

## Chapter 86

### PROPERTY MAINTENANCE

#### ARTICLE I Deposits in Streets

- § 86-1. Improper maintenance.
- § 86-2. Duty of operator to inspect vehicles.
- § 86-3. Prohibited acts.
- § 86-4. Sweeping required.
- § 86-5. Paving.
- § 86-6. Vehicles carrying scrap metal.

- § 86-7. Visible emissions.
- § 86-8. Violations and penalties; necessity.

#### ARTICLE II Adoption of Property Maintenance Code

- § 86-9. Adoption of standards.
- § 86-10. Modification of standards.
- § 86-11. Repealer.
- § 86-12. When effective.

[HISTORY: Adopted by the Borough Council of the Borough of Heidelberg as indicated in article histories. Amendments noted where applicable.]

#### GENERAL REFERENCES

Dangerous buildings — See Ch. 40.  
Junkyards — See Ch. 63.

Streets and sidewalks — See Ch. 95.  
Abandoned vehicles — See Ch. 109.

---

#### ARTICLE I Deposits in Streets

[Adopted 12-13-1990 by Ord. No. 391, approved 12-18-1990]

##### § 86-1. Improper maintenance.

It shall be unlawful for any person, firm or corporation to maintain property in the Borough of Heidelberg from which vehicles enter or leave and, upon leaving the property, carry and/or transport mud, debris or dust from the property onto the borough streets from the wheels of any motorized vehicle entering onto the streets or highways maintained by the Borough of Heidelberg.

##### § 86-2. Duty of operator to inspect vehicles.

It shall be the duty and responsibility of the operator of each vehicle entering onto the streets within the Borough of Heidelberg to inspect the vehicle and its wheels to determine that the entry onto the borough streets will not cause any mud, debris or dust to be transported from the property onto the streets, and the operator shall clean by appropriate means, including brushing, washing or other means, so as to eliminate all mud, dirt, debris and dust from the vehicle prior to entering onto the highway.

**§ 86-3. Prohibited acts.**

It shall be unlawful for any person, firm or corporation owning, renting or leasing property within the Borough of Heidelberg to maintain the property in such a manner so that vehicles entering or leaving the property shall cause to be deposited onto borough streets mud, debris or dust from the wheels of any vehicle entering or leaving said property.

**§ 86-4. Sweeping required.**

It shall be the responsibility of any person, firm or corporation owning, renting or leasing property within the Borough of Heidelberg to immediately begin to sweep and clean any street in the Borough of Heidelberg after any vehicle leaving said property causes to be deposited on the street mud, dirt, debris and dust from the vehicle.

**§ 86-5. Paving.**

If necessary, the owner or the person, firm or corporation owning or leasing any property within the Borough of Heidelberg shall pave all portions of his/its property upon which vehicles travel in order to provide a dust-free, solid, mud-free surface for vehicles to travel on within the Borough of Heidelberg, thus eliminating any condition from which mud, dirt, dust or debris could be transported onto the highway.

**§ 86-6. Vehicles carrying scrap metal.**

It shall be unlawful for any person, firm or corporation to own, rent or lease any property in the Borough of Heidelberg wherein vehicles are filled fully or partially with scrap or scrap metal or other metal parts when the vehicle has not been properly and adequately inspected to determine that no part or piece of the scrap, scrap metal or other metal parts can leak, shift or otherwise fall from the vehicle while it is being operated upon the streets or highways in the Borough of Heidelberg.

**§ 86-7. Visible emissions.**

Visible emissions from any solid or liquid material which has been deposited by any means on any property within the Borough of Heidelberg shall not be allowed onto a roadway or street or onto any other premises within the Borough of Heidelberg, and it shall be considered emissions from such property, which the owner of the property shall immediately correct by any one of the following means:

- A. The use (daily, if necessary) of a dust-control material to eliminate airborne dust.
- B. The paving and maintenance of roadways, parking lots and/or other portions of the property to prevent the accumulation of dust, dirt or debris that is carried to or tracked onto the highways that becomes airborne off of the property.
- C. The prompt removal of earth or other material which has been deposited by leaks from transport emissions or other means.

- D. The adoption of work or other practices to eliminate the emissions from the property.
- E. The enclosure of the property.

**§ 86-8. Violations and penalties; necessity. <sup>1</sup>**

- A. Any person, firm or corporation violating any of the provisions of this article shall, upon conviction, be punishable by a fine of not more than \$1,000 for each violation of this article, plus costs of prosecution, and in default of payment of such fine and costs, by imprisonment for not more than 30 days.
- B. The borough has determined that this article is necessary to assure reasonable property maintenance of property within the borough and to protect the health and public safety of the citizens of the borough by eliminating the tracking of other mud, dirt and debris and those items defined here within onto the public streets and thoroughfares of the Borough of Heidelberg.

ARTICLE II

**Adoption of Property Maintenance Code**

**[Adopted 9-19-2006 by Ord. No. 566,<sup>2</sup> approved 9-19-2006]**

**§ 86-9. Adoption of standards.**

A certain document, three copies of which are on file in the office of the Manager of the Borough of Heidelberg, being marked and designated as the International Property Maintenance Code, 2006 edition, as published by the International Code Council, be and is hereby adopted as the Property Maintenance Code of the Borough of Heidelberg, in the Commonwealth of Pennsylvania, 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 Heidelberg are hereby referred to, adopted, and made a part hereof, as if fully set out in this article, with the additions, insertions, deletions and changes, if any, prescribed in § 86-10 of this article.

**§ 86-10. Modification of standards.**

The following sections are hereby revised as follows:

- 
- 1. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).
  - 2. Editor's Note: This ordinance also repealed former Art. II, Adoption of Property Maintenance Code, adopted 11-21-2000 by Ord. No. 539.

- A. Section 101.1. Insert: "Borough of Heidelberg."
- B. Section 103.5. Insert: "See accompanying resolution."
- C. Section 106.4. Add: "Violations of the 2006 Property Maintenance Code shall be subject to a fine of \$1,000 per violation of this ordinance."
- D. Section 111.1. Add: "The appointed members of the Heidelberg Borough Zoning Hearing Board are designated as the Board of Appeals for the purpose of any appeal under Section 111 of the 2006 International Property Maintenance Code."
- E. Section 302.4. Insert: "Ten inches."
- F. Section 304.14. Insert: "May 15 to October 15."
- G. Section 602.3. Insert: "October 1 to May 31."
- H. Section 602.4. Insert: "October 1 to May 31."

**§ 86-11. Repealer.**

- A. Any Ordinance of The Borough of Heidelberg that is inconsistent with the 2006 International Property Maintenance Code and all other ordinances or parts of ordinances in conflict herewith are hereby repealed.
- B. Nothing in this article or in the 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 § 86-11A of this article, nor shall any just or legal right or remedy of any character be lost, impaired or affected by this article.

**§ 86-12. When effective.**

This article and the rules, regulations, provisions, requirements, orders and matters established and adopted hereby shall take effect and be in full force and effect 30 days from and after the date of its final passage and adoption.