

ORDINANCE NO. 2026-573
PARKESBURG BOROUGH
CHESTER COUNTY, PENNSYLVANIA

An ordinance of the Borough of Parkesburg, Chester County, Pennsylvania adopting the 2021 edition of the *International Property Maintenance Code, as published by the International Code Council, Inc.*, (the version most recently approved by the Pennsylvania Department of Labor and Industry) and thereafter, adopting automatically any subsequent version of the International Property Maintenance Code as published by the International Code Council, Inc. when same is approved by the Pennsylvania Department of Labor and Industry which approved version shall supersede the prior edition subject to the below identified changes and amendments, regulating and governing the conditions and maintenance of all property, buildings and structures; by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; and the condemnation of buildings and structures unfit for human occupancy and use, and the demolition of such existing structures in the Borough of Parkesburg ; providing for the issuance of permits and collection of fees therefor; repealing all other ordinances and parts of the ordinances in conflict therewith.

BE IT ORDAINED AND ENACTED by the Borough Council of Parkesburg Borough, Chester County, Pennsylvania, and it is hereby ordained and enacted by the authority of the same as follows:

Section 1. That a certain document, three (3) copies of which are on file in the office of the Borough Secretary of the Borough of Parkesburg, being marked and designated as the *International Property Maintenance Code, 2021 edition, as published by the International Code Council, Inc.*, (the version most recently approved by the Pennsylvania Department of Labor and Industry) and thereafter, adopting automatically any subsequent version of the International Property Maintenance Code as published by the International Code Council, Inc. when same is approved by the Pennsylvania Department of Labor and Industry which approved version shall supersede the prior edition as the Property Maintenance Code of the Borough of Parkesburg, in the Commonwealth of Pennsylvania (subject to the below identified changes and amendments, as relevant) for regulating and governing the conditions and maintenance of all property, buildings and structures; by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; and the condemnation of buildings and structures unfit for human occupancy and use, and the demolition of such existing structures as herein provided; providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, penalties, conditions and terms of said Property Maintenance Code on file in the office of the Borough of Parkesburg are hereby referred to, adopted, and made a part hereof, as if fully set out in this ordinance, with the additions, insertions, deletions and changes, if any, prescribed in Section 2 of this ordinance.

Section 2. The following sections are hereby revised:

Section 101.1. Insert: Borough of Parkesburg

Section 103.1. Insert: The Codes Department as designated by Resolution of Borough Council to be a person (or persons), employee (or employees) of the Borough or other entity acting solely or together as deemed appropriate by the Borough Council

Section 104.1. Amend by removing the existing language and insert in its place the following: “The fees for activities and services performed by the department in carrying out its responsibilities under this code shall be established and amended by Resolution of the Borough Council.”

Section 109.3. Amend by removing the word “misdemeanor” in the fourth line of existing code and replace it with the word “summary”.

Section 109.4. Amend by removing the existing language under the heading “Violation penalties.” And add the following:

A. In addition to the enforcement of this code by as a Summary Offense as identified previously, if an action for abatement resulting in a Civil Action as identified and permitted by Section 109.5 of this code, then any person who has violated or permitted the violations of the provisions of this code, upon being found liable therefor in a Civil Action commenced by Parkesburg Borough, shall pay a Judgment of not less than One Thousand Dollars (\$1,000.00) per violation, plus costs and attorney’s fees incurred by Parkesburg Borough.

B. Each day any violation exists and continues shall constitute a separate offense.

C. If any prosecution for a Summary Offense or Civil Action brought pursuant to this code results in a final determination without any appeal pending and if the violation still exists, then the Borough of Parkesburg, through its duly authorized agent, shall be and is hereby empowered to correct the violation by repair or otherwise.

D. All costs, expenses and attorney’s fees incurred or expended by the Borough of Parkesburg for any repair, etc., relative to a violation as is permitted in subsection C. above, together with an administrative charge of ten percent (10%) may be charged as a Municipal Claim or Lien against the property at issue.

E. In addition to the procedures provided under Section 112.2 governing temporary safeguards, if the code official determines that a property requires immediate protective measures/repairs in order to protect the public (such as boarding-up the property or mowing the lawn and correcting overgrown bushes and shrubs), then, when it has been determined that a property owner is either not available to immediately effectuate the necessary protective measures/repairs or the property owner refuses to do so immediately, the code official shall be authorized to direct that the needed protective

measures/repairs be undertaken by public employees or private contractors and the property owner shall be responsible for the costs incurred with respect to such protective measures/repairs and shall be required to pay the costs of same within 30 days, and in failing to do so, the property shall be made subject to a municipal lien to cover the costs incurred for the public safety and to correct the violations at issue together with an administrative charge of ten percent (10%).

Section 111.4.2 Amend to add a new subsection 4 regarding “method of service” stating in its entirety as follows: “If a property is known to be abandoned, or if prior posting of the property has previously been permitted in accordance with the provisions of subsection 3, then, in either instance, posting of the property shall thereafter be a permissible means of service until the circumstances change with respect to ownership.”

Section 201. Amend to add to the existing definition of “Rubbish” the following additional words as an insert before the final words” and other similar materials’ - “municipal waste,”. Additionally, amend the existing definition by adding the following sentence: “Rubbish shall also include car parts, machinery and equipment, and parts of machinery or equipment not in lawful use or operation unless such car parts, machinery, equipment etc., is stored and screened from the view by the public.”

Section 302.4. Insert: Six (6”) inches

Section 304.14. Insert: May 15 to September 1

Section 602.3. Insert: September 1 to May 15

Section 602.4. Insert: September 1 to May 15

Section 3. The following sections are hereby added:

Section 302.10. Storage of boats and travel trailers. No boats or travel trailers shall be permitted to be stored on the premises in plain view of the public (or placed on any public way).

Section 302.11. Rubbish, yard waste etc., All exterior property and premises, including public ways shall be maintained so that trash totes and yard waste are set out for trash removal (and recycling) no earlier than the night before the assigned pick-up and promptly removed after trash removal and/or recycling (i.e., the day of the assigned pick-up) and no foreign objects shall be left visible in the exterior property and premises.

Appendix A “Boarding Standard: The appendix “A” identifying the “Boarding Standard” of the International Property Maintenance Code 2021 edition, is adopted

herein by reference as though set forth at length and made mandatory standards for boarding of structures pursuant to this Ordinance.

Section 4. That Ordinance No. 2026-573, enacted to adopt the 2021 International Property Maintenance Code and adopting automatically any subsequent version of the International Property Maintenance Code as published by the International Code Council, Inc. when same is approved by the Pennsylvania Department of Labor and Industry superseding any prior versions thereof and all other ordinances or parts of ordinances in conflict herewith are hereby repealed. It is specifically acknowledged, however, that the Borough has in accordance with Act 45 of 1997, 35 P.S. § 7210.101 et seq., enacted the Uniform Construction Code, Ordinance No. 456, which addresses all other International Codes other than the International Property Maintenance Code addressed herein, and nothing in this Ordinance shall be deemed to repeal either explicitly or implicitly any provision of Ordinance No. 456, entitled “AN ORDINANCE OF PARKESBURG BOROUGH, CHESTER COUNTY, PENNSYLVANIA, ENACTED FOR THE PROMOTION OF THE PUBLIC HEALTH, SAFETY AND GENERAL WELFARE BY ADOPTING THE UNIFORM CONSTRUCTION CODE, AUTHORIZING THE ADMINISTRATION AND ENFORCEMENT OF THE REGULATIONS ISSUED PURSUANT TO THAT CODE, ESTABLISHING FEES, CREATING A BOARD OF APPEALS, ESTABLISHING PENALTIES FOR VIOLATIONS, ETC.,” and the provisions of those Building Code Ordinance which equal or exceed the minimum requirements in the Uniform Construction Code as protected thereby.

Section 5. That if any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional, invalid or illegal, such decision shall not affect the validity of the remaining portions of this ordinance. The Borough Council of the Borough of Parkesburg hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional, invalid or illegal.

Section 6. That nothing in this ordinance or in the International Property Maintenance Code hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in Section 4 of this ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance.

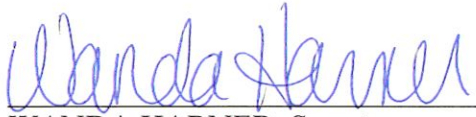
Section 7. That the Borough Secretary is hereby ordered and directed to cause this ordinance to be published as necessary in accordance with the Borough Code and Pennsylvania Law.

Section 8. That this ordinance and the rules, regulations, provisions, requirements, orders and matters established and adopted hereby shall take effect and be in full force and effect immediately from and after the date of its final passage and adoption.

ORDAINED AND ENACTED by the Parkesburg Borough Council in a Public Meeting held the 5th day of February 2026.

ATTEST:

PARKESBURG BOROUGH COUNCIL



WANDA HARNER, Secretary
Parkesburg Borough



BY: Nicholas Ohar, President
Parkesburg Borough Council

APPROVED THIS 5th DAY OF FEBRUARY 2026.



BY: JOHN P. HAGAN, II, Mayor