GREAT VALLEY CONSULTANTS
75 COMMERCE DRIVE ♦ WYOMISSING, PA 19610-3323
PHONE: (610) 375-8822
1-800-733-4821
FAX: (610) 375-8977

April 1, 2015

CERTIFIED MAIL-RETURN RECEIPT REQUESTED

Mr. Howard P. Sahms
116 Lindbergh Avenue
Blandon, PA 19519

Re: Maidencreek Township, Berks County, PA
116 Lindbergh Avenue
Zoning and Property
Maintenance Code Violations
GVC No. 3026-007

NOTICE OF VIOLATION

Dear Mr. Sahms:

Great Valley Consultants (GVC) is the Zoning Officer for the Township of Maidencreek. We have also been appointed as the Property Maintenance Code Official by the Township.

We have been notified by the Township that there are three (3) motor vehicles and a trailer parked in front of the property that appears to be abandoned with no current registrations and expired inspection stickers. **This is in violation of the Maidencreek Township Zoning Ordinance No. 155 adopted on November 12, 1997. Section 2002-2.C states the following:**

Any Motor Vehicle without current license plates, or without current inspection sticker and such motor vehicle has remained in such condition for a period exceeding three (3) days, shall be prima facie evidence of such abandonment.

Also there is an old Jacuzzi tub and various old parts in front of the property that are in violation of the 2000 International Property maintenance Code Section 305.1 as adopted by the Township of Maidencreek, Ordinance No. 179 on July 12, 2001.

305.1 Accumulation of Rubbish. All exterior property and premises, and the interior of every structure, shall be free from any accumulation of rubbish or garbage.

GREAT VALLEY CONSULTANTS

You are hereby notified that the rubbish must be removed within fourteen (14) days within receipt of this letter. Failure to comply with this request may result in a citation being issued.

Should you have any questions, please contact this office.

Sincerely,

TERRENCE J. NAUGLE, RA
Zoning Officer / Building Code Official

TJN:lam

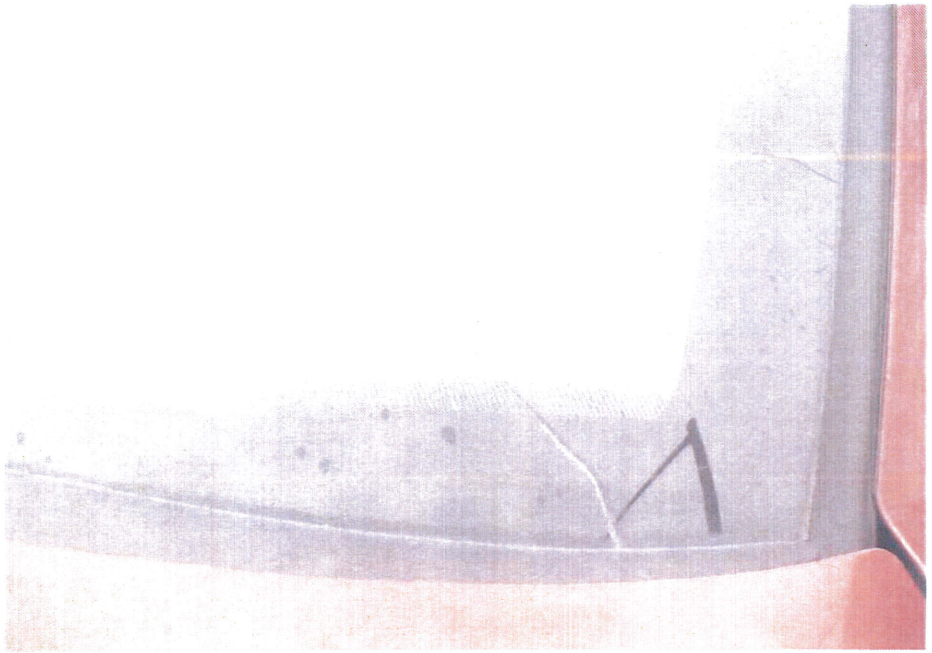
cc: Ms. Diane Hollenbach, Township Manager
Eugene Orlando, Esquire






PENNSYLVANIA
YBR-1951
TRUCK


5-07
PENNSYLVANIA
YTK-4490
TRUCK








PENNSYLVANIA
YYR 0650
TRUCK

GREAT VALLEY CONSULTANTS
75 COMMERCE DRIVE ♦ WYOMISSING, PA 19610-3323
PHONE: (610) 375-8822
1-800-733-4821
FAX: (610) 375-8977

September 10, 2015

CERTIFIED MAIL-RETURN RECEIPT REQUESTED

Mr. Howard P. Sahms
116 Lindbergh Avenue
Blandon, PA 19510

Re: Maidencreek Township, Berks County, PA
116 Lindbergh Avenue
Zoning and Property
Maintenance Code Violations
GVC No. 3026-007

SECOND NOTICE OF VIOLATION

Dear Mr. Sahms:

Great Valley Consultants (GVC) is the Zoning Officer for the Township of Maidencreek. We have also been appointed as the Property Maintenance Code Official by the Township.

On September 8, 2015, a visual inspection of the property showed that there are still abandoned vehicles on the property with no current registrations and expired inspection stickers. **This is in violation of the Maidencreek Township Zoning Ordinance No. 155 adopted on November 12, 1997. Section 2002-2.C states the following:**

Any Motor Vehicle without current license plates, or without current inspection sticker and such motor vehicle has remained in such condition for a period exceeding three (3) days, shall be prima facie evidence of such abandonment.

You are hereby notified that the abandoned vehicles must be moved within thirty (30) days within receipt of this letter. Failure to comply with this request may result in a citation being issued.

Should you have any questions, please contact this office.

Sincerely,

TERRENCE J. NAUGLE, RA
Zoning Officer / Building Code Official

TJN:emm

cc: Ms. Diane Hollenbach, Township Manager
Eugene Orlando, Esquire

printed on recycled paper

Chapter 159

PROPERTY MAINTENANCE

§ 159-1. Adoption of code by reference.

§ 159-2. Additions, insertions and changes.

[HISTORY: Adopted by the Board of Supervisors of the Township of Maidencreek 7-12-2001 by Ord. No. 179. Amendments noted where applicable.]

GENERAL REFERENCES

Brush, grass and weeds — See Ch. 72.

Uniform construction codes — See Ch. 101.

§ 159-1. Adoption of code by reference.

The Board of Supervisors of Maidencreek Township, Berks County, Pennsylvania, hereby adopts by reference thereto all the terms and provisions of the International Property Maintenance Code, 2000 edition, as prepared by the International Code Council, Inc., 5203 Leesburg Pike, Falls Church, Virginia, to be utilized as the Property Maintenance Code of Maidencreek Township, which is on file in Maidencreek Township Office, being marked and designated as the International Property Maintenance Code, 2000 edition, be and is hereby adopted as the Property Maintenance Code of Maidencreek Township; for the control of building and structures as herein provided; and each and all of the regulations, provisions, penalties, conditions and terms of said Property Maintenance Code are hereby referred to adopted and made a part hereof, as if fully set out in this chapter, with the additions insertions, deletions and changes, if any, prescribed in § 159-2 of this chapter.

§ 159-2. Additions, insertions and changes.

The following sections are hereby revised:

A. Section 101.1. Insert: "Maidencreek Township" in place of "[Name of Jurisdiction]."

B. Section 111.2 through 111.2.5 shall be deleted in their entirety and replaced with a new Section 111.2 which shall read as follows: "Membership of Board. The Board of Appeals shall consist of the three members currently serving on the Maidencreek Township Board of Supervisors."

C. Section 303.14. Delete the phase "During the period from [date] to [date]," and capitalize the subsequent word "Every."

D. Section 602.3. Insert: "November 15th to March 15th in place of "[date] to [date]."

E. Section 602.4. Insert: "November 15th to March 15th in place of "[date] to [date]."

304.6 Interior doors. Every interior door shall fit reasonably well within its frame and shall be capable of being opened and closed by being properly and securely attached to jambs, headers or tracks as intended by the manufacturer of the attachment hardware.

SECTION 305
RUBBISH AND GARBAGE

305.1 Accumulation of rubbish or garbage. All exterior property and premises, and the interior of every structure, shall be free from any accumulation of rubbish or garbage.

305.2 Disposal of rubbish. Every occupant of a structure shall dispose of all rubbish in a clean and sanitary manner by placing such rubbish in approved containers.

305.2.1 Rubbish storage facilities. The owner of every occupied premises shall supply approved covered containers for rubbish, and the owner of the premises shall be responsible for the removal of rubbish.

305.3 Disposal of garbage. Every occupant of a structure shall dispose of garbage in a clean and sanitary manner by placing such garbage in an approved garbage disposal facility or approved garbage containers.

305.3.1 Garbage facilities. The owner of every dwelling shall supply one of the following: an approved mechanical food waste grinder in each dwelling unit; an approved incinerator unit in the structure available to the occupants in each dwelling unit; or an approved leakproof, covered, outside garbage container.

305.3.2 Containers. The operator of every establishment producing garbage shall provide, and at all times cause to be utilized, approved leakproof containers provided with close-fitting covers for the storage of such materials until removed from the premises for disposal.

SECTION 306
EXTERMINATION

306.1 Infestation. All structures shall be kept free from insect and rodent infestation. All structures in which insects or rodents are found shall be promptly exterminated by approved processes that will not be injurious to human health. After extermination, proper precautions shall be taken to prevent reinfestation.

306.2 Owner. The owner of any structure shall be responsible for extermination within the structure prior to renting or leasing the structure.

306.3 Single occupant. The occupant of a one-family dwelling or of a single-tenant nonresidential structure shall be responsible for extermination on the premises.

306.4 Multiple occupancy. The owner of a structure containing two or more dwelling units, a multiple occupancy, a rooming house or a nonresidential structure shall be responsible for extermination in the public or shared areas of the structure and exterior property. If infestation is caused by failure of an occupant to prevent such infestation in the area occupied, the occupant shall be responsible for extermination.

306.5 Occupant. The occupant of any structure shall be responsible for the continued rodent and pest-free condition of the structure.

Exception: Where the infestations are caused by defects in the structure, the owner shall be responsible for extermination.

Chapter 200

VEHICLES, ABANDONED

§ 200-1. Definitions.

§ 200-2. Abandonment or permanent parking prohibited.

§ 200-3. Motor vehicles nuisances prohibited.

§ 200-4. Authority to remove and impound.

§ 200-5. Towing and storage charges.

§ 200-6. Notification by Maidencreek Township Code Enforcement Officer.

§ 200-7. Authority of Maidencreek Township Code Enforcement Officer to enter private property.

§ 200-8. Civil enforcement penalties.

[HISTORY: Adopted by the Board of Supervisors of the Township of Maidencreek 11-13-1997 by Ord. No. 155. Amendments noted where applicable.]

GENERAL REFERENCES

Property maintenance — See Ch. 159.
Vehicles and traffic — See Ch. 204.
Recreational and commercial vehicles — See Ch. 209.

§ 200-1. Definitions.

A. As used in this chapter, the following terms shall have the meanings indicated, unless a different meaning clearly appears form the context:

LESSEE — Owner for the purpose of this chapter when the lessor holds the lessee responsible for maintenance and repairs.

MOTOR VEHICLE — Any type of mechanical device, propelled by a motor, in which persons or property may be transported upon public streets or highways and including trailers or semitrailers pulled thereby.

NUISANCE — Any condition, structure or improvement which shall constitute a threat or potential threat to the health, safety or welfare of the citizens of the Township of Maidencreek.

OWNER — The actual owner, agent or custodian of the property on which motor vehicles are stored, whether individual or partnership, association or corporation.

PERSON — A natural person, firm, partnership, association, corporation or other legal entity.

B. In this chapter, the singular shall include the plural; the plural shall include the singular; and the masculine shall include the feminine and the neuter.

§ 200-2. Abandonment or permanent parking prohibited.

A. No person, firm, partnership, association, corporation, company or organization of any kind shall abandon or permanently park a motor vehicle on or along any of the streets or roadways in Maidencreek Township or on property other than their own, except where the property permits the depositing of the same in accordance with the applicable provisions of Chapter 220, Zoning.

B. A motor vehicle which has remained on such property without the consent of the owner or on or along any of the streets or highways of the Township of Maidencreek, Berks County, Pennsylvania, for a period exceeding 15 days, shall be prima facie evidence of such abandonment. Provided, that motor vehicles used or to be used in the construction, operation or maintenance of public utility facilities and which are left in a manner which does not interfere with the normal movement of traffic shall not be considered abandoned motor vehicles for the purpose of this section.

C. Any motor vehicle in such a state of disrepair as to be incapable of being moved under its own power, or with any tire missing, or without wheel or wheels, or with any window broken or missing, or in a dismantled condition, or without current license plates, or without current inspection sticker and such motor vehicle has remained in such condition for a period exceeding three days, shall be prima facie evidence of such evidence of such abandonment.

D. No person who owns or who is in charge or control of any real property within the Township of Maidencreek, Berks County, Pennsylvania, whether as owner, tenant, occupant, lessee or otherwise, shall allow any partially dismantled, nonoperating wrecked, junked, discarded or abandoned motor vehicle to remain on such property longer than 15 days; except that this provision shall not apply with regard to a motor vehicle in an enclosed building; a motor vehicle on the premises of a business enterprise operation in a lawful place and manner when necessary to the lawful operation of such business enterprise; or a motor vehicle in an appropriate storage place or depository maintained in a lawful place and manner by the Township of Maidencreek, Berks County, Pennsylvania.

§ 200-3. Motor vehicles nuisances prohibited.

A. It shall be unlawful for any person, owner or lessee to maintain a motor vehicle nuisance upon the open private grounds of such person, owner or lessee within the Township of Maidencreek. A motor vehicle nuisance shall include any motor vehicle which is unable to move under its own power and has any of the following physical defects:

(1) Broken windshields, mirrors or other glass, with sharp edges;

(2) One or more flat or open tires or tubes which could permit vermin harborage;

(3) Missing doors, windows, hood, trunk or other body parts which could permit animal harborage;

(4) Any body parts with sharp edges, including holes resulting from rust;

(5) Missing tires resulting in unsafe suspension of the motor vehicle;

(6) Upholstery which is torn or open which could permit animal and/or vermin harborage;

(7) Broken headlamps or tail lamps with sharp edges;

(8) Disassembled chassis apart from the motor vehicle stored in a disorderly fashion or loose in or on the vehicle;

(9) Protruding sharp objects form the chassis;

(10) Broken vehicle frame suspended from the ground in an unstable manner;

(11) Leaking or damaged oil pan or gas tank which could cause fire or explosion;

(12) Exposed battery containing acid;

(13) Inoperable locking mechanism for doors or trunk;

(14) Open or damaged floor boards, including trunk and firewall;

(15) Damaged bumpers pulled away from the perimeter of vehicle;

(16) Broken grill with protruding edges;

(17) Loose or damaged metal trim and clips;

(18) Broken communication equipment antennas;

(19) Suspended on unstable supports;

(20) Such other defects which could threaten the health, safety and welfare of the citizens of the Township of Maidencreek.

B. No person, firm, partnership, association, corporation, company or organization of any kind shall continuously park any motor vehicle, including recreation vehicles, mobile camper vehicles and/or boats upon any Township road or state highway in an unrestricted parking area for a period of time in excess of three days. Such situations shall be deemed as motor vehicle nuisances. Said three-day period shall be computed from the date such parked motor vehicle was first observed or called to the attention of the Maidencreek Code Enforcement Officer of the Township of Maidencreek, Berks County, Pennsylvania.

§ 200-4. Authority to remove and impound.

The Maidencreek Township Code Enforcement Officer is hereby authorized to remove and impound or order the removal or impounding of any motor vehicle, as determined by the Maidencreek Township Code Enforcement Officer to be in violation of § 200-2 and/or § 200-3 of this chapter.

§ 200-5. Towing and storage charges. [1]

In the event of a violation as determined in § 200-4, the charges that shall be imposed upon the owner/lessee for the towing and storage of any motor vehicle removed and impounded under the authority of this chapter shall be as set forth from time to time by resolution of the Board of Supervisors.

§ 200-6. Notification by Maidencreek Township Code Enforcement Officer.

Within 12 hours after the time of removal of any motor vehicle under authority granted by this chapter, notice of the fact that such motor vehicle has been impounded shall be sent by the Maidencreek Township Code Enforcement Officer to the owner or lessee of such motor vehicle. Such notice shall designate the place from which said motor vehicle was removed, the reason for its removal and impounding and the pound in which it has been impounded.

§ 200-7. Authority of Maidencreek Township Code Enforcement Officer to enter private property. [2]

The Maidencreek Township Code Enforcement Officer is hereby authorized to enter upon private property at all reasonable hours for the purpose of inspecting motor vehicles, posting notices thereon, and removing and impounding such motor vehicles, and it shall be unlawful for any person to prevent any officer of the Northern Berks Regional Police Department from entering on private property for purposes of carrying out its duties hereunder or to interfere with them in the lawful performance of its duties under provisions of this chapter.

§ 200-8. Civil enforcement penalties.

In addition to the towing charges and storing charges as set forth in § 200-5 above, any person, owner or lessee who is determined to be in violation of this chapter shall be subject to the civil enforcement procedures and fines and schedule fines as set forth in Chapter 1, General Provisions, Article I, General Penalty.

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1. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).

2. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).