

---

THE GENERAL ASSEMBLY OF PENNSYLVANIA

---

**SENATE BILL**

**No. 542**      Session of  
1997

---

INTRODUCED BY PICCOLA, BRIGHTBILL, ULIANA, JUBELIRER, MELLOW,  
AFFLERBACH, GERLACH, HELFRICK, O'PAKE, ROBBINS, MADIGAN,  
WOZNIAK, THOMPSON AND DELP, FEBRUARY 25, 1997

---

SENATOR ULIANA, URBAN AFFAIRS AND HOUSING, AS AMENDED,  
MAY 6, 1997

---

AN ACT

1 Amending the act of July 15, 1957 (P.L.901, No.399), entitled  
2 "An act giving cities of the third class the right and power  
3 to adopt one of several plans of optional charters and to  
4 exercise the powers and authority of local self-government  
5 subject to certain restrictions and limitations; providing  
6 procedures for such adoption and defining the effect  
7 thereof," authorizing the adoption of property maintenance  
8 ordinances; and further providing for fines and penalties.

9 The General Assembly of the Commonwealth of Pennsylvania

10 hereby enacts as follows:

11 Section 1. Section 303 of the act of July 15, 1957 (P.L.901,  
12 No.399), known as the Optional Third Class City Charter Law,  
13 amended October 3, 1988 (P.L.736, No.105), is amended to read:

14 Section 303. Each city governed by an optional form of  
15 government pursuant to this act shall, subject to the provisions  
16 of and limitations prescribed by this act, have full power to:

17 (1) Organize and regulate its internal affairs, and to  
18 establish, alter, and abolish offices, positions and employments  
19 and to define the functions, powers and duties thereof and fix  
20 their term, tenure and compensation;

1 (2) Adopt and enforce local [police] ordinances [of all  
2 kinds and impose penalties of fine not exceeding one thousand  
3 dollars (\$1,000) for a violation of a building, housing,  
4 property maintenance, health, fire or public safety code or  
5 ordinance, and for water, air and noise pollution violations,  
6 and not exceeding six hundred dollars (\$600) for a violation of  
7 any other ordinance, or imprisonment for any term not exceeding  
8 ninety days, or both; to construct];

9 (2.1) Impose penalties of fine not exceeding one per month  
10 on a property and limited to no more than one thousand dollars  
11 (\$1,000) for the first two CONTINUAL AND UNCORRECTED violations <—  
12 and not exceeding ~~ten thousand dollars (\$10,000)~~ FIVE THOUSAND <—  
13 DOLLARS (\$5,000) for the third and ~~subsequent~~ ANY SUBSEQUENT <—  
14 CONTINUAL AND UNCORRECTED violation of the same subsection of a  
15 building, ~~housing or~~ ORDINANCE, HOUSING ORDINANCE, property <—  
16 maintenance ordinance, FIRE PREVENTION ORDINANCE, ELECTRICAL <—  
17 ORDINANCE OR PLUMBING ORDINANCE on the same property, UNLESS THE <—  
18 VIOLATION IS FOUND TO POSE A THREAT TO THE PUBLIC'S HEALTH,  
19 SAFETY OR PROPERTY, THEN PENALTIES OF FINE MAY BE PROVIDED FOR  
20 AS FOLLOWS:

21 (I) NOT EXCEEDING ONE VIOLATION PER FIVE CALENDAR DAYS FOR A  
22 CONTINUAL AND UNCORRECTED VIOLATION OF THE SAME SUBSECTION OF  
23 SUCH ORDINANCE ON THE SAME PROPERTY;

24 (II) LIMITED TO NO LESS THAN FIVE HUNDRED DOLLARS (\$500) AND  
25 NO MORE THAN ONE THOUSAND DOLLARS (\$1,000) FOR THE FIRST TWO  
26 CONTINUAL AND UNCORRECTED VIOLATIONS OF THE SAME SUBSECTION OF  
27 SUCH ORDINANCE ON THE SAME PROPERTY AND NO LESS THAN ONE  
28 THOUSAND DOLLARS (\$1,000) AND NOT EXCEEDING TEN THOUSAND DOLLARS  
29 (\$10,000) FOR THE THIRD AND ANY SUBSEQUENT CONTINUAL AND  
30 UNCORRECTED VIOLATION OF THE SAME SUBSECTION OF SUCH ORDINANCE

1 ON THE SAME PROPERTY, OR IMPRISONMENT FOR ANY TERM NOT EXCEEDING  
2 NINETY DAYS, OR BOTH;

3 (2.2) Impose penalties of fine not exceeding one thousand  
4 dollars (\$1,000) OR A TERM OF IMPRISONMENT NOT EXCEEDING NINETY <—  
5 DAYS OR BOTH for violations of any section of any other  
6 ordinance or a term of imprisonment of ninety days or both; <—

7 (2.3) Construct, acquire, operate or maintain any and all  
8 public improvements, projects or enterprises for any public  
9 purpose, subject to referendum requirements otherwise imposed by  
10 law, and to exercise all powers of local government in such  
11 manner as its governing body may determine;

12 (3) Sue and be sued, to have a corporate seal, to contract  
13 and be contracted with, to buy, sell, lease, hold and dispose of  
14 real and personal property, to appropriate and expend moneys,  
15 and to adopt, amend and repeal such ordinances and resolutions  
16 as may be required for the good government thereof;

17 (4) Exercise powers of condemnation, borrowing and taxation  
18 in the manner provided by general law applicable to cities of  
19 the third class.

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