

**CHELTENHAM TOWNSHIP  
MONTGOMERY COUNTY, PENNSYLVANIA**

**ORDINANCE NO. 2374-18**

**“PROPERTY MAINTENANCE CODE AMENDMENTS”**

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**AN ORDINANCE OF THE BOARD OF COMMISSIONERS OF CHELTENHAM TOWNSHIP, MONTGOMERY COUNTY, PENNSYLVANIA AMENDING THE CODE OF CHELTENHAM TOWNSHIP, CHAPTER 215, PROPERTY MAINTENANCE, TO AMEND SECTION 215-2 ENTITLED, MODIFICATION OF STANDARDS, SUBSECTION A.(10) TO ADD A PROCEDURE FOR PROPERTY MAINTENANCE CODE APPEALS TO BE ADDRESSED TO THE TOWNSHIP MANAGER AND THE CODE OFFICIAL AS AN INTERIM STEP PRIOR TO THE APPELLANT APPEARING BEFORE THE PUBLIC WORKS COMMITTEE**

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**WHEREAS**, the Township adopted the International Property Maintenance Code, 2006 Edition, by Ordinance No. 2110-06 on June 27, 2006; and

**WHEREAS**, the International Property Maintenance Code regulates the conditions and maintenance of all property, buildings and structures within the Township and is vital to maintaining the Township community as a well-tended, well-regarded, attractive and leading community in Montgomery County; and

**WHEREAS**, appeals by property owners from notices of violation and similar decisions under Chapter 215 of the Cheltenham Code are appealed directly to the Public Works Committee of the Township; and

**WHEREAS**, the Board of Commissioners believes that an interim step, prior to a direct appeal to the Public Works Committee, would be beneficial to all parties involved.

**NOW THEREFORE**, it is hereby **ENACTED** and **ORDAINED** by the Board of Commissioners of Cheltenham Township as follows:

**SECTION I. - Amendment to the Code.**

The Code of Cheltenham Township, Chapter 215 (Property Maintenance), Section 215-2. (Modification of Standards), Subsection A.(10) is hereby amended as follows [new text underlined]:

In Section 107.2 Form, add,

“5. The right to appeal is before the Public Works Committee. The request to be heard must be ~~put~~ received in writing ~~to~~ by the Township Manager ~~within ten (10)~~ no more than fourteen (14) days after the decision, notice or order ~~was made~~ is issued by the Township. The appellant shall first appear and present his or her appeal to the Township Manager and the Code Official at a meeting at the Township Building prior to appearing before the Public Works Committee. The Township Manager and the Code Official shall attempt to address or resolve the decision, notice or order and all underlying issues on behalf of the Township. In the event the Township Manager and the Code Official are unable to resolve or dispose of the appeal and all underlying issues of the decision, notice or order appealed, the Township Manager shall report the details and/or results of the meeting to the Public Works Committee prior to the appearance of the appellant before such Committee.”

**SECTION II. Severability.**

The provisions of this Ordinance are severable, and if any section, sentence, clause, part or provision hereof shall be held illegal, invalid or unconstitutional by any court of competent jurisdiction, such decision of the court shall not affect or impair the remaining sections, sentences, clauses, parts or provisions of this Ordinance. It is hereby declared to be the intent of the Board that this Ordinance would have been adopted even if such illegal, invalid or unconstitutional section, sentence, clause, part or provision had not been included herein.

**SECTION III. - Failure to Enforce Not a Waiver.**

The failure of the Township to enforce any provision of this Ordinance shall not constitute a waiver by the Township of its rights of future enforcement hereunder.

**SECTION IV. - Effective Date.**

This Ordinance shall take effect and be in force from and after its approval as required by the law.

**SECTION V. - Repealer.**


All other ordinances and resolutions or parts thereof insofar as they are inconsistent with this Ordinance are hereby repealed.

**ORDAINED** and **ENACTED** by the Board of Commissioners of Cheltenham Township, Montgomery County, Pennsylvania, this **15<sup>th</sup>** day of **August, 2018**.

**ATTEST:**

**TOWNSHIP OF CHELTENHAM  
BOARD OF COMMISSIONERS**

  
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**Bryan T. Havir**  
*Township Manager and Secretary*

By:   
**Daniel B. Norris, President**