

ORDINANCE NO. 2024-03

COVINGTON TOWNSHIP, LACKAWANNA COUNTY, PENNSYLVANIA

AMENDMENTS TO ORDINANCE NO. 2023-05 (WHICH ADOPTED THE 2021 EDITION OF THE INTERNATIONAL PROPERTY MAINTENANCE CODE) TO PROVIDE FOR CIVIL PENALTIES OR SUMMARY FINES FOR ENFORCEMENT PROCEEDINGS FOR VIOLATIONS OF THE CODE AND ADOPT THE BOARDING STANDARDS OF APPENDIX A OF THE CODE.

IT IS HEREBY ENACTED AND ORDAINED by the Covington Township Board of Supervisors as follows:

ORDINANCE NO. 2023-05

PROPERTY MAINTENANCE CODE OF COVINGTON TOWNSHIP

Section 5. [Violation penalties under §109.4 of the International Property Maintenance Code] is amended to read as follows:

Any person who shall violate any provision of this code, or fail to comply therewith, or with any of the requirements thereof, shall be subject to one of the following methods of enforcement by the code official:

1. **Civil enforcement.** Civil enforcement proceedings shall be initiated by complaint or by such other means as may be provided by the Pennsylvania Rules of Civil Procedure. Civil penalties shall be six hundred dollars (\$600) per violation. In any case where a penalty for a violation of the code has not been timely paid and the person upon whom the penalty was imposed is found to have been liable therefor in civil proceedings, the violator shall be liable for the penalty imposed, including additional daily penalties for continuing violations, plus court costs and reasonable attorney fees incurred by the township in the enforcement proceedings.
2. **Enforcement as summary offenses.** Enforcement as summary offenses shall be by action brought before a magisterial district judge in the same manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure. Criminal fines shall be six hundred dollars (\$600) per violation and/or a term of imprisonment of not more than 90 days.
3. **Separate offenses.** A separate offense shall arise for each day or portion thereof in which a violation is found to exist or for each section of the code which is found to have been violated.

4. **Payment to treasurer.** All fines and penalties collected for the violation of the code shall be paid to the township treasurer.

Section 11. The Boarding Standards of Appendix A in the 2021 edition of the International Property Maintenance Code are hereby adopted. The boarding standards contained in Appendix A are the minimum specifications required for boarding a structure, and result in consistent boarding quality to provide a reasonable means to eliminate having to approve numerous methods or materials for the boarding and securing of a structure.

These amendments shall take effect immediately following their adoption. Except as amended above, the Code as previously adopted under Covington Township Ordinance No. 2023-05 shall remain the same.

ENACTED AND ORDAINED this ____ day of _____ 2024, by the Covington Township Board of Supervisors.

ATTEST:

COVINGTON TOWNSHIP BOARD OF SUPERVISORS

Secretary

Chairperson

(SEAL)

Vice-Chairperson

Supervisor

Supervisor

Supervisor