

AN ORDINANCE PROHIBITING AND REQUIRING THE REMOVAL OR REPAIR OF DANGEROUS STRUCTURES, DECLARING THE SAME TO BE A NUISANCE AND PROVIDING THAT IF SUCH REMOVAL OR REPAIR IS NOT ACCOMPLISHED WITHIN CERTAIN TIME LIMITATIONS, THE TOWNSHIP MAY ACCOMPLISH SUCH REPAIR OR REMOVAL AND CHARGE THE COST THEREOF TOGETHER WITH PENALTIES TO THE OWNER OF THE PROPERTY.

BE IT ENACTED AND ORDAINED by the Board of Supervisors of Peach Bottom Township, York County, Pennsylvania, as follows:

I. This ordinance shall be known as the "Peach Bottom Township Dangerous Structure Ordinance".

II. The presence of dangerous structures within Peach Bottom Township is hereby prohibited and such structures are hereby declared to be a nuisance.

III. In the event that the Peach Bottom Township Board of Supervisors finds that a structure within the Township is probably dangerous and a nuisance in violation of this ordinance, it shall order the Township engineer to inspect the structure to determine whether or not it is a dangerous structure. In determining whether the structure is dangerous, the Township engineer shall consider the following factors together with such other factors which he determines relevant to such determination:

- (a) Whether or not the structure is structurally sound.
- (b) Whether the structure is so located that there is areasonable likelihood of injury to persons occurring should a portion of the structure collapse - will it fall onto a street; onto neighboring property; onto an area often frequented by children.
- (c) Whether or not the structure is secure from the easy intrusion of children.
- (d) Whether or not the condition of the structure is such that it would be dangerous to children should they intrude into it.
- (e) Whether by reason of lack of repair or otherwise the structure constitutes a fire hazard above and beyond that of a similar type structure in good repair.

IV. In the event the Township engineer finds that the structure is in a dangerous condition, the Township shall cause written notice to be served upon the owner or owners of the structure as set forth in the records contained in the York County Court House utilized for the assessment of real estate taxes, either personally or by certified mail, of the dangerous condition of such structure. Such notice shall reasonably inform the owner of the defects in the structure which must be repaired or corrected in

order for the structure no longer to be a dangerous one and shall require the owner of such structure to commence the repair or removal of the structure within fifteen (15) days next following the receipt of such notice and to complete such repair or removal within sixty (60) days thereof.

V. In the event the repair or removal as required by the notice described in paragraph IV is not complied with, the Township shall commence an action before the York County Court of Common Pleas to require the repair or removal of the aforesaid dangerous structure at the earliest possible time and shall further request that the court order that, in the event the repair or removal has not been commenced and/or completed within the time limitations set forth by the court's order, the Peach Bottom Township may cause the same to be done and collect the costs thereof together with a penalty of ten (10%) per cent of such costs and the costs of suit in the manner provided by law for the collection of municipal claims.

VI. Any person, firm, association or corporation violating any of the provisions of this ordinance shall, upon conviction thereof before a District Justice, be subject to a penalty in the amount of One Thousand (\$1,000.00) Dollars for each and every offense. Each and every day that a violation of any provisions of this ordinance continues shall constitute a separate and distinct offense and shall be subject to separate and distinct penalties hereunder.

ORDAINED AND ENACTED by the Board of Supervisors of Peach Bottom Township, York County, Pennsylvania on the 2nd day of Jan, 2007.

ATTEST:

Catherine M. Belgs
Secretary

PEACH BOTTOM TOWNSHIP
BOARD OF SUPERVISORS

By: S. David Stewart
S. David Stewart,
Chairman