

ORDINANCE NO. 2506
TOWNSHIP OF ROSS
ALLEGHENY COUNTY, PENNSYLVANIA

AN ORDINANCE OF THE TOWNSHIP OF ROSS, COUNTY OF ALLEGHENY, COMMONWEALTH OF PENNSYLVANIA, AMENDING CHAPTER 5, CODE ENFORCEMENT, OF THE TOWNSHIP CODE OF ORDINANCES BY ADDING A NEW PART 3, MONETARY PENALTY IN LIEU OF SUMMARY CITATION, AUTHORIZING THE CODE OFFICIAL TO ISSUE PRELIMINARY NOTICES OF VIOLATION AND PROVIDING FOR PAYMENT OF A MONETARY PENALTY IN LIEU OF ISSUANCE OF A SUMMARY CITATION UPON VIOLATION OF THE ORDINANCE

WHEREAS, the Code Official of Ross Township (“Township”) is responsible for the enforcement of the Property Maintenance Code of the Township of Ross (“Property Maintenance Code”); and

WHEREAS, it is in the best interest of the citizens of the Township for the Code Official to achieve compliance with the Property Maintenance Code and not simply to always prosecute violations through summary citations; and

WHEREAS, the goal of compliance with the Property Maintenance Code will be advanced by providing the Code Official with an alternate preliminary means of achieving compliance, comparable to the means of collecting monetary penalties for violations in lieu of summary proceedings.

NOW, THEREFORE, it is ORDAINED and ENACTED by the Board of Commissioners of the Township of Ross, Allegheny County, as follows:

Section 1. Chapter 5, Code Enforcement, of the Township Code of Ordinances is amended by adding a new Part 3, Monetary Penalty in Lieu of Summary Citation, to read as follows:

Part 3. Monetary Penalty in Lieu of Summary Citation

§ 5-301. Purpose.

It is in the best interests of the citizens of Ross Township for the Code Official to achieve compliance with the Property Maintenance Code of the Township and not simply always to prosecute violations through summary citations. This Part prescribes an alternate and additional means of proceeding against persons in violation of the Township Property Maintenance Code, as adopted in Part 2 of this Chapter, and any amendments thereto.

§ 5-302. Preliminary Notice of Violation; Penalty.

1. The Code Official may, in his or her sole discretion, issue a preliminary notice of violation, in the form of a ticket, and assess a financial penalty directly against a person violating the Township Property Maintenance Code, as adopted in Part 2 of this Chapter, and any amendments thereto, in lieu of proceeding against such person in a summary proceeding before a Magisterial District Judge. Such issuance of a preliminary notice of violation and assessment of a financial penalty by the Code Official as described herein shall be preliminary and not in lieu or in limitation of any other enforcement remedy or procedure available to the Township under applicable ordinances or applicable law.
2. If the Code Official elects to proceed in the manner provided for in Paragraph 1 above, the Code Official shall deliver to the offender a written notice of violation in the form of a ticket. The notice of violation shall set forth the following information:
 - A. The Code Official's name, address and telephone number;
 - B. The specific Section of the Township Property Maintenance Code being violated;
 - C. A concise statement of the nature of the violation and a deadline for corrective action; and
 - D. The monetary penalty of twenty-five dollars (\$25.00) if paid within ten (10) calendar days of delivery of the preliminary notice of violation.
3. The monetary penalty set forth in Paragraph 2 above may be changed from time to time by Resolution of the Board of Commissioners adopted at a public meeting.
4. The Township shall provide the Code Official with acceptable written notices of violation in order to proceed under this Ordinance.
5. The original notice of violation shall be delivered to the person in violation by mail or by personal service and copies of all notices of violation shall be retained by the Code Official.

§ 5-303. Abatement of Violation; Enforcement

1. In all cases, if the offender timely pays the monetary penalty and acts to bring the property into compliance within the prescribed time period, then the Code Official shall not initiate summary proceedings for that violation.
2. If the violation is of a continuing nature and continues beyond the prescribed time period, the Code Official may:

- A. Issue additional preliminary notices of violation in the form of tickets and assess additional financial penalties as provided herein for as long as the violation continues;
- B. Issue a notice of violation under Section 107 of the Property Maintenance Code of the Township; or
- C. Initiate summary proceedings for continuing violation.

Section 2. This Ordinance shall be effective immediately upon adoption. Any section of any ordinance which conflicts with this Ordinance is hereby repealed.

ORDAINED AND ENACTED BY THE BOARD OF COMMISSIONERS OF ROSS TOWNSHIP AT A PUBLIC MEETING HELD THIS 20TH DAY OF NOVEMBER, 2023.

ATTEST:

TOWNSHIP OF ROSS:

Ronald L. Borczyk
Township Manager/Secretary

By: _____
Daniel L. DeMarco, President
Board of Commissioners