

Chapter 4

Buildings

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Part 1**House Numbering****§4-101. Previously Adopted Plan Declared Official Plan.**

The building and house numbering plan approved and adopted by the Borough Council on the second day of July 1901, and marked "Official Building and House Numbering Plan of the Borough of West Homestead," is hereby declared to be the official building and house numbering plan of the Borough.

(*Ord. 6, 8/6/1901, §I*)

§4-102. Plan to be Kept Open to Public Inspection.

The plan described in §4-101 shall hereafter be kept open to public inspection, at the office of the Secretary of the Borough Council.

(*Ord. 6, 8/6/1901, §II*)

§4-103. Owner's Duty to Number Buildings.

It shall be the duty of the owner of any house, residence, store or manufacturing building, hereafter erected within the Borough, to place and maintain in a conspicuous place, on the inside of such building, the proper number of the same, within 30 days after the completion of such building.

(*Ord. 6, 8/6/1901, §IV*)

§4-104. Size of Numbers.

The numbers required by §4-103 shall be in figures a minimum of 4 inches high with a minimum stroke width of ½ inch.

(*Ord. 6, 8/6/1901, §V; as amended by Ord. 623, 2/14/2006*)

§4-105. Procedure When Additional Buildings Are Erected on Premises with One Number.

Should more than one building required to be numbered by this division be erected on any lot given but one building number, each additional building shall be numbered by adding an even fraction of one unit to the original number.

(*Ord. 6, 8/6/1901, §VI*)

§4-106. Numbering by Borough Upon Owner's Failure; Collection of Costs.

If any owner refuses or neglects to properly number his building according to the official building and house numbering plan described in §4-101 and the provisions of this Part, within the time herein stated, the Council of the Borough may cause such building to be so numbered, and collect the costs and expenses thereof from such owner as debts of similar amount are by law collected.

(*Ord. 6, 8/6/1901, §VII*)

Part 2**Dangerous Buildings and Structures****§4-201. Definitions.**

All buildings or structures which have any or all of the following defects shall be deemed "dangerous buildings":

A. 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 falls outside of the middle third of its base.

B. Those which, exclusive of the foundation, show 33% or more, of damage or deterioration of the supporting member or members, or 50% or more, of damage or deterioration of the non-supporting enclosing or outside walls or covering.

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

D. Those which have been damaged by fire, wind or other causes so as to have become dangerous to life, safety, morals, or the general health and welfare of the occupants or the people of the Borough.

E. Those which have become or are so dilapidated, decayed, unsafe, unsanitary 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, morals, safety or general welfare of those living therein.

F. Those having light, air, and/or sanitation facilities which are inadequate to protect the health, morals, safety, or general welfare of human beings who live or may live therein.

G. Those having inadequate facilities for egress in case of fire or panic or those having insufficient stairways, elevators, fire escapes, or other means of communication.

H. Those which have parts thereof which are so attached that they may fall and injure members of the public or property.

I. Those which because of their condition are unsafe, unsanitary, or dangerous to the health, morals, safety or general welfare of the people of this Borough.

J. Those buildings existing in violation of any provision of the Building Code of this Borough or in violation of the Fire Prevention Code, or other ordinances [Chapter 5, Part 1].

(*Ord. 403, 4/13/1971, §1*)

§4-202. Dangerous Buildings Declared Nuisances.

All dangerous buildings, within the terms of §4-201 of this Part, are hereby declared to be public nuisances, and shall be repaired, vacated, or demolished as

provided in this Part.

(*Ord. 403, 4/13/1971, §3*)

§4-203. Standards for Repair, Vacation or Demolition.

The following standards shall be followed in substance by the Building Inspector, or assistants specially designated thereto, and the Borough Council in ordering repair, vacation, or demolition of a dangerous building:

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

B. If the building is in such condition as to make it dangerous to the health, morals, safety, or general welfare of its occupants, it shall be ordered to be vacated.

C. In any case where a building is 50% damaged or decayed, or deteriorated from its original value or structure, it shall be demolished, and in all cases where a building cannot be repaired so that it will no longer exist in violation of the terms of this Section, it shall be demolished. In all cases where a building is a fire hazard existing or erected in violation of the terms of this article or any ordinance of the Borough or statute of the State it shall be demolished.

(*Ord. 403, 4/13/1971, §2*)

§4-204. Building Inspector's Duties.

The Building Inspector, or assistants specially designated thereto, shall:

A. Inspect or cause to be inspected semi-annually, all public buildings, halls, churches, theaters, hotels, tenements, commercial, manufacturing, or loft buildings for the purpose of determining whether any conditions exist which render any such place a dangerous building within the terms of §4-201 of this Part.

B. Inspect any dwelling, buildings, wall or structure about which complaints are filed by any person to the effect that a building, wall or structure is or may be existing in violation of this Part.

C. Inspect any dwelling, building, wall or structure reported, as provided for in this Part, by the Fire or Police Departments of this Borough as probably existing in violation of the terms of this Part.

D. Inspect annually buildings in any area of this Borough to determine whether they are dangerous buildings within the terms of §4-201 of this Part.

E. Notify in writing the owner, occupant, lessee, mortgagee, agent and all other persons having an interest in such building as shown by the Registrar of Deeds or the Recorder of Deeds of the County, of any building found by him to be a dangerous building within the standards set forth in §4-201 of this Part that:

(1) The owner must vacate, or repair, or demolish such building in accordance with the terms of the notice and this Part.

(2) The occupant or lessee must vacate such building or may have it repaired in accordance with the notice and remain in possession.

(3) The mortgagee, agent or other persons having an interest in said building as shown by the land records of the registrar of deeds or the recorder of deeds of the county, may at his own risk, repair, vacate, or demolish such

building or have such work or act done.

Provided, that any person notified under this paragraph to repair, vacate or demolish any building shall be given such reasonable time, not exceeding 30 days, as may be necessary to do, or have done, the work or act required by the notice provided for herein.

F. Set forth in the notice provided for in paragraph .E of this Section a description of the building or structure deemed unsafe, a statement of the particulars which make the building or structure a dangerous building and an order requiring the same to be put in such condition as to comply with the terms of this Part within such length of time, not exceeding 30 days, as is reasonable.

G. Report to the Borough Council any noncompliance with the notice provided for in paragraphs .E and .F of this Section.

H. Appear at all hearings conducted by the Borough Council, and testify as to the condition of dangerous buildings.

I. Place a notice on all dangerous buildings, reading as follows:

"This building has been found to be a dangerous building by the Building Inspector, or assistants, specially designated thereto. This notice is to remain on this building until it is repaired, vacated, or demolished in accordance with the notice which has been given the owner, occupant, lessee, mortgagee or agent of this building, and all other persons having an interest in said building as shown by the land records of the Registrar of Deeds and/or the Recorder of Deeds of the County of Allegheny. It is unlawful to remove this notice until such notice is complied with."

(*Ord. 403, 4/13/1971, §4*)

§4-205. Council's Duties.

The Borough Council shall, upon receipt of a report of the Building Inspector, or assistants specially designated thereto, as provided for in §4-204.H of this Part:

A. Give written notice to the owner, occupant, mortgagee, lessee, agent, and all other persons having an interest in such building as shown by the land records of the Registrar of Deeds or the Recorder of Deeds of the county, to appear before the Council on the date specified in the notice to show cause why the building or structure reported to be a dangerous building should not be repaired, vacated, or demolished in accordance with the statement of particulars set forth in the Building Inspector's notice, provided for herein in §4-204.F of this Part.

B. Hold a hearing and hear such testimony as the Building Inspector, or assistants specially assigned thereto, or the owner, occupant, mortgagee, lessee, or any other person having an interest in such building, as shown by the land records of the Registrar of Deeds or the Recorder of Deeds of the county, shall offer relative to the building.

C. Make written findings of fact from the testimony offered pursuant to paragraph .B of this Section as to whether or not the building in question is a "dangerous building" within the terms of §4-201 of this Part.

D. Issue an order, based upon findings of fact made pursuant to paragraph .C of this Section, commanding the owner, occupant, mortgagee, lessee, agent, and

all other persons having an interest in such building as shown by the land records of the Registrar of Deeds or the Recorder of Deeds of the County, to repair, vacate, or demolish any building found to be a dangerous building within the terms of this Part and provided that any person so notified, and having an interest in such building, as shown by the land records of the Registrar of Deeds or Recorder of Deeds of the County, may vacate, repair or demolish such dangerous building as ordered by the Council, at his own risk, to prevent the acquiring of a lien by the Borough against the land upon which such dangerous building stands as provided in paragraph .E of this Section.

E. If the owner, occupant, mortgagee, or lessee fails to comply with the order provided for in paragraph .D of this Section, within 10 days, the Borough Council shall cause such building or structure to be repaired, vacated or demolished as the facts may warrant, under the standards provided for in §4-203 of this Part and shall cause the costs of such repair, vacation or demolition to be charged against the land on which the building existed as a municipal lien, or to be recovered in a suit at law against the owner; provided, that, in cases where such procedure is desirable and any delay thereby caused will not be dangerous to the health, morals, safety or general welfare of this Borough, the Council shall notify the Solicitor to take legal action to force the owner to make all necessary repairs or demolish the building:

F. Report to the Solicitor the names of all persons not complying with the order provided for in paragraph .D of this Section.

(*Ord. 403, 4/13/1971, §5*)

§4-206. Solicitor's Duties.

The Solicitor shall:

A. Prosecute all persons failing to comply with the terms of the notices provided for in §4-204.E and .F and the order provided for in §4-205.D.

B. Appear at all hearings before the Borough Council in regard to dangerous buildings.

C. Bring suit to collect all municipal liens, assessments, or costs incurred by the Borough Council in repairing, or causing to be vacated or demolished, dangerous buildings.

D. Take such other legal action as is necessary to carry out the terms and provisions of this Part.

(*Ord. 403, 4/13/1971, §7*)

§4-207. Police Department's Duties.

All employees of the Police Department shall make a report in writing to the Building Inspector of any buildings or structures which are, may be, or are suspected to be dangerous buildings within the terms of this Part. Such reports must be delivered to the Building Inspector within 24 hours of the discovery of such buildings by any employee of the Police Department.

(*Ord. 403, 4/13/1971, §12*)

§4-208. Emergency Cases.

In cases where it reasonably appears that there is immediate danger to life or safety of any person unless a dangerous building, as defined in this Part, is immediately repaired, vacated, or demolished, the Building Inspector, or assistants specially designated thereto, shall report such facts to the Borough Council, and the Council shall cause the immediate repair, vacation, or demolition of such building. The cost of such emergency repair, vacation or demolition of such building shall be collected in the same manner as provided in §4-205.F of this Part.

(Ord. 403, 4/13/1971, §8)

§4-209. Procedure When Owner is Absent.

In cases, except emergency cases, where the owner, occupant, lessee, or mortgagee is absent from the Borough, all notices or orders provided for in this Section, shall be sent by certified mail to the owner, occupant, mortgagee, lessee and all other persons having an interest in the building as shown on the land records of the Registrar of Deeds and/or the Recorder of Deeds of the County, to the last known address of each, and a copy of such notice shall be posted in a conspicuous place on the building to which it relates. Such mailing and posting shall be deemed adequate service. Where desirable, the notices and orders provided for in this Part may be served in the same manner as summons is served in the courts of general jurisdiction.

(Ord. 403, 4/13/1971, §9)

§4-210. Administrative Liability.

No officer, agent, or employee of the Borough shall render himself personally liable for any damage that may accrue to persons or property as a result of any act required or permitted in the discharge of his duties under this Part. Any suit brought against any officer, agent or employee of the Borough as a result of any act required or permitted in the discharge of his duties under this Part shall be defended by the Borough Solicitor until the final determination of the proceedings therein.

(Ord. 403, 4/13/1971, §10)

§4-211. Reports by Fire Companies.

The employees of any fire company of the Borough may make a report in writing to the Building Inspector of all buildings or structures which are, may be, or are suspected to be dangerous buildings within the terms of this Part. Such reports are requested to be delivered to the Building Inspector within 24 hours of the discovery of such buildings by any employee of a fire company.

(Ord. 403, 4/13/1971, §11)

§4-212. Violations; Penalties.

1. The owner, occupant, or lessee in possession of any building who shall fail to comply with any notice or order to repair, vacate or demolish any dangerous building, as defined in this Part, given by any person authorized by this Part to give such notice or order, or who violates any of the provisions of this Part, or any regulation issued thereunder, shall upon conviction thereof, shall be sentenced to pay 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 of this Part continues shall constitute a separate offense. [*Ord. 623*]

2. Any person removing the notice provided for in §4-204. I shall, upon conviction thereof, shall be sentenced to pay 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 of this Part continues shall constitute a separate offense. [*Ord. 623*]

3. The provisions for penalties contained in this Section are in addition to any other remedies provided by this Part.

(*Ord. 403, 4/13/1971, §6; as amended by Ord. 623, 2/14/2006*)