

MILLCREEK TOWNSHIP
LEBANON COUNTY, PENNSYLVANIA

ORDINANCE NUMBER 031225

AN ORDINANCE OF MILLCREEK TOWNSHIP ADOPTING THE 2021 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 IN MILLCREEK TOWNSHIP; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES THEREFORE; REPEALING ALL OTHER ORDINANCES AND PARTS OF THE ORDINANCES OF MILLCREEK TOWNSHIP IN CONFLICT THEREWITH.

BE IT ORDAINED AND ENACTED by the Board of Supervisors of Millcreek Township, County of Lebanon, Commonwealth of Pennsylvania, and it is hereby ordained and enacted by the authority of the same as follows:

SECTION ONE. That a certain document, three (3) copies of which are on file in the office of Millcreek Township, being marked and designated as the *International Property Maintenance Code*, 2021 edition, as published by the International Code Council, be and is hereby adopted as the Property Maintenance Code of Millcreek Township, 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; providing 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 Millcreek Township are hereby referred to, adopted, and made a part hereof, as if fully set out in this ordinance, with the additions, insertions, deletions and changes, if any, prescribed in Section Two of this ordinance.

SECTION TWO. The following sections are hereby revised:

Section 101.1- Name of Jurisdiction.

These regulations shall be known as the Property Maintenance Code of Millcreek Township, hereinafter referred to as "this code".

Section 103.1- Name of Code Official.

Commonwealth Code Inspection Services, Inc., is hereby created and the official in charge thereof and shall be known as the code official. The function of the agency shall be the implementation, administration and enforcement of the provisions of this code.

Section 103.2- Insert- The code official shall be appointed by the Board of Supervisors of Millcreek Township.

Section 104.1 Fees.

The fees for activities and services performed by Millcreek Township and/or Agency in carrying out their responsibilities under the code shall be as

set forth in the Township Fee Schedule, adopted from time to time by resolution of the Millcreek Township Board of Supervisors.

Section 107.2 Limitations of Authority.

Any person directly affected by a Notice or Order issued by the Code Official under this code shall have the right to appeal, provided that a written application for appeal is filed within twenty (20) calendar days of the date on the Notice or Order issued. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply or an equivalent or better form of construction is proposed. The board shall not have authority to waive requirements of this code or interpret the administration of this code. A non-refundable application fee of \$750 shall be paid upon the filing of an appeal.

Section 109.4 Violation Penalties.

(a) Any person who violates a provision of this code, or fails to comply therewith, shall, upon conviction thereof, be subject to a fine of not less than \$500 nor more than \$1,000 and/or imprisoned not more than 90 days. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

(b) Any person who has mutilated, destroyed, tampered with

or removed any posting or placard without authorization from the Code Official shall be subject to a fine of \$500 for the first offense and \$1000 for each repeat offense.

Section 110.4 Failure to Comply

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 subject to the fines set forth in the Township Fee Schedule, adopted from time to time by resolution of the Millcreek Township Board of Supervisors.

Section 302.4 Weeds

Premises and exterior property shall be maintained free from weeds or plant growth in excess of twelve (12) inches. Noxious weeds shall be prohibited. Weeds shall be defined as all grasses, annual plants and vegetation, other than trees or shrubs provided; however, this term shall not include cultivated flowers and gardens.

Upon failure of the owner or agent having charge of a property to cut and destroy weeds after service of a notice of violation, they shall be subject to prosecution in accordance with Section 109.3 and as prescribed by the authority having jurisdiction. Upon failure to comply with the notice of violation, any duly authorized employee of the municipality or contractor hired by the municipality shall be authorized to enter upon the property in violation and cut and destroy the weeds growing thereon, and the costs of

such removal shall be paid by the owner or agent responsible for the property.

Section 304.14 Insect Screens

During the period from April 1st to November 1st, 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 not less than 16 mesh per inch (16 mesh per 25mm), and every screen door used for insect control shall have a self-closing device in good working condition.

Exception: Screens shall not be required where other approved means, such as air curtains or insect repellent fans, are employed.

Section 602.3 Heat Supply

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 1st to May 1st to maintain a minimum temperature of 68° F (20° C) in all habitable rooms, bathrooms and toilet rooms.

Exceptions:

1. When the outdoor temperature is below the winter outdoor design temperature for the locality, maintenance of the minimum room temperature shall not be required provided that the heating system is operating at its full capacity. The winter outdoor design temperature for the locality shall be as indicated in Appendix D of the International Plumbing Code.
2. In areas where the average monthly temperature is above 30° F (-1° C), a minimum temperature of 65° F (18° C) shall be maintained.

Section 602.4 Occupiable work spaces

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

Exceptions:

- (1) Processing, storage and operation areas that require cooling or special temperature conditions.
- (2) Areas in which persons are primarily engaged in vigorous physical activities.

SECTION THREE. All ordinances or parts of ordinances of Millcreek Township in conflict herewith are hereby repealed.

SECTION FOUR. 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. Millcreek Township 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 FIVE. 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 Three of this ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance.

SECTION SIX. 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 five (5) days from and after the date of its final passage and adoption.

ORDAINED AND ENACTED this 12 day of march, 2025

by the Board of Supervisors of the Township of Millcreek, Lebanon County,
Pennsylvania, in lawful session duly assembled.

ATTEST:

James Patrick

BOARD OF SUPERVISORS OF
MILLCREEK TOWNSHIP

[Signature]
Chairman

(SEAL)

[Signature]
Vice-Chairman

(SEAL)

[Signature]
Supervisor

(SEAL)

CERTIFICATE

I, the undersigned, Secretary of the Township of Millcreek, Lebanon County, Pennsylvania (the "Township"), certify that: the foregoing is a true and correct copy of an Ordinance that was duly enacted by the Board of Supervisors of the Township, in accordance with law, at a meeting duly held on March 12, 2025, at which meeting a quorum was present; this Ordinance has been certified and recorded by me, as Secretary of the Township, in the book provided for the purpose of such recording; this Ordinance, upon enactment, was assigned Ordinance No. 031225; presently, the total number of members of the Board of Supervisors of the Township is three (3); the vote of the members of the Board of Supervisors of the Township, upon enactment of this Ordinance, the yeas and nays having been called, was duly recorded by me as Secretary as follows:

Eric Weidman	-	yea
Scott Moyer	-	yea
John DeSantis	-	yea;

this Ordinance has been advertised as required by law, in a proper newspaper of general circulation in the Township; and this Ordinance has not been amended, altered, or repealed as of the date of this Certificate.

I further certify that the Board of Supervisors of the Township met the advance notice and public comment requirements of the Sunshine Act, 65 Pa. C.S. Ch. 7, by advertising the time and place of the meeting, by posting prominently a notice of the meeting at the principal office of the Township or at the public building in which the meeting was held, by posting the meeting's agenda on the Township's website, by making copies of the meeting agenda available to individuals in attendance at the meeting, and by providing a reasonable opportunity for public comment at such meeting, all in accordance with such Act.

IN WITNESS WHEREOF, I set my hand and official seal of the Township, this 12th day of March, 2025.


Secretary

(SEAL)