

ORDINANCE NO. 2026_____

**AMENDMENT TO THE CITY CODE CHAPTER 98 TITLED ADMINISTRATION AND
ENFORCEMENT**

**AN ORDINANCE AMENDING CHAPTER 98 OF THE CITY CODE OF THE CITY OF
LATROBE, COUNTY OF WESTMORELAND, COMMONWEALTH OF
PENNSYLVANIA – TITLED ADMINISTRATION AND ENFORCEMENT REPEALING
CONDEMNATION OF BUILDINGS AND STRUCTURES**

WHEREAS, the City of Latrobe maintains the city code Chapter 98 titled Administration and Enforcement which includes the process to condemn buildings or structures as defined by the 1978 edition of the BOCA Basic Building Code which was originally adopted on July 13, 1981; and,

WHEREAS, the City wishes to amend the Code specifically repealing Section 98-9 Condemnation of buildings and structures which contains outdated processes that conflict with the Uniform Construction Code specifically 2021 IPMC Section 111; and,

WHEREAS, the City seeks to enhance public safety by strengthening building standards to reduce hazards and ensure safer occupancy conditions and,

NOW, THEREFORE, be it enacted and ordained by the Council of the City of Latrobe, and the City of Latrobe hereby ordains as follows:

SECTION 1. Chapter 98 – Administration and Enforcement: Section 98-9 repealed. Section 98-3 (A) and (B) repealed.

SECTION 2. Nothing in this Ordinance hereby adopted shall be construed to affect any suit or proceeding pending in any court, or any rights acquired or liability incurred, or any cause of action acquired or existing under any prior ordinance or regulation; nor shall any just or legal right or remedy of any character be lost, impaired, or affected by this Ordinance.

SECTION 3. That the within Ordinance shall take effect no later than (30) days following the date of publication of the post-enactment notice of passage.

SECTION 4. That the City Manager, The City Secretary, Mayor and any other proper City official is authorized and directed to execute any and all documents and to take any action necessary in order to carry in effect the within ordinance.

ENACTED AND ORDAINED this _____ day of July, 2026.

ATTEST:

COUNCIL OF THE CITY OF LATROBE:

Janina Hall, Council Secretary

By:

Eric Bartels, Mayor

§ 98-3. Code Enforcement Officer; violation notices.

To administer the Office of Code Enforcement, there is hereby created the position of Code Enforcement Officer to be appointed by the Council.

- ~~A.— In addition to his other duties and powers granted to him by the Council, the Code Enforcement Officer shall have the authority in the discharge of his official duties and upon proper identification to enter any building, structure or premises at any reasonable hour to ascertain evidence that the provisions of the above mentioned codes have or have not been complied with and to inspect all buildings, structures or premises for the purpose of ascertaining whether said codes have or have not been complied with.~~
- ~~B.— Whenever the Code Enforcement Officer determines that there are reasonable grounds to believe that there has been a violation of any provisions of the above recited codes or of any rule or regulation adopted pursuant thereto, he shall give notice of such alleged violation to the owner, operator or occupant as provided for hereafter.~~

§ 98-9. ~~Condemnation of buildings or structures.~~

~~The designation of all buildings or structures as the same are defined in Section 201 of the BOCA Basic Building Code, 1978 Edition, as public nuisances, and the procedure for the condemnation and placarding of such buildings and structures shall be carried out in compliance with the following requirements:~~

- ~~A.— Any which shall be found to have any of the following defects shall be condemned as a public nuisance and shall be so designated and placarded by the Code Enforcement Officer:~~
 - ~~(1)— One which is so damaged, decayed, dilapidated, unsanitary, unsafe or vermin infested that it creates a serious hazard to the health or safety of the occupants or of the public.~~
 - ~~(2)— One which lacks illumination, ventilation or sanitation facilities adequate to protect the health or safety of the occupants or of the public.~~
 - ~~(3)— One which because of its general condition or location is unsanitary or otherwise dangerous to the health or safety of the occupants or of the public.~~
- ~~B.— Any condemned and declared a public nuisance and so designated and placarded by the Code Enforcement Officer shall be vacated in a reasonable time by the owner, operator or occupant.~~
- ~~C.— No building or structure which has been condemned and placarded and declared a public nuisance shall again be used until written approval has been secured from and such placard is removed by the Code Enforcement Officer. The Code Enforcement Officer shall remove such placard whenever the defect or defects upon which the condemning and placarding action were based have been eliminated.~~
- ~~D.— No person shall deface or remove the placard from any building or structure which has been condemned as unfit and placarded as such, except as provided in Subsection C of this section.~~
- ~~E.— The Code Enforcement Officer is hereby authorized to declare any of the above listed units a public nuisance and to give notice of the condemning and placarding of them as unfit as defined by this section. Before condemning and placarding, the Code Enforcement Officer shall serve notice thereof according to the procedures outlined in § 98-4 above. In addition to the requirements of said notice, the notice shall contain the statement that the unit is a public~~

~~nuisance and, further, that if the defective condition is not corrected within the time allotted, the unit shall be condemned and placarded as unfit. The owner or operator of the unit shall have the right of appeal outlined in §§ 98-5 through 98-7.~~

~~F. — If a person ordered by the Code Enforcement Officer to abate or prevent a public nuisance refuses to comply with the provisions of this chapter or neglects to do so within the time specified in the order, then, unless the order shall have been suspended by appeal to the Court under the procedures outlined in § 98-7 above, the Code Enforcement Officer may execute the order; or if the nuisance continues to exist, the Code Enforcement Officer, at the direction of the Council, may remove such nuisance. If the removal of the nuisance requires grading, paving or repaving of alleys or any similar work upon property within Latrobe or any other work or service that may best be performed or contracted for by the agencies and employees of Latrobe, then the Council may authorize the removal of the nuisance by said agencies. In~~

~~any case where the nuisance is abated or prevented by the agencies of Latrobe or any cost is incurred to Latrobe in the removal or prevention of the nuisance or Latrobe makes corrections to comply with the provisions of this chapter, the costs and expenses shall be charged to the person or persons responsible in their proper proportions. Upon nonpayment of such charges, Latrobe may file a lien upon the affected premises in the name of and for the use of Latrobe as provided by law for municipal claims, in addition to the other remedies available for the collection of debts under the laws of the Commonwealth of Pennsylvania. The lien shall attach as of the time the work has commenced, which shall be fixed by a certificate of the Code Enforcement Officer and filed with the Secretary. This provision for removal of the nuisance shall be in addition to any other penalty for violating this chapter as contained in § 98-10 below.~~

~~§ 98-12. Validity of licenses and permits. [Amended 11-13-1989 by Ord. No. 89-9; 5-11-1998 by Ord. No. 1998-5]~~

~~All licenses and permits granted under the above-outlined codes (in § 98-11 above) shall be good for a period of one year, provided that, in the discretion of the Code Enforcement Officer, the time limit for each permit may be extended beyond the limit of one year; provided, further, that the permit granted for demolition shall be valid for six months; and when an official notice of code violation is issued, the permit period will coincide with the number of days given in the notice to remedy the violation.~~