

Chapter 4

Buildings

Part 1

Building Maintenance Code

- §4-101. Definitions
- §4-102. Responsibilities of Owner, Operator and Occupant, Independent of Each Other
- §4-103. Duties and Responsibilities of Owner, Operator and Occupant
- §4-104. Applicability
- §4-105. Higher Standards to Prevail in Case of Conflict with Other Laws or Ordinances
- §4-106. Dangerous Buildings Declared Nuisances
- §4-107. Standards for Repair, Vacation or Demolition
- §4-108. Any Excavation to be Refilled
- §4-109. Duties of Borough Enforcement Officer
- §4-110. Hearings
- §4-111. Emergency Cases
- §4-112. Abatement by the Borough of North York
- §4-113. Penalties
- §4-114. Sidewalk and Curb Repaving on Notice

Part 1**Building Maintenance Code****§4-101. Definitions.**

1. As used in this Part, the following terms shall have the meanings indicated, unless a different meaning clearly appears from the context:

Accessory structure - a structure, the use of which is incidental to that of the main building and which is attached thereto or located on the same premises.

Building - an independent structure having a roof supported by columns or walls resting on its foundations and includes dwelling, garage, barn, stable, shed, greenhouse, mobile home, plant, factory, warehouse, school or similar structure.

Dangerous building - all buildings or structures which have any or all of the following defects shall be deemed dangerous buildings:

(1) Those whose interior walls or other vertical structural members list, lean or buckle to such an extent that a plumb line passing through the center of gravity fall outside of the middle third of its base.

(2) Those which, exclusive of the foundation, show damage or deterioration to 33 percent of the supporting member or members, or damage or deterioration to 50 percent of the non-supporting enclosing or outside walls or covering.

(3) Those which have improperly distributed loads upon the floors or roofs or in which the same are overloaded, or which have insufficient strength to be reasonably safe for the purpose used.

(4) Those which have been damaged by fire, wind or other causes so as to be dangerous to life, safety or the general health and welfare of the occupants or the public.

(5) Those which are so damaged, dilapidated, decayed, unsafe, unsanitary, vermin infested or which so utterly fail to provide the amenities essential to decent living that they are unfit for human habitation, or are likely to cause sickness or disease, so as to work injury to the health, safety or general welfare of those living therein.

(6) Those which have parts thereof which are so attached that they may fail and injure property or members of the public.

(7) Those which lack illumination, ventilation or sanitation facilities or because of another condition are unsafe, unsanitary or dangerous to the health, safety or general welfare of the occupants or the public.

(8) Those which because of their location are unsanitary, otherwise dangerous to the health or safety of the occupants or the public.

Dwelling unit - any room or group of rooms located within a dwelling and forming a single habitable unit with facilities which are used or intended to be used for living or sleeping by human occupants.

Extermination - control and elimination of insects, rodents or other pests by

eliminating their harborage places, removing or making inaccessible, materials that may serve as their food, poisoning, spraying, fumigating, trapping, or by any other recognized and legal pest elimination methods.

Garbage - animal and vegetable wastes resulting from the handling, preparation, cooking and consumption of food.

Infestation - presence, within or around a dwelling, or any insects, rodents or other pests.

Owner - person who, alone or jointly or severally with others:

(1) Shall have legal title to any dwelling, or dwelling unit, with or without accompanying actual possession thereof.

(2) Shall have charge, care or control of any dwelling or dwelling unit, as owner or agent of the owner, or as executor, executrix, administrator, administratrix, or guardian of the estate of the owner. Any such person thus representing the actual owner shall be bound to comply with the provisions of this Part and with rules and regulations adopted pursuant thereto, to the same extent as if he were the owner.

Person - any individual, firm, corporation, association or partnership, or other legal entity.

Plumbing - all of the following supplies, facilities and equipment: gas pipes, gas burning equipment, water pipes, garbage disposal units, incinerators, waste pipes, water closets, sinks, dishwashers, lavatories, bathtubs, shower baths, clothes-washing machines, catch basins, vents and any other similar supplies and fixtures, together with all connections to water, sewer or gas lines and water pipes and lines, including those utilized in conjunction with air-conditioning equipment.

Premises - a lot, plot or parcel of land, including the building or structures thereof.

Property - a piece, parcel, lot or tract of land.

Rest rooms - an enclosed space containing one or more toilets and one or more lavatories or fixtures serving similar purposes.

Rubbish - combustible and noncombustible waste materials, except garbage, including residue from the burning of wood, coal, coke, and other combustible material, paper, rags, cartons, boxes, wood, excelsior, rubber, leather, tree branches, yard trimmings, tin cans, metals, mineral matter, glass, crockery and dust.

Structure - anything constructed or erected with a fixed or ascertainable location on the ground or in water, whether or not affixed to the ground or anchored in the water, including buildings, walls, fences, platforms, docks, wharves, billboards, signs and walks.

Ventilation - the supply and removal of air to and from any space by natural or mechanical means.

Ventilation, mechanical - ventilation by power-driven devices.

Ventilation, natural - ventilation by opening to outer air through windows, skylights, doors or stacks with or without wind-driven devices.

Weathering - deterioration, decay or damage caused by exposure to climatic

elements.

2. Whenever the words "dwelling," "dwelling unit," or "premises," are used in this Part, they shall be construed as though they were followed by the words "or any part thereof."

(Ord. 93-08, 9/7/1993, §201)

§4-102. Responsibilities of Owner, Operator and Occupant, Independent of Each Other.

1. *Owner and Operator.* Owners and operators shall have all the duties and responsibilities as prescribed in this Part and the regulations promulgated pursuant thereto, and no owner or operator shall be relieved from any such duty and responsibility nor be entitled to defend against any charge of violation on the basis that the occupant is also responsible therefor and in violation thereof.

2. *Occupant.* Occupants shall have all the duties and responsibilities as prescribed in this Part and all the regulations promulgated pursuant thereto, and the occupant shall not be relieved from any such duty and responsibility nor be entitled to defend against any charge of violation thereof by reason of the fact that the owner or operator is also responsible therefor and in violation thereof.

3. *Contract Not to Alter Responsibility.* Unless expressly provided to the contrary in this Part, the respective obligations and responsibilities of the owner and operator as distinguished from the occupant shall not be altered or affected by any agreement or contract between any of the aforesaid or between them and other parties.

(Ord. 93-08, 9/7/1993, §202)

§4-103. Duties and Responsibilities of Owner, Operator and Occupant.

1. *Maintenance of Exterior of All Premises, Residential or Nonresidential, Free of Hazards and Unsanitary Conditions.* The exterior of the premises and all structures thereon shall be kept free of all nuisances and any hazards to the safety of occupants, pedestrians and other persons utilizing the premises and free of unsanitary or noxious conditions. Any of the foregoing shall be promptly removed and abated by the owner, operator or occupant. It shall be the duty of the owner, operator or occupant to keep the premises free of hazards which, but are not limited to, the following:

A. Refuse, including brush, weeds, broken glass, stumps, roots, obnoxious growths, filth, animal excretion, trash, garbage, rubbish and debris. All such material shall be enclosed or screened and periodically removed.

B. Natural growth, including dead and dying trees and limbs or other natural growth which, by reason of rotting or deterioration or storm damage, constitute a hazard to all persons in the vicinity thereof. Trees shall be kept pruned and trimmed to prevent such conditions. This provision shall be applicable to trees planted in the sidewalk area.

C. Overhanging, including loose and overhanging objects and accumulations of ice and snow which, by reason of location and above ground level, constitute a danger of falling on persons below in the vicinity thereof.

D. Ground surface hazards or unsanitary conditions, including holes, excavations, breaks, projections, obstructions, icy conditions, uncleared snow and

excretion of pets or other animals on paths, walks, curbs, driveways, parking lots and parking areas and other parts of the premises which are accessible to and used by persons on the premises. All such holes and excavations shall be filled and repaired, walks, sidewalks, curbs and steps replaced, and other conditions removed when necessary to eliminate hazards or unsanitary conditions. Performance is to be made with reasonable dispatch upon discovery.

E. *Recurring Excessive Accumulations of Stormwater*. All lots shall be graded so as to prevent puddling. Adequate run-off drains shall be provided and maintained in a manner which shall eliminate recurrent or excessive accumulations of stormwater. The drainage of water from down spouts or air conditioning condenser units shall be directed so as not to create damage or hazard to neighboring property or sidewalk areas or shall be discharged into underground drains.

F. *Unsound Foundation Walls*. Foundation walls shall be kept structurally sound, free from defects and damage and capable of bearing safely imposed loads.

G. *Unsound Chimneys and All Flue and Vent Attachments Thereto*. Chimneys and all flue and vent attachments thereto shall be maintained in a manner structurally sound and free from defects in order to capably perform at all times functions for which they were designed. Chimneys, flues, gas vents and other draft-producing equipment shall provide sufficient draft to develop the rated output of the connected equipment, be structurally safe, durable, smoke-tight, and capable of withstanding the temperature and action of flue gases.

H. Exterior porches, landings, balconies, stairs and fire escapes shall be provided with railing properly designed and maintained to minimize the hazard of falling and the same shall be kept structurally sound, in good repair and free from defects.

2. *Appearance of Exterior Premises and Structure*.

A. *Residential*. The exterior of the premises, the exterior of the dwelling structure, and the condition of accessory structures shall be maintained so that the appearance of the premises and all buildings thereon shall reflect a level of maintenance in keeping with the residential standards of the neighborhood or such higher standards as may be established by this Part and the regulations promulgated pursuant to this Part. The appearance of the premises and structures shall be so maintained that they do not constitute a blighting factor for adjoining property owners nor an element leading to the progressive deterioration and downgrading of the neighborhood with the accompanying diminution of property values. Such minimum standards shall include, but not be limited to, the following:

(1) *Storage of Commercial and Industrial Material*. Equipment and material relating to commercial or industrial uses shall be stored or used at a location visible from the sidewalk, street, other public areas or adjoining properties.

(2) *Landscaping*. Premises shall be landscaped and lawns shall not be permitted to grow higher than 6 inches without being clipped. Hedges and bushes likewise shall be kept trimmed and shall not be allowed to become overgrown and unsightly. Bushes and hedges shall be considered to be overgrown and unsightly then they are not clipped regularly, that is once

during the growing season of each year; and should the said hedges and bushes not be trimmed or clipped by July 15 of any year they shall be determined to be overgrown and unsightly.

(3) *Signs.* All signs permitted by reason of other regulations, or as a lawful nonconforming use under the provisions of the North York Borough Zoning Ordinance [Chapter 27], shall be maintained in good repair. Printed matter, pictures or illustrations constituting in all or in part a sign, when no longer in use, shall be completely removed.

(4) *Reconstruction of Walls and Siding.* All reconstruction of walls and siding shall be accepted standard quality. Materials used shall not be of a type that by their appearance and under prevailing appraisal practices and standards will depreciate the values of neighboring and adjoining premises.

(5) *General Maintenance.* The exterior of every structure or accessory structure (including fences) shall be maintained in good repair, and all surfaces thereof shall be kept painted or otherwise treated when necessary for purposes of preservation and appearance. The same shall be maintained free of broken glass, loose shingles, crumbling stone or brick, excessive peeling paint or other conditions reflective of deterioration or inadequate maintenance, to the end that the property itself may be preserved, safety and fire hazards eliminated, and adjoining properties and the neighborhood protected from blighting influences.

(6) All auxiliary structures in residential areas shall be securely affixed and anchored to a foundation that would prevent said buildings from being blown from their location by high winds and moved or removed by vandals.

B. *Nonresidential.* The exterior of the premises and the condition of accessory structures shall be maintained so that the appearance of the premises and structures shall not constitute a blighting factor for adjoining property owners or an element leading to progressive deterioration and downgrading of the neighborhood with the accompanying diminution of property values. Such minimum standards shall include, but not be limited to, the following:

(1) *Landscaping.* Premises shall be kept landscaped and lawns, hedges and bushes shall be kept trimmed and from becoming overgrown and unsightly; and the same, unless trimmed and maintained, shall be deemed to constitute a blighting factor depreciating adjoining property.

(2) *Signs and Billboards.* All permanent signs and billboards exposed to public view, permitted by reason of other regulations or a lawful nonconforming use, shall be maintained in good repair. Any signs which have excessively weathered or faded or those upon which the paint has excessively peeled or cracked shall, with their supporting members, be removed forthwith or put into a state of good repair. All non-operative or broken electrical signs shall be repaired or shall, with their supporting members, be removed forthwith.

(3) *Building Fronts.* All building fronts shall be kept in good repair, painted where required, and maintained in a manner not constituting a safety hazard or nuisance. In the event repairs to a building front become necessary, such repairs shall be made with the same or similar materials used in the constructing of the building front, intended to permanently repair the damaged

area or areas. Any cornice visible above a building front shall be kept painted, where required, and in good repair.

(4) *Advertising Signs or Material Removal.* Except for "For Rent" signs or "Invalid Occupant" signs, any temporary advertising sign or other paper advertising material, glued or otherwise attached to a window or windows or otherwise exposed to public view, shall be removed:

- (a) At the expiration of the event or sale for which it is erected; or
- (b) Within 45 days after first being exposed to public view.

[Ord. 2006-3]

(5) *Awnings and Marquees.* Any awning or marquee and its accompanying structural members which extend over any street, sidewalk or other portion of the premises shall be maintained in good repair and in a manner which shall not constitute a nuisance or safety hazard. In the event such awnings or marquees are not properly maintained in accordance with the foregoing, they shall, together with their supporting members, be removed forthwith. In the event the awnings or marquees are made of cloth or plastic or of similar materials, said cloth, plastic or other material, where exposed to public view, shall be maintained in good condition and shall not show evidence of excessive weathering, discoloration, ripping, tearing, or other holes. Nothing herein shall be construed to authorize any encroachment on streets, sidewalks or other parts of the public domain.

(6) *Reconstruction of Walls and Siding.* All reconstruction of walls and siding shall be of accepted standard quality. Materials shall not be of a type that, by their appearance and under prevailing appraisal practices and standards, will depreciate the values of neighboring and adjoining premises.

(7) *General Maintenance.* The exterior of every structure or accessory structure (including fences) shall be maintained in good repair, and all surfaces thereof shall be kept painted or otherwise treated when necessary for purposes of preservation and appearance. The same shall be maintained free of broken glass, loose shingles, crumbling stone or brick, excessive peeling paint, or other conditions reflective of deterioration or inadequate maintenance, to the end that the property itself may be preserved, safety and fire hazards eliminated, and adjoining properties and the neighborhood protected from blighting influences.

(8) *Parking.* Parking shall be permitted and required on the premises in strict accordance with the provisions of the Zoning Ordinance of North York Borough [Chapter 27] and any and all other applicable ordinances.

3. *Structural Soundness and General Maintenance, Exterior.*

A. *Residential.* Every dwelling and accessory structure and every part thereof shall be kept structurally sound and in good repair to avoid safety, health or fire hazards including, but not limited to, the following:

(1) *Exterior Walls, Siding and Roofs.* Exterior walls, siding and roofs shall be kept structurally sound and in good repair and free from defects.

(2) *Painting and Other Protective Coating.* All exposed surfaces susceptible to decay shall be kept at all times painted or otherwise provided with a

protective coating sufficient to prevent deterioration.

(3) *Weather and Water-tightness.* Every dwelling shall be maintained so as to be weather and water-tight. Damaged materials must be repaired or replaced promptly. Places showing signs of rot, leakage, deterioration, or corrosion are to be restored and protected against weathering or seepage.

B. *Nonresidential.* The exterior of every structure or accessory structure (including fences, signs and store fronts) shall be maintained in good repair. All surfaces thereof shall be painted or otherwise treated where necessary for the purpose of preservation and appearance. All surfaces shall be maintained free of broken glass, loose shingles, crumbling stone or brick, excessive peeling paint, or any other condition indicating deterioration or inadequate maintenance. Such maintenance is to be conducted in a manner that shall preserve the property itself, eliminate or minimize safety and fire hazards to the property and adjoining properties, and eliminate or retard blighting influences in the neighborhood.

C. *Reconstruction of Walls and Siding; All Areas.* All reconstruction of walls and siding shall be of standard quality. The materials used shall not be of a type that, by its appearance, under prevailing appraisal practices and standards, will depreciate the value of neighboring and adjoining premises.

D. *Basements and Cellars; All Areas.* Basements, cellars and crawl spaces are to be free of moisture resulting from seepage; and cross ventilation shall be required when necessary to prevent accumulation of moisture.

E. *Freedom From Infestation; All Areas.* All parts of the premises shall be maintained in a manner which shall prevent infestation by insects, vermin and rodents.

F. *General Sanitation and Safety of Premises.* All parts of the premises shall be kept in a clean and sanitary condition, free of nuisances and free from hazards to health, safety and fire including, but not limited to, the following:

(1) *Freedom From Accumulations and Obstructions.* No accumulation or obstruction from garbage, refuse, or rubbish, including, but not limited to, refrigerators, appliances, tires, used furniture, etc., shall be permitted on or in any premises, except that garbage placed in proper containers may be set out for removal, in accordance with the ordinances of the Township relating to garbage collections.

(2) *Floors, Interior Walls and Ceilings.* Floors, interior walls and ceilings of every structure shall be structurally sound and maintained in a clean and sanitary condition.

(3) *Floors, Generally.* Floors shall be considered to be structurally sound when capable of safely bearing imposed loads for which the structure is intended to be used, and shall be maintained at all times in a smooth, clean condition, free from cracks, breaks and other hazards.

(4) *Junkyards.* No junkyards shall be maintained on any premises except in full compliance with this and all other applicable ordinances of North York Borough including, but not limited to, the Zoning Ordinance of North York Borough [Chapter 27].

(Ord. 93-08, 9/7/1993, §203; as amended by Ord. 2006-3, 7/10/2006)

§4-104. Applicability.

This Part shall be applicable to all buildings, every residential and nonresidential building, and the premises on which it is situated in North York Borough, used or intended to be used for dwelling, commercial or business, or industrial occupancy. Owners, operators and occupants shall comply with the provisions of this Part whether or not such building shall have been constructed, altered or repaired before or after the enactment of this Part and irrespective of any permits or licenses which shall have been issued for the use or occupancy of the building or for the installation or repair of equipment of facilities prior to the effective date of this Part. This Part establishes minimum standards for the initial and continued use and occupancy of all such buildings and premises and does not replace or modify standards otherwise established for construction, repair, alteration or use of the building, equipment or facilities contained therein or of the premises.

(Ord. 93-08, 9/7/1993, §204)

§4-105. Higher Standards to Prevail in Case of Conflict with Other Laws or Ordinances.

In the event the provisions of this Part pose a higher standard than set forth in any other ordinance of North York Borough or any of the laws of the Commonwealth of Pennsylvania, the standards set forth herein shall prevail; but if the provisions of this Part impose a lower standard than any other ordinance of North York Borough or any of the laws of the Commonwealth of Pennsylvania, the higher standards contained in any such ordinance or law shall prevail.

(Ord. 93-08, 9/7/1993, §205)

§4-106. Dangerous Buildings Declared Nuisances.

All dangerous buildings within the terms of §4-101 of this Part are hereby declared to be public nuisances and shall be repaired, vacated or demolished as herein provided.

(Ord. 93-08, 9/7/1993, §206)

§4-107. Standards for Repair, Vacation or Demolition.

The following standards shall be followed in substance by the Borough Enforcement Officer of the Borough of North York in ordering repair, vacation or demolition:

A. If the dangerous building can reasonably be repaired so that it will no longer exist in violation of the terms of this Part, it shall be ordered to be repaired.

B. If the dangerous building is in such condition as to make it dangerous to the health, safety or general welfare of its occupants, or the public and is so placarded, it shall be ordered to be vacated within such length of time, not exceeding 30 days, as is reasonable.

C. No dwelling or dwelling unit which has been placarded as unfit for human habitation shall again be used for human habitation until written approval is secured from, and such placard is removed by, the Borough Enforcement Officer. The Borough Enforcement Officer shall remove such placard whenever the defect or defects upon which the placarding action were based have been eliminated.

D. If a dangerous building is 50 percent or more damaged or decayed or

deteriorated from its original condition; if a dangerous building cannot be repaired, so that it will no longer exist in violation of the terms of this Part; or, if a dangerous building is a fire hazard existing or erected in violation of the terms of this Part or any ordinance of the Borough of North York or statute of the Commonwealth of Pennsylvania, it shall be ordered to be demolished; provided, the cost of repairs to rectify or remove the conditions constituting the nuisance exceed 50 percent of the market value of the building at the time demolition is proposed.

(*Ord. 93-08, 9/7/1993, §207*)

§4-108. Any Excavation to be Refilled.

After removal of said building or structure, any excavation thereunder shall be refilled with earth or other suitable material to former ground level.

(*Ord. 93-08, 9/7/1993, §208*)

§4-109. Duties of Borough Enforcement Officer.

1. The Borough Enforcement Officer shall inspect on a regular basis dwellings, buildings and structures to determine whether any conditions exist which render such premises dangerous buildings within the terms of §4-101 above.

2. Whenever an inspection discloses that a dwelling, building or structure has become a public nuisance, the Borough Enforcement Officer shall issue a written notice to the person or persons responsible therefor. The notice:

- A. Shall be in writing.
- B. Shall include a statement of the reasons it is being issued.
- C. Shall state a reasonable time to rectify the conditions constituting the nuisance or to remove and demolish the dwelling, building or structure.
- D. Shall be served upon the owner, or his agent, or the occupant, as the case may require.

(1) Except in emergency cases and where the owner, occupant, lessee or mortgagee is absent from the Borough of North York, all notices shall be deemed to be properly served upon the owner, occupant or other person having an interest in the dangerous building if a copy thereof is served upon him personally, or if a copy thereof is posted in a conspicuous place in or about the structure affected by the notice; or if he is served with such notice by any other method authorized or required under the laws of the Commonwealth.

(2) Except in emergency cases, in all other cases where the owner, occupant, lessee or mortgagee is absent from the Borough of North York, all notices or orders provided for herein shall be sent by certified mail, restricted delivery, return receipt requested, to the owner, occupant and all other persons having an interest in said building, as shown by the records of the York County Recorder of Deeds, to the last known address of each, and a copy of such notice shall be posted in a conspicuous place on the dangerous building to which it relates. Such mailing and posting shall be deemed adequate service. [*Ord. 2006-3*]

E. May contain an outline of remedial action which, if taken, will effect compliance with the provisions of this Part and with the rules and regulations

adopted pursuant thereto.

3. Appear at all hearings conducted by the Borough of North York and testify as to the condition of dangerous buildings.

(*Ord. 93-08, 9/7/1993, §209; as amended by Ord. 2006-3, 7/10/2006*)

§4-110. Hearings.

1. Any person affected by any notice which has been issued in connection with the enforcement of any provision of this Part may request and shall be granted a hearing on the matter before the Borough of North York; provided, that such person shall file with the Secretary of the Borough of North York a written petition requesting such hearing and setting forth a brief statement of the grounds therefor within 10 days after the day the notice was served. Upon receipt of such petition, the Secretary of the Borough of North York shall set a time and place for such hearing and shall give the petitioner written notice thereof. At such hearing the petitioner shall be given an opportunity to be heard and to show why such notice should be modified or withdrawn. The hearing shall be commenced not later than 30 days after the day on which the petition was filed.

2. After such hearing the Borough of North York shall sustain, modify or withdraw the notice. If the Borough of North York sustains or modifies such notice, it shall be deemed to be an order. Any notice served pursuant to this Part shall automatically become an order if a written petition for hearing is not filed with the provisions of the Judicial Code, 42 Pa.C.S.A. §101 *et seq.*

(*Ord. 93-08, 9/7/1993, §210*)

§4-111. Emergency Cases.

Whenever the Borough Enforcement Officer finds that an emergency exists which requires immediate action to protect the public health, he may, without notice or hearing, issue an order reciting the existence of such an emergency and requiring that such action be taken as is necessary to meet the emergency. Notwithstanding the other provisions of this Part, such order shall be effective immediately. Any person to whom such order is directed shall comply therewith immediately, but upon petition to the Borough Enforcement Officer shall be afforded a hearing as soon as possible. After such hearing, depending upon the findings as to whether the provisions of this Part have been complied with, the Borough Enforcement Officer shall continue such order in effect, or modify or revoke it. The costs of such emergency repair, vacation or demolition of such dangerous building shall be collected in the same manner as provided herein for other cases.

(*Ord. 93-08, 9/7/1993, §211*)

§4-112. Abatement by the Borough of North York.

If the owner, occupant, mortgagee or lessee fails to comply with the order of the Borough Enforcement Officer within the time specified in the notice issued by him and no petition for a hearing is filed within 10 days thereafter, or following a hearing by the Borough of North York where the order is sustained thereby, the Borough Enforcement Officer shall cause such building or structure to be repaired, vacated or demolished as determined by the Borough of North York in accordance with the standards hereinbe-

fore provided. The Borough of North York may collect the cost of such repair, vacation or demolition together with a penalty of 10 percent of such cost, in the manner provided by law. Or the Borough of North York may seek injunctive relief in a court of competent jurisdiction pursuant to the Rules of Civil Procedure.

(Ord. 93-08, 9/7/1993, §212)

§4-113. Penalties.

Any person, firm or corporation who shall violate any provision of this Part, upon conviction thereof, shall be sentence to a fine of not more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 30 days. Each day that a violation continues beyond the date fixed for compliance shall constitute a separate offense.

(Ord. 93-08, 9/7/1993, §213; as amended by Ord. 2006-3, 7/10/2006)

§4-114. Sidewalk and Curb Repaving, on Notice.

Upon receipt of a notice, the abutting property owner shall, within 60 days, complete at his expense the construction, paving, curbing, repaving or recurbing of the sidewalk, as the case may be, which width of sidewalk shall be a minimum of 4 feet and shall be a minimum of 4½ inches in thickness, made of one part cement, two parts sand and four parts stone; the same proportions shall be used in the construction of curbing or recurbing, which curb or recurb shall be a minimum of 24 inches in height or depth, the width at the top shall be 6 inches, and the bottom shall be 8 inches with the slope on the cartway side, all to be approved by the Borough Engineer.

(Ord. 93-08, 9/7/1993, §214)

