

ORDINANCE NO. 01-01

AN ORDINANCE ESTABLISHING THE MINIMUM REGULATIONS GOVERNING THE CONDITIONS AND MAINTENANCE OF ALL PROPERTY, BUILDINGS AND STRUCTURES; AND PROVIDING FOR THE CONDEMNATION OF BUILDINGS AND STRUCTURES UNFIT FOR HUMAN OCCUPANCY AND USE AND THE DEMOLITION OF SUCH STRUCTURES; PROVIDING FOR THE ISSUANCE OF OCCUPANCY PERMITS; AND PROVIDING PENALTIES FOR VIOLATION; KNOWN AS THE PROPERTY MAINTENANCE CODE OF WASHINGTON TOWNSHIP, FAYETTE COUNTY, PENNSYLVANIA

BE IT ORDAINED AND ENACTED AND IT IS HEREBY ORDAINED AND ENACTED by the Supervisors of Washington Township as follows:

SECTION 1. ADMINISTRATION

1. Title. These regulations shall be known as the Property Maintenance Code of Washington Township.

2. Scope. This code is to protect the public health, safety and welfare in, on or about all existing and future structures, residential and nonresidential, and on all existing and future premises by establishing minimum requirements and standards for premises and structures and for safe and sanitary maintenance, and providing for administration, enforcement and penalties.

3. Existing remedies. This code shall not be construed to abolish or impair existing remedies of Washington Township or its officers or agencies relating to the removal or demolition of any structure which is dangerous, unsafe and unsanitary.

4. Workmanship. All repairs, maintenance work, alterations or installations which are caused directly or indirectly by the enforcement of this Code or in response to the enactment or existence thereof shall be executed and installed in a workmanlike manner.

5. Validity. If any section, subsection, paragraph, sentence, clause or phrase of this Code shall be declared invalid for any reason whatsoever, such decision shall not affect the remaining portions of this Code which shall continue in full force and effect and to this end the provisions of this Code are hereby declared to be severable.

6. Saving clause. This Code shall not affect violations of any other ordinance, code or regulation existing prior to the effective date hereof, and any such violation shall be governed and

shall continue to be punishable to the full extent of the law under the provisions of those ordinances, codes or regulations in effect at the time the violation was committed.

7. **General.** The Code Enforcement Officer shall enforce all provisions of this Code.

8. **Notices and Orders.** The Code Enforcement Officer shall issue all necessary notices or orders to ensure compliance with this Code.

9. **Entry.** The Code Enforcement Officer is authorized to enter the structure or premises at reasonable times to inspect subject to constitutional restrictions on unreasonable searches and seizures. If entry is refused or not obtained, the Code Enforcement Officer is authorized to pursue recourse as provided by law.

10. **Relief from personal responsibility.** The Code Enforcement Officer, while acting for Washington Township, shall not thereby be rendered liable personally for any damage accruing to persons or property as a result of an act required or permitted in the discharge of official duties, provided, however, said officer was acting in good faith and without malice.

11. **Unlawful acts.** It shall be unlawful for any person, firm or corporation to erect, construct, alter, extend, repair, remove, demolish, maintain, fail to maintain, provide, fail to provide, occupy, let to another or occupy or permit another person to occupy any premises, property or structure regulated by this Code, or cause same to be done, contrary to or in conflict with or in violation of any of the provisions of this Code, or to fail to obey a lawful order of the Code Enforcement Officer, or to remove or deface a placard or notice posted under the provisions of this Code.

12. **Penalty.** Any person, firm or corporation who shall violate a provision of this Code shall, upon conviction thereof, be subject to a fine of not less than One Hundred (\$100.00) Dollars and not more than One Thousand (\$1,000.00) Dollars or imprisonment for a term not to exceed ninety (90) days, or both. Each day that a violation continues after the notice has been served shall be deemed a separate offense.

13. **Prosecution.** In case of an unlawful act the Code Enforcement Officer shall institute an appropriate action or proceeding at law to exact the penalty provided in paragraph 12. This action shall be brought before a District Justice in the same manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure. Also, the Code Enforcement Officer shall request the Township solicitor to proceed at law or in equity against the person responsible for the violation.

14. **Notices and Orders.** Whenever the Code Enforcement Officer determines that there has been a violation of this Code or has grounds to believe that a violation has occurred, notice shall be given to the owner or the person or persons responsible therefore. The notice shall be in writing and shall include the address of the property and a statement of the reason or reasons why the notice is being issued. The notice shall also include a correction order allowing a reasonable time for compliance.

15. **Method of Service.** The notice required herein shall be deemed to be properly served if a copy thereof is (a) delivered to the owner personally; or (b) sent by certified mail addressed to the owner at the last known address with return receipt requested. If the certified letter is returned showing that the letter was not delivered, a copy of the notice shall be posted in a conspicuous place in, on or about the structure affected by such notice. Service of such notice in the foregoing manner upon the owner's agent or upon the person responsible for the structure shall constitute service of notice upon the owner.

16. **Transfer of ownership.** It shall be unlawful for the owner of any dwelling unit or structure who has received a compliance order or upon whom a notice of violation has been served to sell, transfer, mortgage, lease or otherwise dispose of to another the property subject of the compliance order or notice of violation until the provisions of the compliance order or notice of violation have been fully complied with. It shall be unlawful for the owner of any dwelling unit or structure to sell, transfer, lease or otherwise dispose of any property in Washington Township until such time as the Code Enforcement Officer has inspected the premises and until such time that the owner obtains a certificate of occupancy from the Code Enforcement Officer or other Township official designated to issue such certificates. A certificate of occupancy shall not be issued until all violations of this Code have been fully complied with. The fee for a certificate of occupancy shall be fixed pursuant to a resolution of the Supervisors of Washington Township.

17. **Unsafe Structures and Equipment.** When a structure is found by the Code Enforcement Officer to be unsafe, or when a structure is found unfit for human occupancy, or is found unlawful, such structure shall be condemned pursuant to the provisions of this Code.

A. **Unsafe Structure.** An unsafe structure is one that is found to be dangerous to the life, health, property or safety of the public or the occupants of the structure because the structure contains unsafe equipment or is so damaged, decayed, dilapidated, structurally unsafe, or of such faulty construction or unstable foundation, that partial or complete collapse is likely.

B. **Unsafe equipment.** Unsafe equipment includes any boiler, heating equipment, electrical wiring or device, flammable liquid containers or other equipment on the premises or within the structure which is in such disrepair or condition that such equipment is a hazard to life, health, property or safety of the public or occupants of the premises or structure.

C. **Structure unfit for human occupancy.** A structure is unfit for human occupancy whenever the Code Enforcement Officer finds that such structure is unsafe, unlawful or, because of the degree to which the structure is in disrepair or lacks maintenance, is unsanitary, vermin or rat infested, contains filth or contamination, or lacks ventilation, illumination, sanitary or heating facilities or other essential equipment required by this Code, or because the location of the structure constitutes a hazard to the occupants of the structure or to the public.

18. **Closing of Vacant Structures.** If the structure is vacant and unfit for human

habitation and occupancy, and is not in danger of structural collapse, the Code Enforcement Officer is authorized to place a placard of condemnation on the premises and order the structure closed up so as not to be an attractive nuisance. Upon failure of the owner to close up the premises within the time specified in the order, the Code Enforcement Officer shall cause the premises to be closed through any available public agency or by contract or arrangement by private persons and the cost thereof shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate.

19. **Notice.** Whenever the Code Enforcement Officer has condemned a structure or equipment under the provisions of this Code, notice shall be posted in a conspicuous place in or about the structure affected by such notice and served on the owner or the person or persons responsible for the structure or equipment in accordance with paragraph hereof. The notice shall comply with paragraph 14 hereof.

20. **Placarding.** Upon failure of the owner or person responsible to comply with the notice provisions within the time given, the Code Enforcement Officer shall post on the premises or on defective equipment a placard bearing the word "Condemned" and a statement of the penalties provided for occupying the premises, operating the equipment or removing the placard.

21. **Prohibited Occupancy.** Any person who shall occupy a placarded premises or shall operate placarded equipment, and any owner or any person responsible for the premises who shall let anyone occupy a placarded premises or operate placarded equipment shall be liable for the penalties provided by this Code.

22. **Removal of Placard.** The Code Enforcement Officer shall remove the condemnation placard whenever the defect or defects upon which the condemnation or placarding action were based have been eliminated. Any person who defaces or removes a condemnation placard without the approval of the Code Enforcement Officer shall be subject to the penalties provided by this Code.

23. **Demolition.** The Code Enforcement Officer shall order the owner of any premises upon which is located any structure, which in the Code Enforcement Officer's judgment is so old, dilapidated or has become so out of repair as to be dangerous, unsafe, unsanitary or otherwise unfit for human habitation or occupancy, and such that it is unreasonable to repair the structure, to raze and remove such structure; or if such structure is capable of being made safe by repairs, to repair and make safe and sanitary or to raze and remove at the owner's option. All notices and orders shall comply with the provisions of this Code.

24. **Failure to Comply.** If the owner of the premises fails to comply with a demolition order within the time prescribed, the Code Enforcement Officer shall cause the structure to be razed and removed, and the cost of razing and removal shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate.

25. **Appeal.** Any person affected by a decision of the Code Enforcement Officer or a notice or order issued under this Code shall have the right to appeal to the Board of Appeals

## SECTION 2. DEFINITIONS

1. Whenever the terms "dwelling unit", "dwelling", "premises", "building", "rooming house", "rooming unit", or "story" are stated in this Code, they shall be construed as though they were followed by the words "or any part thereof".

2. Unless otherwise expressly stated, the following terms shall, for the purposes of this Code, have the following meanings:

**Abandoned or Junked Motor Vehicles.** Any vehicle in non-serviceable condition or without having both a current inspection sticker and current registration plate.

**Approved.** Approved by the Code Enforcement Officer.

**Basement.** The portion of the building which is partly or completely below grade.

**Building.** Any structure occupied or intended for supporting or sheltering any occupancy.

**Code Enforcement Officer.** A Township supervisor, officer of the Township, employee of the Township or any other person designated by the Township supervisors to enforce the provisions of this ordinance.

**Condemn.** To adjudge unfit for occupancy.

**Dwelling unit.** A single unit providing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation.

**Exterior property.** The open space on the premises and on adjoining property under the control of owners or operators of such premises.

**Extermination.** The control and elimination of insects, rats or other pests by eliminating their harborage places; by removing or making inaccessible materials that serve as their food; by poison spraying, fumigating, trapping or by other approved pest elimination methods.

**Family.** An individual or married couple and the children thereof with not more than two other persons related directly to the individual or married couple by blood or marriage; or a group of not more than five unrelated persons, living together as a single housekeeping unit in a dwelling unit.

**Garbage.** The animal and vegetable waste resulting from the handling, preparation, cooking and consumption of food.

**Habitable space.** Space in a structure for living, sleeping, eating or cooking.

**Infestation.** The presence, within or contiguous to, a structure or premises of insects, rats vermin or other pests.

**Let for Occupancy or Let.** To permit, provide or offer possession or occupancy of a dwelling, dwelling unit, building, premise or structure by a person who is not the legal owner of record thereof, pursuant to a written or unwritten lease, agreement or license, or pursuant to a recorded or unrecorded agreement or contract for the sale of land.

**Occupancy.** The purpose for which a building or portion thereof is utilized or occupied.

**Occupant.** Any person living or sleeping in a building or having possession of a space within a building.

**Operator.** Any person who has charge, care or control of a structure or premises which is let or offered for occupancy.

**Owner.** Any person, agent, operator, firm or corporation having a legal or equitable interest in the property or otherwise having control of the property, including the guardian of the estate of any such person, and the executor or administrator of the estate of such person or, in the event that an executor or administrator has not been appointed, those persons designated by law to succeed to the estate of a deceased person in case of intestacy.

**Person.** An individual, corporation, partnership, or any other group acting as a unit.

**Premises.** A lot, plot or parcel of land including any structures thereon.

**Public nuisance.** Includes any of the following:

1. The physical condition or occupancy of any premises regarded as a public nuisance at common law.
2. Any physical condition or occupancy of any premises or its appurtenances considered an attractive nuisance to children, including, but not limited to, abandoned wells, shafts, basements, excavations and unsafe fences or structures.
3. Any premises that has unsanitary sewerage or plumbing facilities.
4. Any premises designated unsafe for human habitation.
5. Any premises that is manifestly capable of being a fire hazard, or is manifestly unsafe or unsecure so as to endanger life, limb or property.
6. Any premises from which the plumbing, heating or facilities required by this code have been removed, or from which utilities have been disconnected, destroyed, removed or rendered ineffective, or the required precautions against

trespassers have not been provided.

7. Any premises that is unsanitary, or that is littered with rubbish or garbage, or that has an uncontrolled growth of weeds.

8. An structure that is in a state of dilapidation, deterioration or decay, faulty construction; overcrowded; open, vacant or abandoned; damaged by fire to the extent so as not to provide shelter; in danger of collapse or failure, and dangerous to anyone on or near the premises.

**Rubbish.** Combustible and noncombustible waste materials, except garbage; the term shall include the residue from the burning of wood, coal, coke and other combustible materials, paper, rags, cartons, boxes, wood, excelsior, rubber, leather, tree branches, yard trimmings, tin cans, metals, mineral matter, glass, crockery and dust and other similar materials

**Structure.** That which is built or constructed or a portion thereof.

**Tenant.** A person, corporation, partnership or group, whether or not the legal owner of record, occupying a building or portion thereof as a unit.

**Ventilation.** The natural or mechanical process of supplying conditioned or unconditioned air to, or removing such air from, any space.

**Workmanlike.** Executed in a skilled manner.

**Yard.** An open space on the same lot with a structure.

### SECTION 3. EXTERIOR PROPERTY AREAS

1. **Sanitation.** All exterior property and premises shall be maintained in a clean, safe and sanitary condition.

2. **Grading and drainage.** All premises shall be graded and maintained to prevent the erosion of soil and to prevent the accumulation of stagnant water thereon, or within any structure located thereon.

3. **Sidewalks and driveways.** All sidewalks, walkways, stairs, driveways, parking spaces and similar areas shall be kept in a proper state of repair, and maintained free from hazardous conditions.

4. **Weeds.** All premises and exterior property shall be maintained free from weeds, grass or plant growth in excess of ten (10) inches. All noxious weeds shall be prohibited. Weeds shall be defined as all annual plants and vegetation, other than trees or shrubs provided, however, this term shall not include cultivated flowers and gardens.

5. **Vermin infestation.** All structures and exterior property shall be kept free from vermin infestation. Where vermin are found they shall be promptly exterminated by approved processes which will not be injurious to human health. After extermination, proper precautions shall be taken to prevent reinfestation.

6. **Accessory structures.** All accessory structures, including detached garages, fences and walls, shall be maintained structurally sound and in good repair.

7. **Rubbish or garbage.** All exterior property and premises shall be free from any accumulation of rubbish or garbage.

8. **Abandoned or Junked Motor Vehicles.** All premises shall be free from the storage or accumulation of abandoned or junk motor vehicles. This provision shall not apply to motor vehicles which are sheltered by a building or enclosed behind a solid fence as permitted by applicable zoning ordinances. All abandoned or junked motor vehicles must be removed from the premises within thirty (30) days of service of notice.

9. **Exhaust vents.** Pipes, ducts, conductors, fans or blowers shall not discharge gases, steam, vapor, hot air, grease, smoke, odors or other gaseous or particulate wastes directly upon abutting or adjacent public or private property or that of another tenant.

#### SECTION 4. EXTERIOR STRUCTURE

1. **General.** The exterior of a structure shall be maintained in good repair, structurally sound and sanitary so as not to pose a threat to the public health, safety or welfare.

2. **Exterior finish.** The exterior of a structure shall be finished with material commonly accepted in the building industry as material used to finish exterior walls, e.g. brick, stone, block, aluminum siding, vinyl siding, wood framing, etc.

3. **Exterior painting.** All wood and metal surfaces, including but not limited to, window frames, doors, door frames, cornices, porches and trims shall be maintained in good condition. Peeling, flaking and chipped paint shall be eliminated and surfaces repainted.

4. **Structural members.** All structural members shall be maintained free from deterioration, and shall be capable of safely supporting the imposed dead and live loads.

5. **Foundation walls.** All foundation walls shall be maintained plumb and free from open cracks and breaks and shall be kept in such condition so as to prevent the entry of vermin.

6. **Exterior walls.** All exterior walls shall be free from holes, breaks, loose or rotting materials, and maintained weatherproof and properly surface coated where required to prevent deterioration.

7. **Roofs and drainage.** The roof and flashing shall be sound, tight and not have defects



that admit rain. Roof drains, gutters and downspouts shall be maintained in good repair and free from obstructions. Roof water shall not be discharged in a manner that creates a public nuisance

8. **Decorative features.** All cornices, belt courses, corbels, terre cotta trim, wall facings and similar decorative features shall be maintained in good repair with proper anchorage and in safe condition.

9. **Stairways, decks, porches and balconies.** Every exterior stairway, deck, porch and balcony, and all appurtenances attached thereto, shall be maintained structurally sound, in good repair, with proper anchorage and capable of supporting the imposed loads.

10. **Chimneys.** All chimneys shall be maintained structurally safe and sound, and in good repair.

11. **Handrails and guards.** Every handrail and guard shall be firmly fastened and capable of supporting normally imposed loads and shall be maintained in good condition.

12. **Window and door frames.** Every window, door and frame shall be kept in sound condition, good repair and weather tight.

13. **Basement hatchways.** Every basement hatchway shall be maintained to prevent the entrance of vermin, rain and surface drainage water.

## SECTION 5. INTERIOR STRUCTURE.

1. **General.** The interior of a structure and equipment therein shall be maintained in good repair, structurally sound and in sanitary condition. Every occupant shall keep that part of the structure which such occupant occupies or controls in a clean and sanitary condition. Every owner of a structure containing two or more dwelling units or two or more nonresidential occupancies, shall maintain, in a clean and sanitary condition, the shared or public areas of the structure and exterior property.

2. **Structural members.** All structural members shall be maintained structurally sound, and be capable of supporting the imposed loads.

3. **Interior surfaces.** All interior surfaces, including windows and doors, shall be maintained in good, clean and sanitary condition. Peeling paint, cracked or loose plaster, decayed wood, and other defective surface conditions shall be corrected.

4. **Stairs and railings.** All interior stairs and railings shall be maintained in sound condition and good repair.

5. **Handrails and guards.** Every handrail and guard shall be firmly fastened and capable of supporting normally imposed loads and shall be maintained in good condition.

6. Rubbish and garbage. The interior of a structure shall be free from any accumulation of rubbish or garbage.

7. Smoke detectors and carbon monoxide detectors. In all residential occupancies, smoke detectors and carbon monoxide detectors shall be installed on every story of the dwelling unit, including basement. In dwelling units with split levels, a smoke detector and a carbon monoxide detector installed on the upper level shall suffice for the adjacent lower level, provided that the lower level is less than one full story below the upper level. The power source for smoke detectors or carbon monoxide detectors shall be either an AC primary power source or a monitored battery primary power source.

**SECTION 6. INCONSISTENT ORDINANCES REPEALED.**

1. All other ordinances or parts of ordinances in conflict herewith are hereby repealed.

**SECTION 7. DATE OF EFFECT.**

1. This ordinance shall take effect and be in force from and after its approval as required by law.

ORDAINED AND ENACTED by the Board of Supervisors of Washington Township at a regular meeting thereof, a quorum being present, this 11th day of April, 2001.

WASHINGTON TOWNSHIP

BY: Melvin Allen Weiss  
Melvin Allen Weiss, Chairman

BY: John C. Yetscovich  
John C. Yetscovich

BY: Joanne Latkanich  
Joanne Latkanich

ATTEST:

Joanne Latkanich  
Joanne Latkanich, Secretary

**TOWNSHIP OF WASHINGTON**  
**FAYETTE COUNTY, PENNSYLVANIA**  
**ORDINANCE NO. O-01-01 Revised**  
**AN AMENDMENT TO ORDINANCE NO. 01-01**

**IT IS HEREBY ORDAINED AND ENACTED** by the Supervisors of Washington Township that Ordinance No. 01-01 is hereby amended and revised as follows:

**SECTION 1. ADMINISTRATION**

Paragraphs 1 through 34. are readopted and reenacted without change. The original Ordinance is hereby incorporated by reference and made a part hereof.

**SECTION 2. DEFINITIONS**

Paragraphs 1 through 2 are readopted and reenacted without change.

**SECTION 3. EXTERIOR PROPERTY AREAS**

Paragraphs 1 through 9 are readopted and reenacted without change.

**SECTION 4. EXTERIOR STRUCTURE**

Paragraphs 1 through 13 are readopted and reenacted without change.

**SECTION 5. INTERIOR STRUCTURE.**

Paragraphs 1 through 7 are readopted and reenacted without change.

**SECTION 6. PENALTY (new section)**

In the event it becomes necessary to enforce the provisions of this Ordinance, this Ordinance may be enforced by a citation issued by the Zoning Enforcement/Code Officer or a Police Officer who is hereby authorized and empowered to execute a citation before the local district judge sitting as the judicial official in the Township, which citation shall set forth the terms and conditions and sections of the Ordinance which have been violated or neglected or not executed by the individual, corporation, entity, partnership, LLC or other organization that may have violated this Ordinance, which will be judicially determined before the local district judge in accordance with Pennsylvania Laws and Rules of Criminal Procedure.

In the event that the local district judge finds that the Ordinance has been violated in any respect, then the judge shall impose penalty upon the individual, corporation, entity, partnership, LLC, organization or otherwise that has violated the Ordinance, in an amount which is consistent with the current requirements and specifications of Pennsylvania Statutory Law as set forth at 53 P.S. Section 66601, a fine shall be imposed of not less than \$300.00 per day, nor more than \$1,000.00 per day. Each day that the offense continues shall constitute a separate violation under the terms and conditions of the Ordinance. In addition, the district judge shall impose reasonable costs for the Enforcement/Code Officer plus reasonable attorney's fees shall be imposed and all expenses incurred by the Township in enforcing the Ordinance shall be imposed upon the offender. Failure to comply with payment of the fine and penalty assessed by the district judge

shall result of the imposition of a term of imprisonment for a period of thirty (30) days or for a period of time imposed by the district judge that reflects the severity of the violation and the facts and circumstances of each particular case.

**SECTION 7. INCONSISTENT ORDINANCES REPEALED**

1. All other ordinances or parts of ordinances in conflict herewith are hereby repealed.

**SECTION 8. DATE OF EFFECT**

1. This Ordinance shall take effect and be in force five (5) days after its enactment.

**ORDAINED AND ENACTED** by the Board of Supervisors of Washington Township, Fayette County, Pennsylvania, on the 14th day of September, 2011.

**WASHINGTON TOWNSHIP SUPERVISORS**

By: Charles E Yusko  
Charles Yusko, Chairman

By: Arnie Dull  
Arnie Dull, Vice-Chairman

By: Jamie Miller  
Jamie Miller, Supervisor

ATTEST:

Amy B Naulty  
Amy B. Naulty, Secretary

(SEAL)

I hereby certify that the foregoing Ordinance was advertised in *The Valley Independent* on the 1st day of September, 2011, a newspaper of general circulation in the municipality and was duly enacted and approved as set forth at a regular meeting of the Washington Township Supervisors held on the 14th day of September, 2011.

Amy B Naulty  
Amy B. Naulty, Secretary

(SEAL)

COPY

ORDINANCE NO. 03-02

AN ORDINANCE OF THE TOWNSHIP OF WASHINGTON, FAYETTE COUNTY,  
PENNSYLVANIA RESTRICTING THE HEIGHT OF VEGETATION GENERALLY;  
PROVIDING FOR ABATEMENT OF A NUISANCE; ESTABLISHING PROCEDURES  
FOR ENFORCEMENT AND PRESCRIBING PENALTIES FOR VIOLATION

BE IT ORDAINED AND ENACTED and it is hereby ordained and enacted by the  
Supervisors of Washington Township as follows:

Section 1. No person, firm or corporation owning or occupying any property within  
Washington Township shall permit any grass or weeds or any vegetation whatsoever, not edible  
or planted for some ornamental purpose, to grow or remain upon such premises so as to exceed a  
height of ten (10) inches.

Section 2. No person, firm or corporation owning or occupying any property within  
Washington Township shall permit any hedge, shrub, tree, plant or other vegetation to grow to  
the extent that the same impedes, restricts or interferes with the safe operation of motor vehicles  
being operated upon the streets or alleys of Washington Township.

Section 3. The owner of any premises, or the occupant of premises occupied by other  
than the owner, shall remove, trim or cut all grass, weeds, hedges, shrubs, trees, plants or other  
vegetation growing or remaining upon such premises in violation of the provisions of Section 1  
or Section 2.

Section 4. A Washington Township Supervisor, or any officer, police officer, or  
employee of Washington Township is hereby authorized to give notice, by personal service or by  
United States Mail, to the owner or occupant, as the case may be, of any premises whereon a  
violation of this ordinance is occurring, directing and requiring such owner or occupant to  
conform to the requirements of this ordinance within five (5) days after issuance of such notice.  
Whenever, in the judgment of the Supervisors of Washington Township it shall appear to be  
impracticable to give notice as above provided, either because the owner or occupant cannot  
readily be found or because a search for the owner or occupant would entail unreasonable delay,  
a Supervisor or any officer, police officer or employee of Washington Township may give notice  
by posting conspicuously on the property where such condition exists, a notice or order directing  
and requiring that the condition be abated within five (5) days. In case any person, firm or  
corporation shall neglect, fail or refuse to comply with such notice within the period of time  
stated therein, the Board of Supervisors may order the removal, trimming or cutting of such  
grass, weeds, hedges, shrubs, trees, plants or other vegetation, and the cost thereof, together  
with a penalty of ten (10%) percent of the cost thereof shall be collected by Washington  
Township from such person, firm or corporation, in the manner provided by law.

Section 5. Any person, firm or corporation who shall violate any provision of this

ordinance shall, upon conviction thereof, be sentenced to pay a fine on not less than Twenty-five (\$25.00) Dollars and not more than One Thousand (\$1,000.00) Dollars and in default of payment, to undergo imprisonment for a term not to exceed thirty (30) days. Each day that a violation of this ordinance continues after notice shall constitute a separate offense.

Section 6. If any sentence, clause, section, or part of this ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality, or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts of this ordinance. It is hereby declared as the intent of the Supervisors of Washington Township that this ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein.

Section 7. The ordinance shall become effective five (5) days after enactment.

ORDAINED ND ENACTED by the Board of Supervisors of Washington Township at a regular meeting thereof, a quorum being present, this 9<sup>th</sup> day of July, 2003.

WASHINGTON TOWNSHIP

BY: Melvin Allen Weiss  
Melvin Allen Weiss, Chairman

BY: John C. Yetscomish  
John C. Yetscomish

BY: Joanne Larkanich  
Joanne Larkanich

ATTEST:

Joanne Larkanich  
Secretary

**WASHINGTON TOWNSHIP  
FAYETTE COUNTY, PENNSYLVANIA  
1390 FAYETTE AVENUE  
BELLE VERNON, PA 15012  
(724) 929-6333**

**ROAD BORING PERMIT**

To bore an opening or excavation beneath Washington Township highways in compliance with the Ordinance of Washington Township effective January 3, 2011 and in compliance with all of the Laws, Rules and Regulations of the Commonwealth of Pennsylvania.

Issued this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

Issued to \_\_\_\_\_, to bore beneath the roadway in Washington Township, Fayette County, as described in the application submitted to the Township Supervisors for:

1. Location of work: \_\_\_\_\_  
Name of Street or Township Designation showing specific location of boring

\_\_\_\_\_

\_\_\_\_\_

2. For Property of: \_\_\_\_\_  
Name, Address and Identification Number of Property Involved

\_\_\_\_\_

\_\_\_\_\_

Specific Size: \_\_\_\_\_

Diameter of bore: \_\_\_\_\_

Location of bore beneath surface of roadway: \_\_\_\_\_

\_\_\_\_\_

Length of boring: \_\_\_\_\_

\_\_\_\_\_

Diameter of pipe to be inserted in the boring for support: \_\_\_\_\_

\_\_\_\_\_

Diameter and composition of pipe to be inserted in the bore: \_\_\_\_\_

Diameter and composition of pipe to be inserted for transmission of product: \_\_\_\_\_

The fee for up to a twelve (12") inch diameter bore shall be \$40.00 per lineal foot.

The fee for a twelve (12") inch diameter bore up to a thirteen (13") inch diameter bore shall be \$45.00 per lineal foot.

The fee for a thirteen (13") inch up to a fourteen (14") inch diameter bore shall be \$50.00 per lineal foot.

The fee for the bore shall be increased at the rate of \$5.00 per lineal foot for each one inch increment in diameter that the bore increases.

A bore shall be appropriately sealed at each end to ensure that water or extraneous materials are not introduced into the bore hole, nor the carrier pipe.

Permit fee amount paid: \_\_\_\_\_

\_\_\_\_\_  
Date

\_\_\_\_\_  
Charles E. Yusko, Supervisor/Chairman  
Washington Township



COPY

ORDINANCE NO. 01-02

**AN ORDINANCE OF THE TOWNSHIP OF WASHINGTON, FAYETTE COUNTY, PENNSYLVANIA ESTABLISHING STANDARDS FOR ENCLOSURE OF POOLS; ESTABLISHING STANDARDS FOR ELECTRICAL CONNECTIONS; REGULATING THE LOCATION OF POOLS ON PROPERTY; REQUIRING A CONSTRUCTION PERMIT AND FEE AND PRESCRIBING PENALTIES FOR VIOLATION.**

WHEREAS, it is in the best interest of the health, safety and welfare of the residents of Washington Township to help prevent drowning of children in swimming pools and to help prevent injury to individuals by improper electrical facilities and connections in and around swimming pools; and,

WHEREAS, it is in the best interest of the health, safety and welfare of the residents of Washington Township to have swimming pools located at the rear or along side of a dwelling where practicable and away from wells and on-site septic systems.

**BE IT ENACTED AND ORDAINED** by the Board of Supervisors of Washington Township, Fayette County, Pennsylvania and it is hereby enacted and ordained by authority of the same:

**Section 1. Definition.** As used in this ordinance, SWIMMING POOL or POOL is hereby defined as any structure with a floor of at least seventy-five (75 ) square feet capable of holding water erected for the purpose of providing a place for individuals to be in water and having a depth of eighteen (18) inches or more at any one point. As used in this ordinance, FENCE is hereby defined as any vertical structure four (4) feet in height from the ground which would prevent a small child from climbing under or through it. The exterior side of the structure must rise approximately perpendicular from the ground and be relatively flat. A structure does not satisfy this definition if steps make it possible for an individual to ascend the structure.

**Section 2. Applicability.** This ordinance shall apply to all new outdoor swimming pools hereinafter constructed as well as existing swimming pools whether aboveground or in the ground.

**Section 3. Enclosure.** Every swimming pool shall be completely surrounded by a fence, wall or similar enclosure not less than four (4) feet in height. A dwelling or accessory building may be used as part of such enclosure.

All gates or door openings through such enclosure shall be equipped with a self-closing, self-latching device on the pool side for keeping the gate or door securely closed at all times when not in use, except that the door of any dwelling or accessory building which forms a part of the enclosure need not be so equipped. The fence shall surround the pool and the deck area.

**Section 4. Location on the Property.** A swimming pool shall be located at the rear of a dwelling or along the side of the dwelling where practical.

No swimming pool or appurtenances including decks and shelters shall be erected nearer to any property line than permitted by the zoning ordinance.

No swimming pool shall be so located as to interfere with the operation of a well or on-site septic system, or to be located where there is potential danger of a septic system discharging into the pool or onto the adjacent area around the pool.

**Section 5. Aboveground Pools.** All aboveground pools having walls less than four (4) feet shall be enclosed in accordance with the provisions of this ordinance.

Aboveground pools having walls four (4) feet or greater in height may be excluded from the fencing requirement provided such pools are equipped with access ladders which may be raised and locked in a near vertical position when the pool is unattended. An aboveground pool as described in this paragraph which is served by a ladder or steps which cannot be raised and locked so as to prevent access by small children shall be enclosed in accordance with section 3.

**Section 6. Electrical Connections.** All electrical installations shall conform to the specifications of the National Electrical Code. No electric wires or conductors shall cross, either overhead or underground, on any part of a swimming pool, nor shall an electric wiring be installed parallel to any pool wall closer than five (5) feet, if underground, unless enclosed in a rigid conduit, or within five (5) feet, if overhead.

All underwater lights must be watertight, self-contained units with ground connections running from a waterproof junction box to a proper grounding facility or medium. All underground electric wires supplying current to said lights within a distance of five (5) feet of the pool wall or walls shall be enclosed in rigid conduits. All metal fences, enclosures or railings, near or adjacent to a swimming pool, which might become electrically charged as a result of contact with broken overhead conductors, or from any other cause, shall be effectively grounded.

Within five (5) days of completion of the installation of a swimming pool, the Owner shall provide to the Township Secretary or zoning officer a written certification from an electrical engineer or registered electrician that all electrical connections have been installed in accordance with the provisions of this ordinance.

**Section 7. Notice of Violation.** Where the Township finds that the provisions of this Ordinance are being violated, the Township shall notify in writing the persons responsible for the violation, indicating the nature of the violation and ordering the action and the maximum number of days necessary to correct it. If the Notice of Violation is not complied with, the Township shall institute the appropriate legal proceedings to correct the violation.

**Section 8. Penalties.** Any person, firm or corporation who shall violate any provision of this ordinance shall, upon conviction thereof, be sentenced to pay a fine not more than one thousand

(\$1,000.00) dollars, and in default of payment, to imprisonment for a term not to exceed thirty (30) days. The fines and costs imposed hereby shall be collected in action brought before a district justice in the same manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure. The Township of Washington specifically authorizes and reserves all other remedies permitted or recognized at law or equity, including injunctive relief necessary to enforce this Ordinance.

**Section 9. Construction Permit and Approval.** Before any work is commenced on the construction of a swimming pool (aboveground or below ground) or on any alteration, addition, remodeling or other improvement to a swimming pool, an application for a permit for construction, together with plans and specifications pertinent to the construction, as well as explanatory data, shall be submitted to the zoning officer. No part of the work shall be commenced until approval has been granted the applicant by a written permit. The fee for such permit shall be fixed pursuant to a resolution of the Supervisors of Washington Township.

**Section 10. Repealer.** All ordinances or parts of ordinances which are inconsistent herewith are hereby repealed.

**Section 11. Severability.** If any sentence, clause, section, or part of this ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts of this ordinance. It is hereby declared as the intent of the Supervisors of Washington Township that this ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein.

**Section 12. Effective Date.** This ordinance shall become effective on the date of adoption.

ORDAINED AND ENACTED by the Supervisors of Washington Township at a regular meeting, a quorum being present, this 11th day of April, 2001.

BOARD OF SUPERVISORS OF WASHINGTON  
TOWNSHIP, FAYETTE COUNTY,  
PENNSYLVANIA

BY: Melvin Allen Weiss  
Melvin Allen Weiss, Chairman

BY: John C. Yetschish  
John C. Yetschish

BY: Joanne Latkanich  
Joanne Latkanich