

**ORDINANCE NO. 2017-476**

**TOWNSHIP OF CRANBERRY  
BUTLER COUNTY, PENNSYLVANIA**

**AN ORDINANCE OF CRANBERRY TOWNSHIP, A SECOND CLASS TOWNSHIP OF THE COUNTY OF BUTLER, COMMONWEALTH OF PENNSYLVANIA FOR THE PURPOSE OF DELETING THE EXISTING CHAPTER 5, PART 2, "PROPERTY CODE" TO THE TOWNSHIP OF CRANBERRY CODE OF ORDINANCES IN ITS ENTIRETY AND ADOPTING THE 2015 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 WITHIN CRANBERRY TOWNSHIP; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES THEREFORE; REPEALING ORDINANCE NO. 2006-365; PROVIDING FOR SEVERABILITY AND REPEAL OF CONFLICTING PROVISIONS; AND, PROVIDING FOR THE EFFECTIVE DATE THEREOF.**

**WHEREAS**, the Property Code of Cranberry Township as enacted by Ordinance 2006-365, is hereby deleted from the Township of Cranberry Code of Ordinances; and

**WHEREAS**, the Board of Supervisors finds it in the best interest of the Township to implement a property maintenance code, with some modification, consistent with the Cranberry Plan, and Zoning and Subdivision ordinances; and

**WHEREAS**, it is the intention of the Board of Supervisors of Cranberry Township by this ordinance to cause the Property Maintenance Code, as more fully set forth in Exhibit A hereto, to be included in the Township of Cranberry Code of Ordinances, with the identified additions, changes and deletions noted in this ordinance.

**NOW, THEREFORE, BE IT ORDAINED AND ENACTED** by the Board of Supervisors of the Township of Cranberry, Butler County, Pennsylvania that Chapter 5 – Code Enforcement, Part 2, is amended as follows:

**SECTION 1.** The above recitals are incorporated herein by reference.

**SECTION 2.** Chapter 5, Part 2 of the Cranberry Township Codified Ordinances titled "Property Code" is hereby deleted in its entirety, and replaced with a new Part 2 entitled "Part 2 – Property Maintenance Code."

**SECTION 3.** Subsection A, "Administration" is amended as follows:

## Part 2

### Property Maintenance Code

#### A. Administration

##### §5-201 General.

1. Title. This Part shall be known as the "Property Maintenance Code."

2. Adoption by Reference – The 2015 International Property Maintenance Code is adopted as if fully set forth herein, subject to the listed additions, deletions, insertions, and changes set forth in this Part. When reading this Chapter and Part of the code of ordinances, you must refer to the 2015 Property Maintenance Code as well as this Part to fully understand the Township's Property Maintenance Code as it regulates and governs 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.

3. Access and Availability of the 2015 International Property Maintenance Code can be found in the administration offices of the Municipal Center at 2525 Rochester Road, Cranberry Township, PA 16066 and <https://codes.iccsafe.org/public/document/toc/551/>.

**SECTION 4.** Subsection B, adopting certain additions, deletions and changes to the 2015 International Property Maintenance Code is as follows:

#### B. Addition, Deletions, and Changes to the 2015 International Property Maintenance Code

##### 5-301. General.

1. Title. Section 101.1 of the International Property Maintenance Code is hereby revised with the following:
  - a. These regulations shall be known as the International Property Maintenance Code of Cranberry Township, hereinafter referred to as "the code".
2. Fees. Section 103.5 of the International Property Maintenance Code is hereby revised with the following:

a. Fees are established by Resolution of the Board of Supervisors, from time to time, as deemed appropriate by Cranberry Township.

3. Violations. Section 106.4 of the International Property Maintenance Code is hereby revised with the following:

a. Violation Penalties: Any person who shall violate a provision of this code, or fail to comply therewith, or with any of the requirements thereof shall be prosecuted within the limits provided by State or local laws. Each day that a violation continues after due notice has been served shall be deemed a separate offense. Any person, firm, corporation or entity who violates, causes or permits the violation of any provision of this code or shall fail to comply with any of the requirements thereof or who shall fail to maintain premises, structures or equipment in accordance with these provisions, upon conviction thereof in an action brought before a district judge in the manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure, shall be sentenced to pay a fine of not more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 90 days. Each day that a violation of this part shall continue or each section of this part which shall be found to have been violated shall constitute a separate offense. The initial determination of code violation and the service of notice of violation are hereby delegated to the Township Manager or the designee.

4. Fines. Section 112.4 of the International Property Maintenance Code is hereby revised with the following:

a. Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable to a fine of not more than \$1,000.00 dollars.

#### 5-302 Sidewalks and Trails.

1. Section 302.3 of the International Property Maintenance Code is hereby deleted in its entirety and replaced with the following:

a. 302.3.1 Intent.

(1) 302.3.1.1 The following regulations are intended to apply to certain sidewalks and trails within the Township in an effort to ensure that sidewalks and trails are safe and accessible, and to maintain amenities for the general public.

b. 302.3.2 Sidewalk and Trail Maintenance Responsibility.

- (1) 302.3.2.1 Property owners who have sidewalks and/or trails on their property or abutting their property shall be responsible for the care, maintenance, and replacement of sidewalks and/or trails in accordance with these provisions. Sidewalk and/or trail maintenance responsibility may be assigned to an association set up for maintenance of common elements in a plan (i.e., homeowners' or property owners' association) if approved by the Township. Maintenance by an association must be agreed upon at the time of plan approval and included as a requirement in the association documents, covenants, and restrictions.

c. 302.3.3 Sidewalk and Trail Deficiencies. Sidewalks or trails with any of the following conditions shall be deemed unsafe and in need of repair:

- (1) 302.3.3.1 Sidewalk or trail having crack or joints in hard surfaces with a deviation or difference in elevation of more than two inches.
- (2) 302.3.3.2 Sidewalk or trail having a crack or joint in hard surfaces with an opening width of more than two inches.
- (3) 302.3.3.3 Sidewalk having five or more cracks in one section.
- (4) 302.3.3.4 Sidewalk that has severe pitting or scaling of more than 2 inches in depth.
- (5) 302.3.3.5 Sidewalks or trail that have grates, covers or the like within the slab that have vertical elevation difference of more than 2 inches.
- (6) 302.3.3.6 Sidewalk or trail that traps water or does not provide adequate surface drainage.
- (7) 302.3.3.7 Sidewalk that is broken or missing.
- (8) 302.3.3.8 Trail that is rutted or eroded.
- (9) 302.3.3.9 Trail that has weeds growing through it.
- (10) 302.3.3.10 Trail that has lost its original surface materials through every day use.

d. 302.3.4 Notice to Repair Sidewalk and Trails

- (1) 302.3.4.1 Upon determination by the Township that sidewalks and/or trails are in need of repair, the Township Manager or his designee shall serve written notice(s) upon the owners of the aforementioned properties that repair shall be made within 30 days of notification. The thirty-day time period may be extended due to extenuating circumstances. In the event of an emergency which creates an immediate hazard on a sidewalk and/or trail, upon receipt of notification by the Township, the responsible party shall take immediate action to remediate the hazard. Sidewalks and/or trails shall be repaired in accordance with Township construction specifications.

e. 302.3.5 Township May Do Work Upon Default of Property Owner.

- (1) 302.3.5.1 Failure of any property owner or association to perform any repair work required, after receiving notice by the Township, within the time specified, may result in the Township performing such work and collecting any related costs from the property owner or association.

f. 302.3.6 Construction Specifications.

- (1) 302.3.6.1. Sidewalks shall be installed, replaced, or repaired in accordance with Township construction specifications contained in Chapter 17, Public and Private Improvements Code, as may be amended.

g. 302.3.7 Work Within Sidewalk Area.

g. 302.3.7 Work Within Sidewalk Area.

- (1) 302.3.7.1 A road occupancy permit from the Township shall be required for work which is to be done in the Township right-of-way.
- (2) 302.3.7.2 Any work not within the Township right-of-way shall still require Township authorization prior to commencement of such work.
- (3) 302.3.7.3 Application for Permit. Road opening permit application, fees, plans, and specifications shall be submitted and approved prior to permit issuance.
- (4) 302.3.7.4 Fees. Refer to the Cranberry Township Fee Resolution, as may be amended, for any applicable fees.

(5) 302.3.7.5 Issuance of Permit. A permit shall be issued to the applicant after all the aforementioned requirements have been filed.

(6) 302.3.7.6 Notice of Completion. Upon completion of the work, the applicant shall give written notice thereof to the Township.

h. 302.3.8 Obstruction and/or Destruction of Sidewalk Prohibited.

(1) 302.3.8.1 No person shall obstruct and/or destroy any sidewalk. It shall be the responsibility of the property owner or assigned association to maintain sidewalk areas and keep them free from weeds, hedges, and other similar obstructions.

i. 302.3.9 Snow and Ice Removal from Sidewalk.

(1) 302.3.9.1 Snow and/or ice shall be removed from sidewalks within 48 hours of the end of snowfall and/or an ice event. Snow and/or ice removed from sidewalks shall not be placed within roads, streets, or alleys.

j. 302.3.10 Exterior Property Areas

(1) 302.3.10.1 All sidewalks, walkways, stairs, and similar spaces not along streets shall be maintained and kept in a proper state of repair. This provision shall not apply to single-family residences.

5-303 Weeds.

1. Section 302.4 of the International Property Maintenance Code is hereby deleted in its entirety.

5-304 Junk Vehicles.

1. Section 302.8 of the International Property Maintenance Code is hereby deleted in its entirety and replaced with the following:

(a) Section 302.8 Junk Vehicles.

(1) 302.8.1 A vehicle may be deemed abandoned or junked under this section if the vehicle is not operable and lacks a current inspection or registration sticker. Except as provided for in other regulations, the parking or storage of

abandoned or junked vehicles in exterior property areas, which also pose a threat to the public health, safety and welfare due to conditions including but not limited to the following, are prohibited, unless the same be authorized in conjunction with a business properly operated pursuant to the zoning laws and other laws of the Township:

- (i) 302.8.1.1 Broken windshields, mirrors or other glass with sharp edges.
- (ii) 302.8.1.2 One or more flat or open tires to tubes which could permit a vermin harborage.
- (iii) 302.8.1.3 Missing doors, windows, hood, trunk or other body parts which could permit animal harborage or entry of children.
- (iv) 302.8.1.4 Any body parts with sharp edges including holes resulting from rust.
- (v) 302.8.1.5 Missing tires resulting in unsafe suspension of the motor vehicle.
- (vi) 302.8.1.6 Upholstery which is torn or open which would permit animal and/or vermin harborage.
- (vii) 302.8.1.7 Broken head lamps or tail lamps with sharp edges.
- (viii) 302.8.1.8 Protruding sharp objects from the chassis.
- (ix) 302.8.1.9 Broken vehicle frame suspended from the ground in an unstable manner.
- (x) 302.8.1.10 Leaking or damaged oil pan or gas tank which could cause fire or explosion.
- (xi) 302.8.1.11 Exposed battery containing acid.
- (xii) 302.8.1.12 Inoperable locking mechanism for doors or trunk.
- (xiii) 302.8.1.13 Open or damaged floor boards including trunk and fire wall.
- (xiv) 302.8.1.14 Damaged bumpers pulled away from the perimeter of the vehicle.
- (xv) 302.8.1.15 Broken grill with protruding edges.

(xvi) 302.8.1.16 Vehicle suspended on unstable supports.

5-305 Premises Identification.

a. Section 304.3 of the International Property Maintenance Code is hereby revised by adding the following:

(1) 304.3 Premises identification. Buildings shall have approved address numbers placed in a position to be plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background. Address numbers shall be Arabic numerals or alphabet letters. Numbers shall be not less than 4 inches (102 mm) in height with a minimum stroke width of 0.5 inch (12.7 mm) (Residential) or not less than 6 inches (153 mm) in height with a minimum stroke width of 0.75 inch (19 mm) (Commercial). Address identification numbers shall be provided on all commercial site identification (monument) signs. Address numbers shall be maintained free from deterioration and shall be kept as was provided for in the building codes when the structure was erected.

5-306 Insect Screens.

a. Section 304.14 of the International Property Maintenance Code is hereby revised by amending the following:

(1) 304.14 Insect Screens. During the period from March 31 to October 1, every door, window and other outside opening required for ventilation of habitable rooms, food preparation areas, food service areas or any areas where products to be included or utilized in food for human consumption are processed, manufactured, packaged or stored shall be supplied with approved tightly fitting screens of minimum 16 mesh per inch (16 mesh per 25 mm), and every screen door used for insect control shall have a self-closing device in good working condition.

5-307 Handrails and Guardrails.

a. Section 307 of the International Property Maintenance Code is hereby revised by amending the following:

(1) 307.1 General. Every exterior and interior flight of stairs having four or more risers shall have a handrail on one side of the stair (Residential), both sides of a stair (Commercial) and every open portion of a stair, landing, balcony,



porch, deck, ramp or other walking surface that is more than 30 inches (762 mm) above the floor or grade below shall have *guards*. Handrails shall be not less than 34 inches in height (864 mm) in height or more than 38 inches (1067 mm) in height measured vertically above the nosing of the tread or above the finished floor of the landing or walking surfaces. *Guards* shall be not less than 36 inches (915 mm) (Residential), 42 inches (1067 mm) (Commercial) in height above the floor of the landing, balcony, porch, deck, or ramp or other walking surface.

5-308 Garbage Facilities.

a. Section 308.3.1 of the International Property Maintenance Code is hereby revised by deleting the section in its entirety and adding the following:

- (1) 308.3.1. The owner of every dwelling shall supply an approved leakproof, covered, outside garbage container.

5-309 Fences and Walls.

a. Section 310 of the International Property Maintenance Code is hereby revised by adding the following:

- (1) Section 310 Fences and Walls in Front Yards.

- (i) 310.1. Applicability. Any person on any residential property that desires to erect a fence or wall that is over 3 feet in height within a Minimum Front Yard setback as defined in the Township Zoning Ordinance and as applicable for each Zoning District shall be required to obtain a permit prior to the installation.

- (ii) 310.2. Requirements. Any fence/wall that is proposed within any Minimum Front Yard setback area shall be permitted with the following restrictions:

- (1) 310.2.1. Fences/walls shall not be placed within any designated road right of way.

- (2) 310.2.2. Fences/walls shall not interfere with sidewalk use, maintenance or operation.

- (3) 310.2.3. Fences/walls shall not interfere with sight distance from driveways to the street and sidewalk.

(4) 310.2.4. No fence/wall over 3 feet in height shall be permitted within 14 feet of the back edge of a curb or within 6 feet of the back edge of a sidewalk. The greater measurement will prevail in either instance.

(5) 310.2.5. No fence/wall in any front yard setback shall be allowed to be solid above 3 feet in height as measured from the ground. Fences/walls above 3 feet in height shall consist of cross members and/or pickets with clear openings of no less than 4 inches.

(6) 310.2.6. No fence/wall within any front yard setback may exceed 6 feet in height as measured from the ground.

(iii) 310.3. Permitting Requirements. Fences/walls greater than 3 feet in height that are to be constructed within any required Minimum Front Yard setback on residential properties shall receive a Fence/Wall permit in accordance with the above-listed restrictions prior to construction.

(iv) 310.4. Exemption. Certain fences/walls are exempt from these regulations;

(1) 310.4.1 Fences/walls within any CCD Zoned Development.

#### 5-310 Storm Drainage.

a. Section 507 of the International Property Maintenance Code is hereby revised by deleting the section in its entirety and adding the following:

(1) 507.1 General

(i) 507.1.1 All stormwater drainage systems, pipes, swales and ditches shall be maintained in a manner that causes water to drain from a higher to a lower elevation without causing a backup of water onto any lot or street.

(ii) 507.1.2 Stormwater drainage systems, pipes, swales and ditches that meet any of the following criteria shall be determined to be deficient:

1) 507.1.2.1 Not set or constructed at proper elevation to allow a positive flow.

2) 507.1.2.2 Pipes which are damaged, crushed or distorted.

(iii) 507.1.3 Obstructions in or around stormwater drainage systems, pipes, swales or ditches which restrict or divert water flow.

1) 507.1.3.1 Water is directed onto streets.

2) 507.1.3.2 Water backs up onto adjacent lots or streets.

(iv) 507.1.4 Stormwater drainage systems, pipes, swales and ditch maintenance that exist on properties shall be the responsibility of the respective lot owners.

5-311 Heat Supply.

a. Section 602.3 of the International Property Maintenance Code is hereby revised by amending the following:

(1) 602.3 Every owner and operator of any building who rents, leases or lets one or more dwelling units or sleeping units on terms, either expressed or implied, to furnish heat to the occupants thereof shall supply heat during the period from October 1 to March 31 to maintain a minimum temperature of 68°F (20°C) in all habitable rooms, bathrooms and toilet rooms.

5-312 Occupiable work spaces.

a. Section 602.4 of the International Property Maintenance Code is hereby revised by amending the following:

(1) 602.4 Indoor occupiable work spaces shall be supplied with heat during the period from October 1 to March 31 to maintain a minimum temperature of 65°F (18°C) during the period the spaces are occupied.

5-313 Elevators and Escalators.

a. Section 606 of the International Property Maintenance Code is hereby revised by deleting the section in its entirety and adding the following:

(1) 606.1 General.

(i) 606.1.1 Elevators, dumbwaiters and escalators shall be maintained in compliance with requirements set forth by the Pennsylvania Department of Labor and Industry.

5-314 Fire Protection Systems.

a. Section 704 of the International Property Maintenance Code is hereby revised by adding the following:

- (1) 704.3 Fire Alarm systems. Inspection, testing and maintenance of Fire Alarm systems shall be in accordance with NFPA 72. Annual inspections, by a qualified third party, of Fire Alarm Systems shall be required.
- (2) 704.4 Dry Chemical Extinguishing systems. Inspection, testing and maintenance of dry chemical extinguishing systems shall be in accordance with NFPA 17. Annual inspections, by a qualified third party, of dry chemical extinguishing Systems shall be required. Semi-annual inspection of Kitchen Hood Fire Suppression systems, by a qualified third party, shall be required.
- (3) 704.5 Wet Chemical Extinguishing Systems. Inspection, testing and maintenance of wet chemical extinguishing systems shall be in accordance with NFPA 17A. Annual inspections, by a qualified third party, of dry chemical extinguishing Systems shall be required. Semi-annual inspection of Kitchen Hood Fire Suppression systems, by a qualified third party, shall be required.
- (4) 704.6 Type I Kitchen Hood and Fire Suppression Systems. Inspection, testing and maintenance of Type I kitchen hoods and the fire suppression systems shall be in accordance with NFPA 96 and appropriate NFPA fire extinguishing system standard. Semi-annual inspection, by a qualified third party, of type I kitchen hoods and fire suppression systems shall be required.

5-315 Premises Inspection.

a. Section 705 of the International Property Maintenance Code is hereby amended by adding the following:

705 Premises Inspection.

- (1) 705.1 General. The following shall be subject to annual Fire Prevention and Life Safety Inspection of Premises:
  - 1) 705.1.1 Group A - Places of Assembly
  - 2) 705.1.2 Group R – Residential (except One and Two Family Dwellings, Townhouses) (Inspections apply to common and open areas of buildings only)

- 3) 705.1.3 Group M - Mercantile over 12,000 sq. ft.
- 4) 705.1.4 Group E – Educational
- 5) 705.1.5 Group H – Hazard
- 6) 705.1.6 Vehicle Service Stations and Repair Garages
- 7) 705.1.7 Tents and temporary structures larger than 1,600 square feet erected for assembly and other non-residential events.

5-316 Chapter 8 Referenced Standards

- a. (Delete): *ICC Sections as referenced in the 2015 IPMC*
- b. (Add): *ICC Sections as referenced in the 2009 IPMC*

**Section 5. Severability.**

If any chapter, section, subsection, paragraph, sentence or phrase of this ordinance is for any reason declared invalid by a court of competent jurisdiction, such decision shall not effect the validity of the ordinance as a whole or any section or part thereof other than the section or part thereof so declared to be invalid.

**Section 6. Repealer.**

Any ordinance, chapter, section, subsection, paragraph, sentence or phrase of any ordinance conflicting with the provisions of this ordinance shall and the same is hereby repealed to the extent of such conflict.


Ordained and enacted this 7<sup>th</sup> day of December, 2017, BY THE BOARD OF SUPERVISORS of the Township of Cranberry.

ATTEST:

Board of Supervisors of the  
Township of Cranberry



Township Manager/Secretary



Richard M. Hadley, Chairman  
Board of Supervisors

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