

**OFFICIAL
BOROUGH OF BADEN
ORDINANCE NO. 977**

WHEREAS, pursuant to the Borough Code of the Commonwealth of Pennsylvania, including but not limited to Sections 1202(4), 1202(5), 1202(6), 1202(10), 1202(11), and 1202(24), the Borough of Baden is authorized to regulate the conditions and maintenance of all property, buildings, and structures within the Borough; *and*

WHEREAS, Chapter 141 (Property Maintenance) of the Borough Code addresses property maintenance within the Borough of Baden; *and*

WHEREAS, the Borough Council wishes to amend Chapter 141 (Property Maintenance) of the Baden Code to adopt the 2018 edition of the International Property Maintenance Code as the property maintenance code of the Borough of Baden.

NOW THEREFORE, IT IS HEREBY ORDAINED AND ENACTED, by the authority of the Borough Council of the Borough of Baden, Beaver County, Pennsylvania, that the Baden Code, Part II (General Legislation), Chapter 141 (Property Maintenance) is hereby amended in accordance with this Ordinance.

**ORDINANCE FOR ADOPTION OF THE INTERNATIONAL PROPERTY
MAINTENANCE CODE**

An ordinance of the Borough of Baden adopting the 2018 edition (and/or the tri-annual code editions) 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 structure unfit for human occupancy and use, and the demolition of such existing structures in the Borough of Baden; providing for the issuance of permits and collection of fees therefore; repealing all other ordinances and parts of ordinances in conflict herewith.

The Council of the Borough of Baden does ordain as follows:

Section 1. That a certain document, three (3) copies of which are on file in the office of the Secretary of the Borough of Baden, being marked and designated as the International Property Maintenance Code, 2018 edition, as published by the International Code Council, be and is hereby adopted as the Property Maintenance Code of the Borough of Baden, 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; provided for the issuance of permits and collection of fees therefore; 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 Baden are hereby referred to, adopted, and made party hereof, as if fully set out in this ordinance, 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 (Borough of Baden)

Section 103.5 (Fees as determined by Borough Council by Resolution from time to time.)

Section 112.4 (...fine of not less than \$300 dollars or more than \$1,000 dollars plus costs of prosecution. Each day the violation continues to persist shall be considered a separate violation.)

Section 302.4 (six (6'') inches)

Section 304.14 (May 1st to October 1st)

Section 602.3 (September 1st to June 1st)

Section 602.4 (September 1st to June 1st)

Section 3. Any ordinances of the Borough of Baden in effect at the present time that are in conflict herewith or parts of ordinances in conflict herewith are hereby repealed.

Section 4. That 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 the remaining portions of this ordinance. The Baden Borough Council 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 or phrases be declared unconstitutional.

Section 5. 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 Section 3 of this ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance.

Section 6. That the Manager of the Borough of Baden is hereby ordered and directed to cause this ordinance to be published.

Section 7. That this ordinance and the rules, regulations, provisions, requirements, orders and matters established and adopted hereby shall take effect and be in full force and effect 1 day from and after the date of its final passage and adoption.

ORDAINED and ENACTED by the Council of Baden Borough, Beaver County, Pennsylvania,
this 17th day of August, 2022.

ATTEST

By: _____

Elaine Rakovan, Manager

BADEN BOROUGH COUNCIL

By: _____

Dave Trzcianka, President