

## Chapter 5

### CODE ENFORCEMENT

#### ARTICLE I National Electrical Code

§ 5-1. Adoption of National Electrical Code.

#### ARTICLE II BOCA National Fire Prevention Code

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- § 5-3. Additions, insertions and changes.
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§ 5-6. Adoption of BOCA Basic Plumbing Code.

#### ARTICLE IV BOCA Basic Housing-Property Maintenance Code

§ 5-7. Adoption of BOCA Basic Housing-Property Maintenance Code.

#### ARTICLE V BOCA Basic Building Code

§ 5-8. Adoption of BOCA Basic Building Code.

#### ARTICLE VI One- and Two-Family Dwelling Code

§ 5-9. Adoption of One- and Two-Family Dwelling Code.

#### ARTICLE VII Uniform Construction Code

§ 5-10. Adoption of Uniform Construction Code.

#### ARTICLE VIII Code Enforcement Officials

§ 5-11. Designating Code Enforcement Officials.

#### ARTICLE IX BOCA National Property Maintenance Code

§ 5-12. Adoption of Property Maintenance Code.

§ 5-13. Additions, deletions, insertions and changes.

[HISTORY: Adopted by the Board of Supervisors of the Township of German as indicated in article histories. Amendments noted where applicable.]

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or Interfere with Fire Suppression Forces," is hereby adopted by the Township of German and is hereby enacted and ordained in its entirety.

**ARTICLE III**  
**BOCA Basic Plumbing Code**  
**[Adopted 6-2-1981 by Ord. No. 69]**

**§ 5-6. Adoption of BOCA Basic Plumbing Code.**

The BOCA Basic Plumbing Code of 1978 is hereby adopted, and by said adoption and reference thereto, all the regulations as promulgated and provided by the referred BOCA Basic Plumbing Code of 1978 are hereby incorporated herein as the regulations of the "Township of German Plumbing Code."

**ARTICLE IV**  
**BOCA Basic Housing-Property Maintenance Code**  
**[Adopted 6-2-1981 by Ord. No. 67]**

**§ 5-7. Adoption of BOCA Basic Housing-Property Maintenance Code.**

The BOCA Basic Housing-Property Maintenance Code of 1975 is hereby adopted, and by said adoption and reference thereto, all the regulations as promulgated and provided by the referred BOCA Basic Housing-Property Maintenance Code of 1975 are hereby incorporated herein as the regulations of the "Township of German Housing-Property Maintenance Code."

**ARTICLE V**  
**BOCA Basic Building Code**  
**[Adopted 6-2-1981 by Ord. No. 66]**

**§ 5-8. Adoption of BOCA Basic Building Code.**

The BOCA Basic Building Code of 1978 is hereby adopted, and by said adoption and reference thereto, all the regulations as promulgated and provided by the referred BOCA Basic Building Code of 1978 are hereby incorporated herein as the regulations of the "Township of German Building Code."

**ARTICLE VI**  
**One- and Two-Family Dwelling Code**  
**[Adopted 6-2-1981 by Ord. No. 65]**

**§ 5-9. Adoption of One- and Two-Family Dwelling Code.**

The One- and Two-Family Dwelling Code, Second Edition, and the One- and Two-Family Dwelling Code 1976 Supplement, are hereby adopted, and by said adoption and reference thereto, all the regulations as promulgated and provided by the referred One- and Two-Family Dwelling Code, Second Edition, and 1976 Supplement, are hereby incorporated herein as the regulations of the "Township of German One- and Two-Family Dwelling Code."

- E. Board of Appeals. A Board of Appeals shall be established by resolution of the Township Supervisors in conformity with the Code, as amended, and for the purposes set forth therein. If at any time enforcement and administration of the Code is undertaken jointly with one or more other municipalities, the Board of Appeals shall be established by joint action and agreement of the participating municipalities.
- F. Repealer clauses.
- (1) Any and all prior ordinances or amendments thereto or portions thereof which were adopted on or before July 1, 1999, and which have provisions equal to or in excess of the minimal requirements of the Code shall remain in full force and effect until such time as a those provisions fail to equal or fail to exceed the minimal requirements of the Code, as amended from time to time.
  - (2) Any and all prior ordinances or amendments thereto or portions thereof which are in effect as of the date of this article and which have provisions less than the minimal requirements of the Code are hereby repealed.
  - (3) Any and all prior ordinances, regulations and policies of the Township of German or amendments thereto or portions thereof which are not governed by the Code shall remain in full force and effect.
- G. Fees and assessments. The Township of German shall, from time to time by resolution, establish and adopt a schedule of fees and assessments to be levied for the administration and enforcement of the Code and for all inspections and acts required under the Code.
- H. Savings clause. If any section, subsection, sentence or clause of this article or the Code is, for any reason, held to be invalid, such decision or decisions shall not affect the validity of the remaining provisions of this article.
- I. Enforcement. Any person who fails to comply with any or all of the requirements or provisions of this article or the Code, or who fails or refuses to comply with any provisions of this article or the Code, or who fails to or refuses to comply with any notice, order of direction of municipal official designated to enforce this code shall be subject to criminal and/or civil penalties. All actions for enforcement to this article shall be brought as follows:
- (1) As a summary offense, before a Magisterial District Judge in the same manner provided for the enforcement of a summary offense under the Pennsylvania Rules of Criminal Procedure. Any person who shall violate or fail to comply with any of the provisions of this article shall, upon conviction thereof, in a summary proceeding before a Magisterial District Judge, be sentenced to pay a fine of not less than \$100 nor more than \$1,000, costs of prosecution, restitution and/or a term of imprisonment up to 90 days, per violation. Each day that a violation continues shall constitute a separate offense; or
  - (2) As a civil action in law or in equity, before a Magisterial District Judge in the same manner provided for under the Pennsylvania Rules of Civil Procedure of District Justice Rules. Any person who shall violate or fail to comply with any of the provisions of this article shall be assessed a civil penalty of not less than \$100

to, adopted and made a part hereof, as if fully set out in this article, with the additions, insertions, deletions and changes prescribed in § 5-13 of this article.

**§ 5-13. Additions, deletions, insertions and changes.**

The BOCA National Property Maintenance Code is amended and revised in the following respects:

- Section PM-101.1 [page 1, second line] Insert: "Township of German."
- Section PM-106.2 [page 2, third line] Insert: "\$300" in both locations
- Section PM-106.2 [page 2, fourth line] Insert: "30 days"
- Section PM-11.2 Change to read: "**Members of the Board:** The Board of Appeals shall consist of the three Township Supervisors holding office at the time of the hearing."
- Section PM-111.2.1 Delete.
- Section PM-111.2.2 Delete.
- Section PM-111.2.3 Delete.
- Section PM-111.2.5 Delete.
- Section PM-111.3 Delete.
- Section PM-111.5 Delete.
- Section PM-111.6 Change to read: "**Board decision:** The Board of Appeals shall modify or reverse the decision of the code official only by the positive vote of two or more members."

**Chapter 6**  
**CONDUCT**

**ARTICLE I**  
**Curfew**

**§ 6-1. Definitions.**

**§ 6-2. Imposition of curfew.**

**§ 6-3. Exceptions.**

**§ 6-4. Responsibility of parent or guardian.**

**§ 6-5. Police procedure.**

**§ 6-6. Violations and penalties.**

**§ 6-7. Enforcement.**

**[HISTORY: Adopted by the Board of Supervisors of the Township of German as indicated in article histories. Amendments noted where applicable.]**

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**ARTICLE I**  
**Curfew**

**[Adopted 9-16-1999 by Ord. No. 199]**

**§ 6-1. Definitions.**

As used in this article, the following terms shall have the meanings indicated:

**TOWNSHIP** — The Township of German, Fayette County, Pennsylvania.

**§ 6-2. Imposition of curfew.**

It shall be unlawful for any person under 18 years of age to be or remain upon any street or alley or other public place in the Township after 10:00 p.m. unless:

- A. Such person is physically accompanied by a parent or guardian or other person having legal custody of such minor;
- B. In the performance of duty or case of necessity as directed by such parent, guardian or other person having legal custody; or
- C. Such person is in lawful employment making it necessary to be in such places after 10:00 p.m.

**§ 6-3. Exceptions.**

The curfew provisions of § 6-2 hereof shall not apply in any of the following situations:

- A. If and when the lawfully recognized school year is in recess or on other nights preceding school holidays, when such curfew time shall be 11:00 p.m.; and
- B. On the weeknights of Friday and Saturday during the lawfully recognized school year, when such curfew time shall be 11:00 p.m. In all other respects, the provisions of § 6-2 shall apply.