

ORDINANCE NO. 2026-01

AN ORDINANCE OF THE TOWNSHIP OF LOWHILL, LEHIGH COUNTY, PENNSYLVANIA, ADOPTING THE 2021 INTERNATIONAL PROPERTY MAINTENANCE CODE, ESTABLISHING MINIMUM PROPERTY MAINTENANCE STANDARDS, AND PROVIDING FOR THE ADMINISTRATION, ENFORCEMENT, AND PENALTIES FOR VIOLATION THEREOF

Section I – Statement of Legislative Findings

WHEREAS, the Board of Supervisors (the “Supervisors”) of Lowhill Township (the “Township”) is granted the authority under Section 1517 of the Second Class Township Code (the “SCTC”) to enact and enforce codes and ordinances to regulate, among other things, the occupation, alteration, repair, maintenance, sanitation, lighting, ventilation, water supply, toilet facilities, use and inspection of all buildings and housing and the sanitation and inspection of land in accordance with Article XVII-A of the SCTC; and

WHEREAS, Section 1704-A(a) of Article XVII-A of the SCTC, authorizes the Supervisors to adopt a property maintenance ordinance and incorporate a standard or nationally recognized property maintenance code, or variation, change, or part thereof as the ordinance; and

WHEREAS, Section 1704-A(a), authorizes the Supervisors to provide for reasonable property fines and penalties for violations of the ordinance; and

WHEREAS, Section 1704-A(b) authorizes the Supervisors to appoint a code enforcement officer who has the right, subject to constitutional standards, to enter upon and inspect any premises, for the purpose of administration and enforcement of the ordinance; and

WHEREAS, the 2021 International Property Maintenance Code (the “IPMC”) represents the most current, nationally recognized minimum standards for property maintenance of existing residential and nonresidential structures; and

WHEREAS, certain provisions of the IPMC require local amendment to reflect Pennsylvania law, the character of the Township, and existing Township ordinances; and

WHEREAS, the Township has adopted nuisance, junk, zoning, agricultural, and environmental protection ordinances intended to address unsafe, unhealthy, or blighting conditions affecting properties within the Township; and

WHEREAS, the IPMC is intended to address and compliment, but not replace, other duly adopted Township Ordinances addressing nuisances, junk, land use, agriculture, and environmental protection; and

WHEREAS, the Supervisors find that adoption of the IPMC, subject to certain amendments, is consistent with the health, safety and public welfare of the citizens of the Township and desire to adopt the IPMC, subject to amendment as more particularly set forth herein.

Section II - Ordinance Text

NOW THEREFORE, BE IT ORDAINED AND ENACTED, by the Board of Supervisors of Lowhill Township, Lehigh County, Pennsylvania, and it is hereby ordained and enacted by the authority of the same, to wit:

1. Recitals.

The foregoing Legislative History is incorporated herein by reference and made a part hereof.

2. Adoption of 2021 Edition of the International Property Maintenance Code.

Pursuant to Article XVII-A, Section 1704-A(a) of the Second Class Township Code, Lowhill Township (the "Township") hereby adopts the 2021 Edition of the International Property Maintenance Code, including Appendices A and B (subject to modification as set forth herein), as published by the International Code Council, Inc, and bearing a 2020 copyright, as amended herein (collectively the "Code"), to establish, among other things, the minimum requirements for the maintenance of existing buildings, structures and properties in the Township.

3. Relationship to Other Ordinances.

It is the intent and purpose of the Code to compliment but not supplant existing Township ordinances addressing real property, including the Township zoning and nuisance ordinances and the Uniform Construction Code. Where the provisions of the Code and any other Township ordinance impose different standards, the more restrictive standard shall apply.

4. Local Amendments.

The following amendments are made to the 2021 Edition of the International Property Maintenance Code.

a. **Subsection 101.1**, insert for NAME OF JURISDICTION, "Lowhill Township."

b. **Subsection 103.1**, insert for NAME OF DEPARTMENT, "Code Department."

c. **Section 102.3** is amended to add the following sentence:

"Nothing contained in this Code shall be construed to cancel, modify, or set aside any provision of the Lowhill Township zoning, nuisance ordinance, or other Township ordinances."

d. **SECTION 104, FEES**, is amended to add the following subsection:

"104.3. The fees for activities and services performed by the Township in carrying out its responsibilities under this code shall be established by resolution of the Board of Supervisors of Lowhill Township."

e. **Subsection 105.3, Right of entry**, is amended by adding the following to the last sentence " , including making application for an administrative search warrant."

f. **SECTION 108, BOARD OF APPEALS**, is hereby amended by deleting Section 108.1 in its entirety and substituting therefore Appendix B as modified by this Ordinance.

g. **Subsections 109.3 and .4** are deleted in their entirety and the following is substituted therefore:

“109.3 Prosecution of Violation. This Code shall be enforced as a summary offense by bringing an action before a district justice in the same manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure. The municipal solicitor may assume charge of the prosecution without the consent of the District Attorney.

109.4 Violation Penalties. Any person who shall violate a provision of this Code, or fail to comply therewith, or with any of the requirements thereof, shall be subject to a criminal fine not to exceed One Thousand Dollars (\$1,000.00) per violation and imprisonment to the extent allowed by law for the commission of a summary offense. A separate offense shall arise for each day or portion thereof in which a violation is found to exist or for each section or subsection of the Code which is found to have been violated. The Township may seek and recover as restitution all costs and fees, including but not limited to reasonable attorney and consulting fees.

109.5. Enforcement Officers. The initial determination of a violation of this Code and the duty to serve a notice of violation is hereby delegated to the Township’s Code Enforcement Officer or Zoning Officer.

109.6 All fines and penalties collected for the violation or violations of this Code shall be paid to the Township Treasurer.

109.7 The Township shall retain the right to enforce this Code through appropriate actions at law and in equity and further shall retain all legal remedies authorized by law.”

h. **Subsection 109.5** is hereby re-numbered to subsection “109.8.”

i. **Subsection 111.4, Notice**, is amended to add the phrase “, or other responsible party,” after the phrase “owner’s authorized agent.”

j. **Subsection 112.5 Costs of emergency repairs** is deleted in its entirety, and the following is substituted therefore:

“Subsection 112.5 Costs of emergency repairs. Costs incurred by the Township in the performance of emergency work shall be paid (reimbursed) by the Owner of the subject premises or Owner’s authorized agent. Such costs may be paid by the Township and recovered from the Owner through appropriate legal proceedings, including without limitation the filing of a municipal lien or other civil or equitable action.”

k. **SECTION 202, DEFINITIONS**, is amended to add the following definitions:

“**GRAFFITI**. Any inscription, word, figure, marking, or design that is painted, drawn, etched, scratched, affixed, or otherwise applied to any exterior surface without the consent of the property owner.”

“**JURISDICTION**. Lowhill Township, Lehigh County, Pennsylvania.”

“**NOXIOUS WEEDS**. Vegetation prohibited under the Pennsylvania Noxious Weed Control Law (3 P.S. § 255.1 et seq.) or regulations of the Pennsylvania Department of Agriculture, including but not limited to: Canada thistle, multiflora rose, mile-a-minute vine, kudzu, bull thistle, musk thistle, purple loosestrife (all cultivars), golden or yellow bamboo (all cultivars), and autumn olive.”

l. **Subsection 302.4, Weeds**, is amended to delete the bracketed language and insert therefore “a height of eight (8) inches.”

m. **Subsection 302.4, Weeds**, is further amended to add the following sentence after the phrase “eight (8) inches:”

“This eight (8) inch height limitation shall not apply to agricultural land, riparian buffers, conservation areas, managed meadows, or properties within the Environmental Protection Overlay District.”

n. **Subsection 302.4, Weeds**, is further amended to add the following sentence at the end of the first paragraph:

“Noxious weeds are prohibited throughout the entire premises regardless of height.”

o. **Subsection 304.14, Insect screens**, is amended to delete both bracketed dates and replace the first bracket with “May 1” and the second bracket with “September 1.”

p. **Subsection 602.3, Heat supply**, is amended to delete both bracketed dates and replace the first bracket with “September 1” and the second bracket with “June 15.”

q. **Subsection 602.4, Occupiable work spaces**, is amended to delete both bracketed dates and replace the first bracket with “September 1” and the second bracket with “June 15.”

r. **Subsection 309.9, Defacement of property**, is deleted in its entirety and the following is substituted therefore:

1. A person shall not willfully or wantonly damage, mutilate or deface any exterior surface of any structure or building on any private or public property by placing thereon any marking, carving or graffiti.

2. No marking, carving or graffiti, referenced in subsection 309.2.1, above shall be allowed to remain visible from a public or private right-of-way, and upon issuance of a notice of violation hereunder, the owner or owner's authorized agent shall remove or cover the marking, carving, or graffiti in its entirety. Markings, carvings or graffiti which are threatening, obscene, or discriminatory in content shall be removed within forty-eight (48) hours of notice. If the owner or authorized agent fails to remove such markings, carvings, or graffiti in accordance with a notice of violation, the Township may cause the marking, carving, or graffiti to be removed at the owner's expense.

s. **Appendix B, BOARD OF APPEALS**, is amended by deleting the introductory language in its entirety and substituting therefore the following:

"B101.3 , Membership of the board. The board shall consist of three voting members appointed by the Board of Supervisors. Each member shall serve for three years or until a successor has been appointed, whichever first occurs. The Board members' terms shall be staggered at intervals, so as to provide continuity. The code official or zoning officer shall be an ex officio member of said board but shall not vote on any matter before the board."

Section 3 – Profanto Repeal

All Ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 4 – Savings Clause

To the extent that any word, portion or provision of the text hereof is found by any court of competent jurisdiction to be invalid or void on constitutional or other grounds, such word, phrase, portion of provision shall, if possible, be deemed to be repealed and those remaining valid portions of the text shall remain in full force and effect if the same can be accomplished without the structure of the Ordinance having been destroyed by the elimination of that word, phrase, portion or provision found to be invalid or void.

Section 5 – Effective Date

This Ordinance shall take effect immediately after enactment by the Board of Supervisors of Lowhill Township.

DULY ENACTED AND ORDAINED, this 6 day of APRIL 2026, by the Board of Supervisors of Lowhill Township, Lehigh County, Pennsylvania, in lawful session duly assembled.

[Signatures Follow]

[Signatures to Ordinance No. 2026 – 01]

**TOWNSHIP OF LOWHILL
BOARD OF SUPERVISORS**



CHAIRMAN

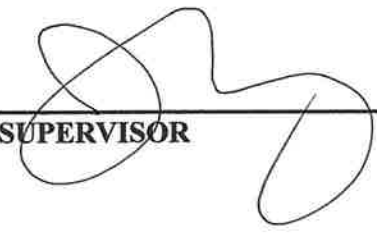
ATTEST:



VICE CHAIRMAN



SECRETARY



SUPERVISOR

