

An Ordinance requiring the removal or repair of dangerous structures by the owners thereof, or by the Borough at the expense of such owners failing or refusing to do so, and prescribing penalties for violation.

The Borough of West Kittanning hereby ordains as follows:

Section 1. When it shall be reported to the Borough Council that any structure, completed or in process of construction, or any portion thereof, is in a dangerous condition, the Borough Council 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, the Council shall report in writing to the Mayor, specifying the exact condition of such structure, setting forth in such report whether and in what respect they consider such structure to be dangerous, and, if so, whether such structure is capable of being properly repaired or whether it should be removed as a dangerous structure.

Section 2. If any structure is reported by the Borough Council, as provided in the first section of this ordinance, to be in a dangerous condition, the Mayor 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 ten (10) days of such notice and to complete such repair or removal within thirty (30) days thereof. Provided: in any case where the notice prescribes the repair of any structure, the owner thereof shall have the option to remove such structure instead of making the repairs thereto, within the said time limit.

Section 3. The notice required by the second section of this ordinance shall be served personally upon the owner of a structure, if such owner resides in the Borough, or upon the agent of such owner, if such agent has a residence or place of business within the Borough. If neither the owner nor the agent thereof can be served within the Borough as hereby provided, such notice shall be sent to the owner of such structure by registered mail, at the last known address thereof.

Section 4. 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 ordinance, fails to commence or to complete such repair or removal within the time limit prescribed by such notice, he shall be guilty of a violation of this ordinance, and, upon conviction thereof, shall be sentenced to pay a fine of not more than fifty dollars (\$50.00) and costs of prosecution. Provided: each day's continuance of a violation shall constitute a separate offense.

Section 5. 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 ordinance, fails to commence or to complete such repair or removal within the time limit prescribed by such notice, the Mayor shall be empowered to cause such work of repair or removal to be commenced and/or completed by the Borough, and the cost and expense thereof, with a penalty of ten percentum (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 the penalty, may be in addition to the penalty imposed as provided in the fourth section of this ordinance.

ORDAINED AND ENACTED INTO LAW by the Council of the Borough of
West Kittanning, this 10 day of Sept. 1973, in lawful session
regularly assembled.

BOROUGH OF WEST KITTANNING

ATTEST:

By Fred Southworth
President of Council

Bernie Bowser
Secretary

Approved this 10 day of Sept. A.D. 1973.

Thomas Hawley
Mayor of Borough of West Kittanning

Borough Solicitor