

**ORDINANCE NO. 320**

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

The Township of East Lampeter is authorized to adopt the 2012 edition of the International Property Maintenance Code by reference pursuant to Sections 1517 and 1601 (e) of the Second Class Township Code, which permits the adoption of building and housing regulations and the adoption of nationally recognized codes by reference. By doing so, the Township is authorized to regulate and govern the conditions and maintenance of all property, buildings and structures; to provide 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.

The Township, by Ordinance No. 315, enacted on October 5, 2015, adopted the International Property Maintenance Code as the property maintenance code of the Township of East Lampeter. The Board of Supervisors has determined that appeals from any decision of the Code Official or from any notice or order issued under the Code, shall be submitted to the East Lampeter Township Board of Supervisors under the Local Agency Law rather than to a separate Board of Appeals created under Section 111 of the International Property Maintenance Code. The Board of Supervisors further desires to restate Ordinance No. 315, subject to revision, in Section 2 below, of the provisions for means of appeal.

In consideration of the foregoing, the Board of Supervisors of the Township of East Lampeter does ordain as follows:

**Section 1.** That a certain document, three (3) copies of which are on file in the office of the Township Manager of East Lampeter Township, being marked and designated as the International Property Maintenance Code, 2012 edition, as published by the International Code Council, be and is hereby adopted as the Property Maintenance Code of the Township of East Lampeter, in the Commonwealth of Pennsylvania for regulating and governing the conditions and maintenance of certain property, buildings and structures, as hereinafter described; 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 Township of East Lampeter are hereby referred to, adopted, and made a part hereof, as if fully set out in this legislation, with the additions, insertions, deletions and changes, if any prescribed in Section 2 of this ordinance. Upon being updated, editions subsequent to the 2012 edition of the International Property Maintenance Code shall automatically and without further action by the Board of Supervisors, be deemed as adopted as the Property Maintenance Code of the Township of East Lampeter.

**Section 2.** The following sections are hereby revised:

Section 101.1. Insert: Township of East Lampeter

Section 101.2. Insert: Scope. The provisions of this code shall apply to all existing commercial or business structures to which customers, patrons or employees are invited and to residential structures which are occupied by a tenant, roomer or temporary lodger who, by way of monetary or other valuable consideration, pays for the privilege of renting, rooming or lodging on the premises, including by way of illustration but not limitation, rental of a home or apartment for residential purposes, lodging and rooming and boarding houses, lodging in campgrounds, lodging in bed and breakfast, motels, hotels, or other similar facilities, whether for long term, short term or temporary purposes. This code establishes minimum requirements and standards for such premises, structures, equipment and facilities for light, ventilation, space, heating, sanitation, protection from the elements, life safety, safety from fire and other hazards and for safe and sanitary maintenance; the responsibility of owners, operators and occupants; the occupancy of existing structures and premises and for administration, enforcement and penalties. The provisions of this code shall not apply to residential structures which are solely owner occupied. The provisions of this code further do not apply to lodging which is incidental to a primary health care facility, such as a hospital, nursing home or assisted living facility provided that such a facility is otherwise licensed by an appropriate healthcare regulatory agency. The provisions of this code further do not apply to other buildings, structures and properties which are used primarily or exclusively for institutional uses. The term Ainstitutional uses@ as used in this ordinance is limited to federal, state or local governmental buildings, hospitals and similar medical buildings which have been licensed by a federal government or state government regulatory body; public utility buildings; public, private or parochial elementary or secondary schools which have been licensed by a state government regulatory body and properties used for public worship such as churches, synagogues or mosques, provided that such public worship properties shall be exempt under this provision only if use of such properties is limited to religious worship and directly related education uses and that the buildings involved in such uses are not physically attached to another building or buildings which are not themselves exempt under this section.

Section 106.4. Insert: One Thousand and 00/100 (\$1,000) Dollars shall be the maximum penalty or fine for violation of a provision of the code or for failure to comply with any of the requirements of the code.

Section 103.5. Insert: All fees shall be pursuant to the Township Supervisors' adopted fee resolution, which shall be changed and/or updated from time to time.

Section 111. All references to the Board of Appeals shall instead refer to the Board of Supervisors acting under the guidelines of the Local Agency Law. (See 2 Pa. C.S.A. §551, et. seq. relating to practice and procedure of local agencies). Section 111.2 through 111.2.5, relating to the makeup of the Board of Appeals, are deleted. Sections 111.3 through 111.8, relating to the

procedure for holding hearings, shall apply, provided that references to the Board of Appeals shall instead apply to the East Lampeter Township Board of Supervisors.

Section 112.4. Insert: One Hundred and 00/100 (\$100) Dollars per offense per day shall be the minimum dollar amount fine for failure to comply with a stop work order and One Thousand and 00/100 (\$1,000) Dollars per offense per day shall be established as the maximum fine for failure to comply with a stop work order.

Section 302.4. Insert: Six (6) inches.

Section 304.14. Insert: January 1 to December 31 as the period during which insect screens shall be supplied under Section 304.14.

Section 602.3. Insert: January 1 to December 31 as the time period during which a certain heat supply is to be provided under Section 602.3, dealing with various dwelling units and sleeping units.

Section 602.4. Insert: January 1 to December 31 as the time period during which a certain heat supply is to be provided to occupiable work spaces under Section 602.4.

**Section 3.** Enforcement of this ordinance is intended to be based upon a complaint driven system. Consequently, periodic inspections shall not be required. Inspections shall be ordered as reasonably required by the Code Official where the Code Official has received information or complaints which suggest the possibility of violations of the code.

**Section 4.** This ordinance is intended to be interpreted and enforced in a manner which is consistent with the Pennsylvania Uniform Construction Code with respect to electrical component exemptions for dwelling units occupied solely by members of recognized religious sects and such member's immediate family and for one room schoolhouses used exclusively by members of such religious sects where such electrical components and systems conflict with such member's religious beliefs.

**Section 5.** This ordinance is intended to be interpreted and enforced in a manner which is consistent with other ordinances of East Lampeter Township addressing land use issues and the conduct of general nuisances. To the extent that those ordinances and this ordinance and other ordinances of the township establish more stringent requirements, the ordinance having the more stringent requirements shall govern.

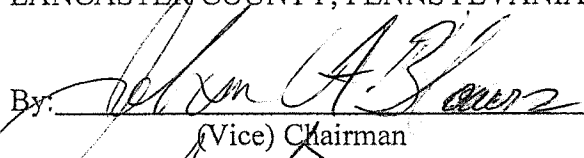
**Section 6.** That if any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The Township of East Lampeter hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

**Section 7.** 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 existing act or ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance.

**Section 8.** All the provisions of this ordinance which were originally in Ordinance No. 315 took effect and were in full force and effect on January 1, 2016. The provisions of this ordinance which address the means of appeal shall take effect and be in full force and effect five (5) days after the enactment of this ordinance.

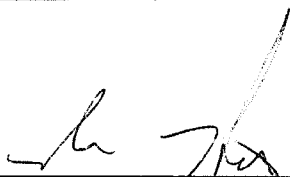
ORDAINED AND ENACTED this 8<sup>th</sup> day of February,  
2016.

BOARD OF SUPERVISORS OF  
EAST LAMPETER TOWNSHIP  
LANCASTER COUNTY, PENNSYLVANIA

By:   
(Vice) Chairman

Attest:   
(Asst.) Secretary

I, Ralph M. Hutchison, Secretary of the Board of Supervisors of East Lampeter Township, Lancaster County, Pennsylvania, hereby certify that the foregoing is a true and correct copy of an ordinance duly adopted at a legally constituted meeting of the Board of Supervisors of East Lampeter Township held on February 8, 2016, at which meeting a quorum was present and voted in favor thereof.

  
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Ralph M. Hutchison, Secretary