

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2900 Session of
1996

INTRODUCED BY STETLER, SEPTEMBER 26, 1996

REFERRED TO COMMITTEE ON URBAN AFFAIRS, SEPTEMBER 26, 1996

AN ACT

1 Amending the act of June 23, 1931 (P.L.932, No.317), entitled
2 "An act relating to cities of the third class; and amending,
3 revising, and consolidating the law relating thereto,"
4 further providing for the specific powers of the city
5 council.

6 The General Assembly of the Commonwealth of Pennsylvania
7 hereby enacts as follows:

8 Section 1. Clause 60 of section 2403 of the act of June 23,
9 1931 (P.L.932, No.317), known as The Third Class City Code,
10 reenacted and amended June 28, 1951 (P.L.662, No.164) and
11 amended December 3, 1987 (P.L.411, No.85), is amended and the
12 section is amended by adding a clause to read:

13 Section 2403. Specific Powers.--In addition to other powers
14 granted by this act, the council of each city shall have power,
15 by ordinance:

16 * * *

17 60. Local Self-Government.--In addition to the powers and
18 authority vested in each city by the provisions of this act, to
19 make and adopt all such ordinances, by-laws, rules and

1 regulations, not inconsistent with or restrained by the
2 Constitution and laws of this Commonwealth, as may be expedient
3 or necessary for the proper management, care and control of the
4 city and its finances, and the maintenance of the peace, good
5 government, safety and welfare of the city, and its trade,
6 commerce and manufactures; and also all such ordinances, by-
7 laws, rules and regulations as may be necessary in and to the
8 exercise of the powers and authority of local self-government in
9 all municipal affairs; and the said ordinances, by-laws, rules
10 and regulations to alter, modify, and repeal at pleasure; and to
11 enforce all ordinances inflicting penalties upon inhabitants or
12 other persons for violations thereof, not exceeding one thousand
13 dollars for a violation of a [building, housing, property
14 maintenance, health, fire or public safety code or ordinance,
15 and for] water[,] or air and noise pollution [violations]
16 ordinance, and not exceeding six hundred dollars for a violation
17 of any other ordinance, except as provided in clause 60.1,
18 recoverable with costs, together with judgment of imprisonment,
19 not exceeding ninety days, if the amount of said judgment and
20 costs shall not be paid: Provided, however, That no ordinance,
21 by-law, rule or regulation shall be made or passed which
22 contravenes or violates any of the provisions of the
23 Constitution of the United States or of this Commonwealth, or of
24 any act of Assembly heretofore or that may be hereafter passed
25 and in force in said city.

26 60.1. Collection of Penalties for Violations of Building,
27 Housing, Property Maintenance, Health, Fire or Public Safety
28 Ordinance.--(a) No fine or penalty shall exceed one thousand
29 dollars for a violation of a building, housing, property
30 maintenance, health, fire or public safety ordinance, except as

1 provided herein.

2 (b) After thirty days from the initial charge, each day that
3 the violation continues shall constitute a separate violation.
4 If the violation remains unabated after ninety days from the
5 initial charge, the owner of the real property in violation may
6 surrender title to the city in lieu of payment of the accrued
7 penalties.

8 (c) Any person charged for a violation who fails, without
9 just cause, to begin abatement of the violation within ninety
10 days of the initial charge commits a misdemeanor of the third
11 degree and shall, upon conviction, be sentenced to pay a fine of
12 not more than two thousand five hundred dollars and imprisonment
13 of not more than one year.

14 * * *

15 Section 2. This act shall take effect in 60 days.