

CHAPTER 5

CODE ENFORCEMENT

Part 1

Code Enforcement Officer

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Part 1

Code Enforcement Officer

§101. Purposes. The purposes of this Part are to:

A. Protect the public health, safety and welfare by promoting maximum compliance with municipal regulations.

B. Centralize in one municipal official the authority and responsibility for the administration and enforcement of certain provisions of the Code of Ordinances, thereby eliminating uncertainty and facilitating the efficient, economical and effective conduct of Borough affairs.

(Ord. 698, 5/11/1999, §1)

§102. Office Created. The office of Code Enforcement Officer is established for this Borough. (Ord. 698, 5/11/1999, §1)

§103. Appointment. Such official shall be appointed by, and shall serve at the pleasure of, the Borough Council. (Ord. 698, 5/11/1999, §1)

§104. Compensation. The compensation of the Code Enforcement Officer shall be as fixed by the Council. (Ord. 698, 5/11/1999, §1)

§105. Duties. The Code Enforcement Officer shall have the following duties:

A. To administer and enforce all present and future provisions of the Code of Ordinances of this Borough which provide for the issuance of permits and for the performance of inspections of property or the making of similar investigations.

(1) Such provisions include (but are not limited to) those relating to building, housing, property maintenance, health, fire hazard, public safety, nuisances and zoning.

(2) This provision supersedes any different delegation or assignment of responsibility for administration and/or enforcement which may be set forth in the aforesaid ordinances.

B. To prepare and maintain complete and accurate records of his or her activities, including (but not limited to) written reports of site visits and inspections, containing the date and findings of each.

C. In addition, to perform such other tasks as may be assigned from time to time by the Council or Borough Manager.

D. To consult with the Borough Solicitor whenever legal advice is needed, and before any legal proceeding is commenced.

(Ord. 698, 5/11/1999, §1)

§106. Powers. The Code Enforcement Officer shall have the following authority:

A. To consider and either approve or deny applications for permits.

B. To revoke any permit issued by mistake or through misrepresentation or false statement.

C. To make site visits and perform any and all inspections as may be deemed necessary or proper.

D. To enter upon private property between the hours of 7:00 a.m. and 7:00 p.m. for the purpose of inspecting the condition or use thereof.

E. To enter upon private property at any time whenever an emergency appears to exist which involves a clear and immediate danger to any occupant or to public health or safety, and to take whatever actions deemed necessary or proper to meet such emergency.

F. When access has been denied, to apply for, obtain and execute a search warrant or other appropriate judicial order for entry upon and inspection of property.

G. To issue enforcement notices provided for in those ordinances within the scope of §105 above.

H. To issue any other directives or orders provided for in any ordinance within the scope of §105.

I. To initiate and prosecute civil enforcement proceedings before a district justice.

J. To initiate and prosecute summary offense proceedings before a district justice.

K. To make recommendations to the Council regarding the duties and powers of the Code Enforcement Officer.

L. To engage the services of qualified consultants or contractors when required, subject to the approval of the Council.

(Ord. 698, 5/11/1999, §1)

§107. Police Department. This Part is not intended, and shall not be construed, as changing or limiting the authority of the police force of this Borough in the enforcement of ordinances. (Ord. 698, 5/11/1999, §1)

§108. Fees.

1. The Council shall establish, by motion or resolution, a schedule of fees for permits and applications for other actions authorized by law.

2. No permit shall be issued and no other requested action shall be taken until the prescribed fee therefor has been paid in full.

(Ord. 698, 5/11/1999, §1)

