

**BOROUGH OF PITCAIRN
ORDINANCE #1036**

**AN ORDINANCE OF THE BOROUGH OF PITCAIRN ENTERING INTO
AGREEMENT WITH OTHER MEMBER MUNICIPALITIES OF THE TURTLE
CREEK VALLEY COUNCIL OF GOVERNMENTS FOR THE ESTABLISHMENT OF A
PROPERTY MAINTENANCE CODE JOINT BOARD OF APPEALS AS REQUIRED BY
THE INTERNATIONAL PROPERTY MAINTENANCE CODE AND HEREBY
DISSOLVING THE BOROUGH OF PITCAIRN PROPERTY MAINTENANCE CODE
BOARD OF APPEALS**

WHEREAS, the Borough of Pitcairn has received a request from the Turtle Creek Valley Council of Governments to participate in a joint Property Maintenance Code Appeals Board, and

WHEREAS, the Borough of Pitcairn Council feels that it would be advantageous to participate in a joint Property Maintenance Appeals Board, and

WHEREAS, the Borough of Pitcairn wishes to dissolve the Pitcairn Property Maintenance Board of Appeals.

NOW THEREFORE, be it ordained and enacted by the Council for the Borough of Pitcairn that:

1. The Borough of Pitcairn shall enter into an intergovernmental cooperative agreement with the Turtle Creek Valley Council of Governments and its member municipalities to participate in a joint Property Maintenance Appeals Board.
2. The Borough of Pitcairn shall dissolve the Borough of Pitcairn Property Maintenance Appeals Board upon the formation of the joint Turtle Creek Valley Council of Governments Property Maintenance Appeals Board.
3. The Borough of Pitcairn shall pay its pro-rated share of costs for the establishment and operation of the joint Turtle Creek Valley Council of Governments Property Maintenance Appeals Board with the understanding that a large share of the operating expenses shall be borne by the individual applicants to the Appeals Board.



BE IT ORDAINED AND ENACTED this 13th day of April, 2020.

ATTEST:

Annette Dietz
Borough Manager

BOROUGH OF PITCAIRN

Dona Calia
Council President

Examined and approved the 13th day of April 2020.

Myra P. Sten
Mayor

Approved as to Form:

[Signature]
Solicitor

**INTERGOVERNMENTAL COOPERATION AGREEMENT
ESTABLISHING A PROPERTY MAINTENANCE APPEALS BOARD**

BY AND BETWEEN

The Borough of Pitcairn (hereinafter "the member municipalities"), and the Turtle Creek Valley Council of Governments (hereinafter "the TCVCOG"), each has agreed to participate fully in the TCVCOG Property Maintenance Appeals Board through an Intergovernmental Cooperation Agreement (hereinafter "ICA").

WITNESSETH:

WHEREAS, the member municipalities and the TCVCOG each has agreed to participate fully in the TCVCOG Property Maintenance Appeals Board through an ICA.

NOW THEREFORE, in consideration of the foregoing and of the mutual promises herein contained, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the member municipalities hereto, intending to be legally bound, hereby agree as follows:

1. **Conditions of the Intergovernmental Cooperation Agreement.** The conditions of the ICA are those conditions set forth herein.

2. **Amendment of Intergovernmental Cooperation Agreement.** This ICA may be amended by the member municipalities hereto at anytime hereafter by the execution of an addendum in writing signed by each member municipality. Any waiver by any member municipality of any provision hereof shall be valid only if set forth in an instrument in writing signed on behalf of such member municipality.

3. **Duration of the Intergovernmental Cooperation Agreement.** The within ICA shall be effective for two years commencing April 13th, 2020, and shall remain in effect on a year-to-year basis thereafter, until amended or terminated by a member municipality. Any member municipality may elect at anytime to discontinue participation in the within ICA by adopting an Ordinance and by providing the TCVCOG Board of Directors one-hundred and eighty days (180) days written notice of such election to discontinue.

Purpose and Objectives of the Intergovernmental Cooperation Agreement. The purpose and objectives of the within ICA are to establish a Property Maintenance Appeals Board for the purposes and powers as stated in the International Property Maintenance Code Section 111, Means of Appeal, or any successor legislation or Rules and Regulations.

5. **Powers and Scope of Authority Delegated.** The TCVCOG Property Maintenance Appeals Board herein established by the TCVCOG and each member municipality shall hear and rule on appeals under the International Property Maintenance Code and locally adopted Property Maintenance Ordinances. Appeals shall be based on a claim that the true intent of the code or the rules legally adopted thereunder have been incorrectly interpreted, the

provisions of the code do not fully apply, or the requirements of the code are adequately satisfied by other means. The TCVCOG Property Maintenance Appeals Board to be created herein may not act upon appeals, requests for variance or requests for extension of time relating to the Pennsylvania Construction Code Act. Furthermore, the Property Maintenance Appeals Board shall not act upon any appeal filed with respect to Article XV of the Allegheny County Health Department Rules and Regulations which incorporates the International Plumbing Code and Chapters 25 through 32 of the International Residential Code and all such appeals shall be conducted by the Allegheny County Health Department in accordance with Article XI of the Allegheny County Health Department Rules and Regulations.

6. **Manner and Extent of Financing.** The manner and extent of financing this ICA shall be the financing as set forth in the Policies of the TCVCOG Property Maintenance Appeals Board approved by the member municipalities.

7. **Organization Structure Necessary to Implement the Agreement.** The organizational structure necessary to implement the within ICA shall be the organizational structure as set forth in the Policies of the TCVCOG Property Maintenance Appeals Board approved by the member municipalities.

8. **Manner of Acquisition and Management of Real Estate and Personal Property.** The member municipalities do not presently contemplate that real or personal property will be acquired, managed, licensed or disposed of. If in the future it becomes necessary or advisable for the member municipalities to acquire, manage, license or dispose of real or personal property, it shall be as agreed upon by the member municipalities.

IN WITNESS WHEREOF, the TCVCOG and the member municipalities have caused this agreement to be executed by their duly authorized respective appropriate officers this 13th day of April, 2020.



Annette Dietz
Annette Dietz, Borough Manager

BOROUGH OF PITCAIRN

Dona Galia
Dona Galia, Borough Council President

ATTEST:

TURTLE CREEK VALLEY COUNCIL OF GOVERNMENTS

By: _____