

CHAPTER 61: PROPERTY MAINTENANCE CODE**ARTICLE I
DEFINITIONS**

§61-101. The following words when used in this Chapter shall have the meaning ascribed to them in this Article, except in those instances where the context clearly indicates a different meaning:

BOROUGH - Callery Borough, Butler County, Pennsylvania.

CODE OFFICIAL – The building code official, code enforcement official, or duly authorized representative or agent who is charged with the administration and enforcement of this Chapter, The Code Official shall have all authority necessary to enforce the provisions of this Chapter, including, but not limited to instituting summary citation proceedings.

CONDEMN - To adjudge unfit for occupancy.

COUNCIL - Council of Callery Borough, Butler County, Pennsylvania.

DETERIORATION - To weaken, disintegrate, corrode, rust or decay and lose effectiveness.

EXTERIOR PROPERTY – The open space on the premises and on adjoining property under the control of owners or occupants of such premises.

GARBAGE - The animal or vegetable waste resulting from the handling, preparation, cooking, or consumption of food, or from the handling, storage, or sale of produce. Garbage shall not include leaves, grass clippings, or mulch heaps maintained for gardening purposes.

INFESTATION - The presence, within or contiguous to, a structure or *premises* of insects, rats, vermin or other pests.

JUNK - Any material, including but not limited to old rope, appliances, machinery, scrap metal, parts of machinery, glass, wood, paper, carpet, containers, equipment, and the like no longer suited or suitable for its intended use but which may be turned to some minor, incidental or other use. Junk shall not include rubbish or garbage kept in a proper container for the purpose of prompt disposal.

OCCUPANCY - The purpose for which a building or portion thereof is utilized or occupied.

OCCUPANT - The person to whom the owner of the property has granted possession, either by express statement or by implication.

OWNER – Any person, agent, operator, firm, or corporation having a legal or equitable interest in the property; or recorded in the official records of the county as holding title to the property; or otherwise having control of the property, including the guardian of the estate of any such

person and the executor or administrator of the estate of such person if ordered to take possession of real property by a court.

PERSON - Any individual, corporation, firm, association, partnership, public utility, trust, estate, public or private institution, group, Commonwealth or local agency, political subdivision, and any legal successor, representative, or agency of the foregoing.

PREMISES - A lot, plot, or parcel of land, easement or public way, including any structures thereon.

PUBLIC WAY - Any street, alley or similar parcel of land essentially unobstructed from the ground to the sky, which is deeded, dedicated or otherwise permanently appropriated to the public for public use.

RUBBISH - Combustible and noncombustible waste materials, including but not limited to paper, rags, cartons, boxes, barrels, wood, excelsior, rubber, leather, tree branches, yard trimmings, leaves, wood furniture, bedding, tires, plastic, fiberglass, rubber, metals, tin cans, furniture, dirt, rocks, dust, concrete, glass, crockery, vehicle parts, paint, batteries, and other similar waste materials. Rubbish shall not include garbage or junk.

STAGNANT WATER POOL - Stagnant water in pools in which mosquitoes, flies or other insects may multiply, including, but not limited to, open containers, sewage pools, lagoons, ditches, roof gutters, wheelbarrows, tires, and the like. Stagnant water shall be determined as any accumulation that has not disbursed within seven (7) days of the last recorded local rainfall. Water retention areas and/or reservoirs approved by the Borough are not stagnate water.

STRUCTURE - That which is built or constructed or a portion thereof.

STRUCTURE UNFIT FOR HUMAN OCCUPANCY - 1) Any structure that is unsafe, unsanitary, pest infested, contains filth and/or contamination, or lacks adequate plumbing, sewage disposal or water facilities; or 2) Any structure from which any utility (water sewer, electric) service has been disconnected, damaged, destroyed or rendered ineffective.

UNLAWFUL STRUCTURE - A structure that was erected, altered, or occupied contrary to law.

UNSAFE STRUCTURE - A structure in which there is an imminent danger due to a hazardous condition, including but not limited to the failure or collapse of a structure which endangers life, or the structure or part of a structure has fallen and life is endangered by the occupation of the structure, or when there is actual or potential danger to the occupants or those in the proximity of any structure because of explosives or explosive fumes, or vapors or the presence of toxic fumes, gases or materials, or the structure contains unsafe or dangerous equipment, or conditions pose a significant threat to public health or safety (e.g. the structure is so damaged, decayed, dilapidated, structurally unsafe or of such faulty construction or unstable foundation, that partial or complete collapse is possible).