

# **June 11, 2019**

## **Special Public Meeting**

### **International Property Maintenance Code**

A special meeting of the Jonestown Borough Council was held on the above date beginning at 7:00 PM with President Robin Wolford presiding. The following members were in attendance: Rick Kline, Tom Keefer, Don Raiger, David Charest, Jeff Schott & Kathy Price. Also attending were Mayor Joe Quairolì and Secretary; Joan Keefer.

Introduction of Council members, Mayor, and Code Enforcement Officers.

Public comments limited to 5 minutes per resident.

Following are questions, answers, and comments addressed:

- 1) Can anything be done about cats running loose at night?
  - a. The 2018 IPMC deals more towards property maintenance, such as cat waste in a yard. Feral cats is not covered by the 2018 IPMC.
- 2) How are complaints received by the Borough?
  - b. A form may be picked up and completed at the Borough office. The form will then be given to the Code Enforcement Officers. If it is a violation, the property owner will be given time to comply. If they comply, they will receive a compliance letter. If not, other avenues are taken. BCI will work with residents; goal is to gain compliance, not issue a penalty. BCI works with Area on Aging Agency, civic groups, church organizations, Redevelopment Authority, etc. to help residents in need.
- 3) Has a contract been signed with BCI, by the Borough in regard to fees?
  - c. Not at this time. Fees to be presented include \$50 - \$55 per property. If there is a re-inspection, the borough will be billed for that.
- 4) Will BCI be complaint driven?
  - d. Yes, but if BCI is addressing a complaint, and sees a violation on a neighboring property, they will address that violation, as well.
- 5) A resident stated the 2018 IPMC is in violation of his 4<sup>th</sup> amendment rights, stating the 2018 IPMC allows the enforcement officers to enter a home to inspect paint and trim, and fees paid to BCI are covered by fines paid by residents for violations.
  - e. The IPMC has been challenged in the Supreme Court. A resident has the right to not allow BCI into their home; but BCI has the right to get a warrant to enter a property. The standard for getting a warrant = life safety, public health threat or occupant safety. The fees are not to be discussed with BCI, and are passed by the municipality; not code officers. There are no additional municipal amendments addressed; other than IPMC.
- 6) Are violations selectively enforced?
  - f. No, BCI will not search your whole house, unless there is a safety issue. If BCI addresses a violation on a property, and they see the same violation at a neighboring property, they will address that violation, as well. BCI will not drive around the Borough searching for violations.
- 7) Does the code allow BCI to go after the renter?
  - g. Yes, if the renter is violating the code. Ultimately, the property owner is responsible.
- 8) What if a property is vacant?
  - h. A violation notice will be sent to the financial institution.
- 9) Are residents allowed to drain pool water onto the streets?
  - i. Dechlorinated water is permitted (less than .1 milligrams per liter – same as with saltwater) Council's Code Enforcement committee has been addressing water drained onto streets the past few months, after receiving many calls.
- 10) Has the Borough received calls about ground hogs, skunks, etc.? (Neighboring property allows trash dumping)
  - j. Yes, although guns are not to be discharged in the Borough. Mayor Quairolì will follow up with this resident.
- 11) Why did the Borough Council decide to have an outside company enforce the 2018 IPMC?
  - k. Council members have full time jobs. Council duties include meetings; two to three times a week, and there are not enough hours in a day for council to handle enforcing the IPMC. Council

decided to have BCI dedicate their time to enforce the IPMC and follow up with violations in a timely manner. The Fire Chief was in favor of the Borough adopting Chapter 7, of the IPMC. Council decided to implement adopting the entire 2018 IPMC to address all violations.

- 12) Why did Council decide to use an outside company, instead of a resident to enforce the 2018 IPMC? How is enforcement working with the North Lebanon Township Police?
  - l. A resident needs proper credentials, equipment, etc. Using a resident would be difficult, as we are a small community. For code enforcement and traffic citations the Borough has to rely on other services, such as North Lebanon Police. State Police cannot enforce Borough ordinances.
- 13) What other municipalities does BCI work for?
  - m. Municipalities, include Swatara Township, Annville Township and Cleona Borough. BCI also works for other County Housing Authorities.
- 14) What schooling or certification is required for the code officers?
  - n. Both/either enforcement officer holds a certification in property maintenance code, plight initiative, construction, building code official, safety certification in industrial buildings, accident reconstruction, certification in PA Emergency Management for damaged buildings, OSHA for general industry and construction.
- 15) Can lights be place at the intersection of N. Lancaster St. & Rt. 22?
  - o. This must be addressed to Swatara Township or Penn DOT.
- 16) Resident owns 3 properties in the borough, making improvements; but not wanting to be told what to do.
  - p. Council agreed, if improvements are actively being made, they are not looking to hinder that resident. The 2018 IPMC is not being implemented to reprimand people making improvements to their properties. The IPMC gives council options to take care of many problems/issues in the Borough. Discussion followed. Mayor Quairoli commented the IPMC is at a national standard level, and more consistent across the board. BCI officers have the proper training & education that council members do not have at this time.
- 17) Is the area between my property and the restaurant at the end of W. Market St. designated wetland?
  - q. DEP designates wetland areas. Council will look into this.
- 18) When will Council vote on implementing the 2018 IPMC?
  - r. Council will vote at their Council meeting scheduled July 2, 2019. Residents may attend the Planning Workshop meeting scheduled June 24, 2019, with further comments/questions.
- 19) Does Brad Douple and Chris Miller have email addresses for residents?
  - s. Yes.
- 20) Is the streets and sidewalks ordinance enforced by BCI?
  - t. No, not at this time. BCI serves at Council's pleasure.
- 21) Are anonymous complaints received, and if so, do residents remain anonymous?
  - u. Yes, a resident may remain anonymous. If so, their name will not be disclosed. Residents are protected by the Right to Know Act, and any issues will be addressed with the Borough Solicitor. A resident suggested first knocking on a neighbor's door to resolve any violations, before filling out a form.
- 22) Have mosquitoes been sprayed this year?
  - v. Stephanie Harmon, Watershed Specialist, Lebanon County Conservation District, will talk to this resident after the meeting to answer their question.
- 23) How do we facilitate the process in speaking to our neighbors about violations?
  - w. A suggestion/discussion followed about having the Borough Mayor or a Council person address the violation before using BCI. Council agreed they need to further discuss first addressing violations, before giving them to BCI.

The meeting was adjourned at 8:15 p.m.

Respectfully submitted,

Joan Keefer,  
Secretary