

ORDINANCE NUMBER 2022-06

AMENDING CHAPTER 132 OF THE CITY CODE TO INCLUDE CERTAIN REQUIREMENTS CONCERNING VACANT PROPERTIES AND RENTAL PROPERTIES

WHEREAS, residential, commercial and industrial structures in older communities have undergone an aging process which has and will lead to blight, decay and a general deterioration of community neighborhoods; and,

WHEREAS, to permit dilapidated and deteriorated structures to exist without correction or abatement creates a potential for health and safety hazards for the citizens of the community and furthers a general decline in property values and overall morale of a community; and

WHEREAS, it is a function of municipal government to enact laws, liens and regulations to mitigate the effects of the above described blight and decay, to establish minimum standards for the maintenance of all types of property and to establish balanced procedures to accomplish the above which ensure the ability of government to carry out this function while protecting the rights of individual owners; and,

WHEREAS, the Council of the City of Latrobe now desires to amend Chapter 132 of the Code of Ordinances of the City, Property Maintenance, to better further these objectives.

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. The following section is hereby added to chapter 132 and shall read as follows:

Section 132-1.1. Intent and purpose. It is the intent of the city to establish minimum rules and regulations governing the condition and maintenance of all properties, buildings and structures, and to provide the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that properties, buildings and structures are safe, healthy, sanitary and fit for occupancy and use, and to provide for the condemnation and demolition of buildings and structures unfit for human occupancy and use, including administration, permitting and penalties.

It is also the City's intent to specifically establish a vacant or abandoned residential property program as a mechanism to protect the city from becoming blighted through the lack of adequate maintenance and security of abandoned properties.

SECTION 2. Section 132-7 is hereby amended to include the following;

ABANDONED REAL PROPERTY

Any property that is vacant.

EVIDENCE OF VACANCY

Any condition that on its own, or combined with other conditions present would lead a reasonable person to believe that the property is vacant. Such conditions may include, but

are not limited to, overgrown or dead vegetation, accumulation of abandoned personal property, extensive or pervasive damage of improvements to real property, broken or boarded up windows and/or doors, statements by neighbors, passerby, delivery agents or government agents that the property is vacant, the termination of one or more utilities serving the property, among other evidence that the property is vacant.

VACANT

Any building/structure that is not legally occupied. The definition shall not include properties that are subject to a valid building permit. A lawfully operated and duly registered student house shall not be considered vacant if unoccupied for the traditional summer break, from May 1 through September 1.

SECTION 3. Section 132-2, subsection A, 104.10 (1) is amended to include the following language at the end of the paragraph:

If the Code Officer determines that more immediate action is required because of a hazard to the general public's health and safety, or if there is actual imminent danger of failure or collapse of the building or structure or any part thereof when any structure or part thereof has fallen and life is endangered by occupation of the building structure, the code officer may enter an order for the immediate demolition of property. In the event that the property owner is unavailable or fails to take immediate action to demolish the property upon the issuance and receipt of this order, the Code Officer is authorized to proceed to cause the structure to be vacated, demolished, cleaned up, with the costs billed to the property owner and leaned against the property if unpaid.

SECTION 4. Section 132-2, subsection A, 104.10 (2) is deleted and replaced with the following language:

Any person who shall violate a provision of this subchapter shall, upon conviction thereof, be subject to a fine of not less than Twenty-Five Dollars (\$25.00), nor more than One Thousand Dollars (\$1000.00) and/or imprisonment for a term not to exceed 90 days, or both, at the discretion of the court. Each day that a violation continues to occur after due notice has been served shall be deemed a separate offense. In addition, the Code Officer or other city designee may seek such other relief as may be available in a civil action, or in equity, to address a violation of this chapter.

SECTION 5. Chapter 132 of the Code of the City of Latrobe is hereby amended to include Article III titled RENTAL PROPERTY as follows:

§ 132-19 DUTY TO REGISTER RESIDENTIAL PROPERTY

- A.** Every landlord shall be required to register with the City of Latrobe all residential rental properties owned that are within the limits of the City by submitting an application as provided for in Section 132-20. The city officials are authorized to

charge a fee for the registration required under this section in an amount approved by City Council from time to time.

- B. All residential property existing on the date of the adoption of this Ordinance shall be registered by the Landlord on or before 90 days after the adoption of this Ordinance.
- C. All other residential rental property shall be registered by the Landlord before the residential rental property is leased. For residential properties containing multiple units, each unit must be registered before it is leased.
- D. Upon registration, the Code Officer shall conduct an inspection of the residential rental property to determine and ensure that the residential rental property and each unit contained therein is not a public nuisance or substandard and meets all zoning, property maintenance, health and safety requirements of the Code of Ordinances of the City.
 - 1. In the event the residential rental property or a unit contained therein is not in compliance with any of the zoning, property maintenance, health and safety requirements of the Code of Ordinances of the City, any deficiencies shall be noted on the inspection form and provided to the landlord and a re-inspection of the residential rental property shall be scheduled. Depending on the severity of the violation, a landlord will be granted a minimum of seven (7) days to a maximum of thirty (30) days from the date of the inspection to abate such code violations.

§ 132-20 RESIDENTIAL RENTAL PROPERTY PERMIT

Every landlord shall be required to submit, before the unit is leased or on a three (3) year basis, whichever occurs first, a Residential Rental Property Permit Application, on a form developed by the Code Officer, and obtain from the Code Officer a Residential Rental Property Permit for each residential rental property owned within the City of Latrobe.

§ 132-21 PENALTIES AND ENFORCEMENT

Any person who shall violate a provision of this subchapter shall, upon conviction thereof, be subject to a fine of not less than Twenty-Five Dollars (\$25.00), nor more than One Thousand Dollars (\$1000.00) and/or imprisonment for a term not to exceed 90 days, or both, at the discretion of the court. Each day that a violation continues to occur after due notice has been served shall be deemed a separate offense. In addition, the Code Officer or other city designee may seek such other relief as may be available in a civil action, or in equity, to address a violation of this chapter.