

CHAPTER 4

BUILDINGS

PART 1

DANGEROUS STRUCTURES

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PART 1

DANGEROUS STRUCTURES

§4-101. Short Title.

This Part shall be known and may be cited as “Towanda Township Dangerous Structures Ordinance.”

(Ord. 7-1976, 7/6/1980, §1)

§4-102. Definitions.

Unless otherwise expressly stated, the following words and phrases shall be construed throughout this Part to have the meanings herein indicated.

PERSON — any individual, partnership, association, firm and corporation. [Ord. 47]

TOWNSHIP — Towanda Township, Bradford County, Pennsylvania.

BOARD — the Board of Supervisors of Towanda Township.

DANGEROUS STRUCTURES — buildings, walls and signs structurally unsafe, unstable or unsanitary, inadequately provided with exit facilities; constituting a fire hazard; otherwise dangerous to life or property; unsuitable or improper for the use or occupancy to which it is put; constituting a hazard to health or safety because of inadequate maintenance, dilapidation, obsolescence, decay, deterioration or abandonment; a nuisance having parts which are so attached that they may fall and injure members of the public, or public or private property; and those buildings, walls or structures existing in violation of any provision of any other ordinance of the Township of Towanda.

(Ord. 7-1976, 7/6/1980, §2; as amended by Ord. 47, 7/9/2001)

§4-103. Dangerous Structures Unlawful.

It shall be unlawful hereafter to maintain any nuisance or dangerous structure on public or private grounds within the Township of Towanda.

(Ord. 7-1976, 7/6/1980, §3)

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§4-104. Investigation of Dangerous Structures.

Whenever it shall come to the attention of any Township official or police officer that any structure, completed or in process of construction, or any portion thereof, is in a dangerous condition, such person having knowledge thereof shall report same to the Board of Supervisors and the Board shall immediately cause an investigation and examination to be made of such structure. If such investigation or examination indicates such structure to be dangerous in any respect, a written report of such investigation shall be submitted to the Board, specifying the exact condition of such structure, setting forth in that respect the structure is to be considered dangerous, and whether such structure is capable of being properly repaired or whether it should be removed as a dangerous structure.

(Ord. 7-1976, 7/6/1980, §4)

§4-105. Notice Given for Dangerous Structures.

If the Board, from said report, shall determine that a nuisance is being maintained, or that a structure is in a dangerous condition, the Board shall forthwith cause written notice to be served upon the owner of such structure. Such notice shall require the owner of such structure to commence the repair or removal of such building within 10 days of such notice and to complete such repair or removal within 30 days thereof. Provided, in any case where notice prescribes the repair of any structure, the owner thereof shall have the option to remove such structure in lieu of making the repairs thereto, within the above time limit.

(Ord. 7-1976, 7/6/1980, §5)

§4-106. Serving Notice.

The notice required by §105 this Part shall be served personally upon the owner of a structure if the owner resides in the Township, or personally upon his agent if such agent resides within the Township. If personal service as required herein cannot be obtained, such notice shall be sent to the owner of such structure by registered mail, at the last known address thereof.

(Ord. 7-1976, 7/6/1980, §6)

§4-107. Penalties.

If the owner of any dangerous structure, to whom or which a notice to repair or remove such structure shall be sent under the provisions of this Part, fails to commence or to complete such repair or removal within the time limit prescribed by such notice, he, upon conviction thereof in an action brought before a district justice in the manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Crimi-

nal 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 continues or each Section of this Part which shall be found to have been violated shall constitute a separate offense.

(Ord. 7-1976, 7/6/1980, §7; as amended by Ord. 47, 7/9/2001)

§4-108. Failure to Make Repairs.

If the owner of any dangerous structure, to whom or which a notice to repair or to remove such structure shall be sent under the provisions of this Part, fails to commence or to complete such repair or removal within the time limit prescribed by such notice, the Board shall be empowered to cause such work of repair or removal to be commenced and/or completed by the Township, and the cost and expense thereof, with a penalty of 10%, shall be collected from the owner of such structure in the manner provided by law. Provided, the recovery of such cost and expense, together with penalty, may be in addition to the penalty imposed as provided in §107 of this Part.

(Ord. 7-1976, 7/6/1980, §8)

§4-109. Abatement of Nuisances.

In addition to the remedies provided herein, any continued violation of this Part which shall constitute a nuisance in fact or which shall in the opinion of the Board constitute a nuisance may be abated by proceeding against the violator in a court of equity for relief.

(Ord. 7-1976, 7/6/1980, §10)