the street. The numbers shall be Arabic numbers and at least three inches in height. If the numbers are of enamel, the colors shall be in contrast with the immediate background.

It shall be unlawful to cover any house number with any sign, drapery or other obstruction tending to conceal such number, and all old numbers shall be removed from any house, building or other structure when a new number has been assigned, and when so notified by the Secretary of Council at the direction of the Borough Engineer.

The Borough Manager is hereby authorized to enforce the provisions of this Ordinance, and is hereby authorized to require the numbering and renumbering of any house, building or other structure in accordance with this Ordinance.

§4-304. Numbering System

Center Street shall be the dividing line between east and west, and High Street shall be the dividing line between north and south. The initial point in numbering houses on streets extending north and south shall be at High Street, and the initial point in numbering houses on streets extending east and west shall be Center Street. North of High Street the numbers shall commence at 100 and extend northward consecutively, and south of High Street the numbers shall commence at 100 and shall extend southward consecutively. West of Center Street the numbers shall commence at 100 and extend westward consecutively, and east of Center Street the numbers shall commence at 100 and extend eastward consecutively. All even numbers shall be on the south and east side of the streets, and all odd numbers shall be on the north and west side of the streets. The houses on short or intermittent streets shall be numbered uniformly with the main streets paralleling the short or intermediate streets, whether or not the short or intermediate streets begin at the initial point.

§4-305. Assignment of Numbers

All house and building numbers within the Borough shall be assigned solely by the Cambria County Department of Emergency Services.

§4-305. Penalties

Any person or persons, firm or corporation, who shall number or attempt to number any house or building contrary to this Ordinance or who shall alter, deface, remove or destroy any number required to be displayed by this Ordinance shall, upon conviction, pay a fine of not more than \$600.00. Any person or persons, firm or corporation who shall fail or neglect to change or erect their house or building number in accordance herewith, within 30 days after notification shall, upon conviction, pay a fine of not more than \$600.00; and provided further that, each day thereafter that such violation exists shall be considered as a separate offense.

(Ord. No. 579, 11/28/2010)

PART 4

LOCAL LAW CITATIONS

§4-401. Applicability

The enforcement provisions prescribed in this Part shall be applicable to the following Ordinances and violations:

<u>Ordinance #</u>	<u>Violation</u>
#326	High grass or weeds prohibited
#380	Dogs defecating on public property
#494	Outdoor burning restricted
#507	Animals prohibited in parks
#511	Storage of nuisance vehicles
#511	Storage of nuisance materials
#513	Sidewalks to be kept clear of snow and ice
#513	Vehicles prohibited on sidewalk
#513	Depositing snow on street or sidewalk prohibited
#513	Depositing grass clippings on street or sidewalk
#559	Obstruction of sidewalk prohibited

§4-402. Authorization

In addition to the penalties enumerated in the above Ordinances, the issuance of a Local Law Citation to be issued by the Ebensburg Borough Police Department is hereby authorized, at the discretion of the Ebensburg Borough Police Department.

§4-403. Penalties

The Local Law Citation for violation of the above Ordinances is thirty-five (\$35) dollars, payable to the Borough of Ebensburg. If the fine is not paid within seven (7) days of issuance, the Defendant is then subject to the penalty provisions as contained in the applicable Ordinance. Each day that a violation exists shall constitute a separate offense.

§4-404. Appeals

Any person aggrieved by the issuance of a Local Law Citation has a right to appeal, within seven (7) days, by requesting the Ebensburg Borough Police Department to file a civil complaint under the provisions of the underlying Ordinance, in place of the Local Law Citation, thereby affording oneself the opportunity for a hearing.

§4-405. Non-Repealer

The Ordinances listed above, and the penalty provisions in said Ordinances, remain in full force and are not amended in any fashion or repealed to any extent by this Ordinance.