

**WEST WHITELAND TOWNSHIP CHESTER COUNTY, PENNSYLVANIA**

**ORDINANCE NO. \_\_\_\_**

**AN ORDINANCE ESTABLISHING THE MINIMUM REGULATIONS GOVERNING THE CONDITIONS AND MAINTENANCE OF ALL PROPERTY, BUILDINGS, AND STRUCTURES; BY PROVIDING THE STANDARDS FOR SUPPLIED UTILITIES AND FACILITIES AND REQUIRING THAT OTHER PHYSICAL STRUCTURES ARE SAFE, SANITARY, AND FIT FOR OCCUPATION AND USE; AND PROVIDING FOR THE CONDEMNATION OF BUILDINGS AND STRUCTURES UNFIT FOR HUMAN OCCUPANCY AND USE AND THE DEMOLITION OF SUCH STRUCTURES BY ADOPTING THE CODE KNOWN AS THE INTERNATIONAL PROPERTY MAINTENANCE CODE, 2018 VERSION, AND SUCCESSIVE VERSIONS AS THEY ARE ADOPTED**

**WHEREAS**, the Board of Supervisors deems it be in the best interest and general welfare of the citizens and the residents of this Township to prohibit the unreasonable, unwarrantable, or unlawful use of private or public property which causes injury, damage, inconvenience, annoyance, or discomfort to the person or property of others; and

**WHEREAS**, the Board of Supervisors seeks to promote the health, comfort, and safety of its citizens by establishing regulations for Property Maintenance set forth herein; and

**WHEREAS**, Article XVII-A of the Second-Class Township Code authorizes townships of the second class to prohibit nuisances, to remove same, and to impose penalties therefore; to regulate property maintenance within the township; and to promote in other respects, the health, comfort, and safety of its citizens.

**NOW, THEREFORE, BE IT ENACTED AND ORDAINED**, and it is enacted and ordained, by the Board of Supervisors of the Township of West Whiteland as follows:

**SECTION 1. Adoption of 2018 International Property Maintenance Code.**

The Township of West Whiteland, Chester County, Pennsylvania, does hereby adopt the Code known as the "International Property Maintenance Code," 2018 version, as published by the International Code Council as the International Property Maintenance Code, and successive versions of the International Property Maintenance Code as they are adopted. Copies of the 2018 International Property Maintenance Code are presently on file in the office of West Whiteland Township, 101 Commerce Drive, Exton, PA 19341, and hereby adopted as though fully set forth at length herein with the insertions, deletions and changes, if any, prescribed as follows:

(A.) Section 101.1 – Insert:

"Township of West Whiteland"

(B.) Section 103.5 – Insert:

"Fees assessable by the Township for the administration and enforcement undertaken pursuant to this particular code shall be established by the Board of Supervisors of the Township by resolution from time to time."

(C.) Section 106.4 - Insert:

"106.4 Violation Penalties. In the event that the Township prosecutes the violation by way of a civil action, the Township may also seek the reimbursement of legal fees and other costs incurred as a result of the prosecution, in addition to a maximum fine of \$600 per violation. In the event that the Township prosecutes the violation by way of a criminal action, the Township may seek a criminal fine not exceeding \$1,000 per violation and imprisonment to the maximum extent allowed under the law for the punishment of summary offenses, or both. Should the person in violation of this ordinance fail, neglect, or refuse to comply with the notice, the Board of Supervisors or the building official may take such actions reasonably necessary to bring the property into compliance with the notice and this ordinance, the costs of which, together with a penalty of ten percent (10%) of those costs incurred by the Township, shall be collected by the Township from such person in any

manner provided by law, including but not limited to filing a charge against the real estate upon which the structure is located, and which shall be a lien upon such real estate as provided under the Municipal Claims and Tax Liens Act, 53 P.S. § 7101, *et. seq.*"

(D.) Section 112.4 - Insert- "\$100" and "\$1,000"

**SECTION 3. Administration.**

The Township shall be empowered by resolution to prepare and adopt such rules and regulations as may be necessary to implement the provisions of this Ordinance.

**SECTION 4. Severability.**

In the event any provision, section, sentence, clause or part of this Ordinance shall be held to be invalid, such invalidity shall not affect or impair any remaining provision, section, sentence, clause or part of the Ordinance, it being the intent of the Township that such remainder shall be and shall remain in full force and effect.

**SECTION 5. Effective Date.**

This Ordinance shall become effective five (5) days after its enactment by the Board of Supervisors of the Township of West Whiteland, County of Chester, Commonwealth of Pennsylvania.

ENACTED AND ORDAINED this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

BOARD OF SUPERVISORS  
WEST WHITELAND TOWNSHIP

ATTEST:

\_\_\_\_\_  
Pam Gural-Bear, Township Manager

\_\_\_\_\_  
Brian Dunn, Chairman

\_\_\_\_\_  
Rajesh Kumbhardare, Vice Chairman

\_\_\_\_\_  
Theresa Santalucia, Supervisor