

Chapter 4

Buildings

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Part 1**Dangerous Structures****§4-101. Dangerous or Dilapidated Buildings Defined.**

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

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

B. 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 accidents, sickness, or disease, so as to work injury to the health, morals, safety, or general welfare of those living therein as well as other citizens of the Township.

C. Those which have parts thereof which are in such state or so attached that they might fall and injure members of the public or adjoining property.

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

(*Ord. 67, 12/13/1984, §I*)

§4-102. Dangerous Buildings as a Nuisance.

All buildings or structures which are “dangerous buildings” within a term or the terms of §4-101 of this Part are hereby declared to be public nuisances and shall be repaired, vacated, or demolished as hereinbefore and hereinafter provided.

(*Ord. 67, 12/13/1984, §II*)

§4-103. Investigation Procedures.

1. Whenever it shall be reported or come to the attention of any Township official or police officer that any building or structure, completed, or in the process of construction, or any portion thereof, is in a dangerous condition, such person having knowledge thereof shall report same to the Board of Supervisors of the Township of Cambria, and the Board of Supervisors shall immediately cause an investigation and examination to be made of such building or structure.

2. If such investigation or examination indicates such building or structure to be dangerous in accordance with the standards of §4-101 of this Part, a written report of such investigation shall be submitted to the Board of Supervisors, specifying (A) the exact condition of such building or structure; (B) setting forth whatever or in what respect the structure is dangerous; and, (C) whether the structure is capable of being properly repaired or whether it shall be removed as a dangerous structure.

(*Ord. 67, 12/13/1984, §III*)

§4-104. Hearing Procedures.

The Board of Supervisors shall:

A. Upon receipt of a report in accordance with §4-103 of this Part, give written notice to the owner, occupant, mortgagee, lessee, agent, and all other persons having an interest in said building as shown by land records of the Recorder of Deeds of Cambria County, Pennsylvania, to appear before the Board of Supervisors 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 notice provided for herein in §4-106.3.

B. Hold a hearing and hear testimony relative to the building or structure, including any testimony which the owner, occupant, mortgagee, lessee, or any other person having an interest in said building shall offer relative to the “dangerous building.”

C. Make written findings of fact from the testimony offered, pursuant to paragraph .B as to whether or not the building in question is a “dangerous building” within the terms of §4-101 hereof.

D. Issue an order based upon findings of fact made pursuant to paragraph .C of this Section demanding the owner, occupant, mortgagee, lessee, or any other person having an interest in said building to repair, vacate, or demolish any building found to be a “dangerous building” within the terms of this Part.

(*Ord. 67, 12/13/1984, §IV*)

§4-105. Standards for Repair, Vacation, or Demolition.

The following standards shall be followed in substance by the Board of Supervisors of the Township of Cambria in ordering repair, vacation, or demolition:

A. If the dangerous or dilapidated building can be repaired as determined by a majority of the members of the Board of Supervisors, so that it will no longer exist in violation of the terms of this Part, it shall be ordered repaired.

B. If the dangerous or dilapidated building or structure 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 dangerous or dilapidated building or structure cannot be reasonably repaired as determined by a majority of the Board of Supervisors as provided in paragraph .A of this Section, it shall be demolished.

D. In cases where a dangerous or dilapidated building or structure is a fire hazard existing or erected in violation of the terms of this Part or statute of the Commonwealth of Pennsylvania, it shall be demolished.

(*Ord. 67, 12/13/1984, §V*)

§4-106. Enforcement Procedures.

1. If any building or structure is deemed to be a “dangerous building” within any, all or a number of the standards set forth in §4-101 of this Part, the Board of Supervisors of the Township of Cambria shall forthwith cause written notice to be served upon the owner, occupant, lessee, mortgagee, agent, and all other persons having an interest in said building as shown by the deed of registration of any such “dangerous

building” and land records of the Recorder of Deeds of Cambria County, Pennsylvania.

2. The notice required by this Section shall be served personally upon the owner of a “dangerous building” if the owner resides in the Township, or personally upon his agent if such agent resides within the Township. If personal service as required herein cannot be obtained or if the owner resides outside of the Township, such notice shall be sent to the owner of a “dangerous building” by certified mail at the last known address thereof.

3. The notice shall identify the building or structure deemed dangerous and contain a statement of the particulars which made this 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 the order of this Part; provided, in any case where the notice prescribed the repair of any structure, the owner thereof shall have the option to remove such structure in lieu of making the repairs thereto within the time limits as set forth hereinafter.

4. Such notice shall require any person notified to repair, vacate, or demolish any building to commence the work or act required by the notice within 10 days of such notice and to complete such repair or removal within 30 days thereof.

5. The Board of Supervisors shall cause to be placed on all dangerous buildings a notice reading substantially as follows:

“This building has been found to be a dangerous building by the Board of Supervisors of the Township of Cambria. This notice is to remain on this building until it is repaired, vacated, or demolished in accordance with the notice which has been given to the owner, occupant, lessee, mortgagee, or agent of this building. It is unlawful to remove this notice until compliance is made under the terms contained in the notice given to the aforesaid party.”

(*Ord. 67, 12/13/1984, §VI*)

§4-107. Penalties.

1. The owner, occupant, mortgagee, lessee, or any other person who shall fail to comply with any notice or order to repair, vacate, or demolish any such dangerous building given by any person authorized by this Part, or any regulation or order issued thereunder, upon conviction thereof in an action brought before a magisterial district judge in the manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure, 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 90 days. Each day that a violation of this Part continues or each Section of this Part which shall be found to have been violated shall constitute a separate offense. [*Ord. 199*]

2. Any person removing the notice provided for in §4-106.5 thereof, upon conviction thereof in an action brought before a magisterial district judge in the manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure, 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 90 days. Each day that a violation of this Part continues or each Section of this Part which shall be found to have been violated shall constitute a separate offense. [*Ord. 199*]

3. If the owner, occupant, mortgagee, lessee or any other person having an interest in said building, as shown by the land records of the Record of Deeds of the County of Cambria, fails to comply with any notice of order to repair, vacate, or demolish any “dangerous building” within 30 days, the Board of Supervisors of the Township of Cambria is empowered to cause such building or structure to be repaired, vacated, or demolished by the said Township and to cause the costs of such repair, vacation or demolition, together with a penalty of 10 percent to be charged against the land on which the building existed as a municipal lien and/or to recover such costs in a suit at law against the owner or other such person having an interest in the building, Provided, the recovery of such cost and expense, together with the penalty, may be in addition to the penalty imposed in paragraphs .A and .B of this Section

(*Ord. 67, 12/13/1984, §VII; as amended by Ord. 199, 2/9/2009*)

§4-108. Emergency Cases.

In cases wherein it reasonably appears that there exists an immediate danger to the life or safety of any person caused or created by a “dangerous building” as defined herein, the Board of Supervisors of the Township of Cambria shall cause the immediate repair, vacation or demolition of such “dangerous building.” The costs of such emergency repair, vacation, or demolition of such “dangerous building” shall be collected in the same manner as provided in §4-107.3.

(*Ord. 67, 12/13/1984, §VIII*)

Part 2**Certificate of Occupancy****A. Required****§4-201. Certificate of Occupancy.**

1. A certificate of occupancy must be applied for and issued by the Cambria Township Building Permit Officer prior to the following occurrences:

A. Occupancy or use of a building, structure or development constructed, reconstructed, restored, structurally altered or moved with the exception of a building or structure which will be utilized as a residence/family residence.

B. Occupancy or use where there has/will be a change of use when such changed use will be other than a permitted use designated for such district in the Cambria Township Zoning Ordinance [Chapter 27] and/or any and all (including future) amendments thereto.

C. Any change in the use of nonconforming uses.

D. Any change of use allowed by a special exception or variance allowed/permitted by appropriate governmental action.

2. No certificate of occupancy shall be issued until such time as inspection has been made by the Cambria Township Building Permit Officer and/or other designated Township agent(s) to determine and it is determined that there has been compliance with all the provisions of the Uniform Construction Code [Chapter 5, Part 1] and other ordinances (including the Cambria Township Zoning [Chapter 27] and Subdivision [Chapter 22] Ordinances) and/or codes/regulations and/or any duly enacted amendments/revisions thereto. [*Ord. 199*]

3. An application for a certificate of occupancy shall be made to Cambria Township on a form to be furnished by the Township and a fee in an amount as established from time to time by resolution of the Cambria Township Supervisors shall be paid therewith.

(*Ord. 59B*, 7/12/1993, Art. II, §2.13(A); as amended by *Ord. 199*, 2/9/2009)

B. Procedure**§4-211. Application Prior to Occupancy.**

1. The owner or developer of a building or structure or development as indicated in Part 2A shall apply for a certificate of occupancy upon construction and prior to occupancy on a form to be obtained through the Secretary of the Township of Cambria or the Building Permit Officer.

2. Such certificate of occupancy shall be issued by the Cambria Township Building Permit/Zoning Officer in accordance with Part 1A, and only after an occupancy permit has been obtained from the Commonwealth of Pennsylvania, Department of Labor and Industry.

(Res. 381, --/1996)

**TOWNSHIP OF CAMBRIA
CAMBRIA COUNTY
PENNSYLVANIA**

APPLICATION FOR CERTIFICATE OF OCCUPANCY

(A) Applicant(s) Name: _____

Applicant(s) Address: _____

(B) Describe the type of structure and/or industry: _____

(C) Date of issuance of building permit: _____

(D) If applicable, date of approval of subdivision: _____

(E) Date of issuance of sewage permit and approval by DEP of sewage planning modules: _____

(F) Date of approval of any other Township condition(s), restrictions or codes, with a brief description of such requirement(s): _____

(G) Date of approval of the building/structure plans by the Commonwealth of Pennsylvania, Department of Labor and Industry, together with a description of any required revisions: _____

(H) Date of issuance, with attached copy of the Commonwealth of Pennsylvania, Department of Labor and Industry's Occupancy Permit: _____

Signature of Applicant

SWORN TO AND SUBSCRIBED BEFORE ME
this _____ day of _____, 1996

NOTARY PUBLIC

**TOWNSHIP OF CAMBRIA
CAMBRIA COUNTY
PENNSYLVANIA**

CERTIFICATE OF OCCUPANCY

The following building/structure has been inspected by the Township of Cambria's designated agents including the Cambria Township Building Permit/Zoning Officer, and has been found to be in compliance with all of the requirements of the State of Pennsylvania as regards sewage and water; the requirements of the Department of Labor and Industry as evidenced by its occupancy permit; and, the Cambria Township Zoning Ordinance [Chapter 27], Subdivision Ordinance [Chapter 22] and any codes, regulations and/or duly enacted amendments or revisions thereto.

This certificate of occupancy authorizes occupancy of this building, structure or reconstructed structure to the extent and so long as there has been compliance with all State and Cambria Township municipal requirements.

By:

Cambria Township Zoning/
Building Permit Officer