

ORDINANCE

ORDINANCE AMENDING CHAPTER 87 – BUILDINGS AND LAND WITH SUBSTANTIAL VIOLATIONS, SECTION 87-2 OF THE CODE OF THE CITY OF COATESVILLE, CHESTER COUNTY, PENNSYLVANIA TO ADD PROVISIONS FOR DEMOLITION OF ATTACHED BUILDINGS

WHEREAS, the City of Coatesville is a Third Class City governed by a Home Rule Charter and the Third Class City Code with a business address of 1 City Hall Place, Coatesville, Chester County, Pennsylvania (hereinafter the “City”);

WHEREAS, the City of Coatesville is a chartered third class city in the Commonwealth of Pennsylvania, located in Chester County, Pennsylvania;

WHEREAS, the City Council of City of Coatesville hereby find and determine to maintain the health safety, and general welfare of the City of Coatesville; and

WHEREAS, the City of Coatesville wishes to amend Chapter 87 Buildings and Land with Substantial Violations, by adding Section 87-2 A. (2) (a) Considerations as to Demolition of Attached Buildings.

NOW, THEREFORE, in consideration of the foregoing, it is hereby enacted and ordained by the City Council of the City of Coatesville, pursuant to its authority under the Third Class City Code and the Home Rule Charter, is amended as follows:

SECTION 1:

Section 87-2 A. (2) (a), Considerations as to Demolition of Attached Buildings, is amended to read as follows:

- (1) Before the department of codes enforcement issues a permit for demolition, drawings shall be submitted by a licensed engineer or architect, indicating that the demolition will leave a solid and secure base upon which the surviving building will rest.
- (2) The surviving wall, after demolition, shall be rebuilt to reflect the same appearance as the front of the remaining building or structure previously attached to the demolished building or structure.
- (3) Insulation shall be installed so as to guarantee a minimum standard to assure occupants of the surviving building that there will be the same level of comfort on a year-round basis, as there was prior to the demolition of the adjoining building.
- (4) The additional thickness in inches required to construct such a wall in accordance with the foregoing requirements may be eased over to the owner of the existing building, as well as all rights of access to the building wall and the right to use that wall for any reason that the owner of the surviving building may choose.
- (5) If and when a new building is built on the site of the demolished building, and if such new structure requires the use of the common wall, the owner of the site of the demolished building shall have the right

to bring his or her property line back to the same point that it was prior to the demolition of the previously existing building or structure and any easement as aforesaid.

(6) The Department of Codes Enforcement shall notify neighboring tenants and owners of buildings proposed to be demolished of their rights under this section, and shall spell out the obligations of the demolition company involved. Such requirements shall include a list of measures of protection that such neighboring tenants and owners are entitled to, should there be current or future damage to the surviving building resulting from the subject demolition.

(7) The Department of Codes Enforcement will provide an advocate to work with property owners involved in order to assist in minimizing the impact of the demolition and to promote projects which will enhance appearances for both the City and the property owner.

(8) Disclosure of environmental conditions. Every owner or agent for the owner of a property for which a demolition permit application is filed with the department of codes enforcement, shall provide full disclosure with such demolition permit application of any pending environmental assessment, review, remediation, or voluntary compliance action that has been issued, ordered or approved by the U.S. Environmental Protection Agency, or by the Pennsylvania Department of Environmental Protection (DEP). No demolition permit shall be issued or approved until such full environmental disclosure has been filed with the Department of Codes Enforcement to the satisfaction of the Director of Codes Enforcement. The purpose and intent of this section is to prevent any property owner, builder, contractor, developer or other person from obtaining a demolition permit from the city without fully disclosing and informing the city officials of known environmental hazards on the site for which an application for a demolition permit has been made.

(9) Where a structure has been demolished or removed and a demolition permit has not been approved, the vacant lot shall be filled, graded and maintained in conformity to the established elevation of the street grade at curb level nearest to the point of demolition or excavation. Provision shall be made to prevent the accumulation of water or damage to any foundations on the premises or the adjoining property.

(10) The owner shall make arrangements for the parcel to be identifiable by an address after demolition.

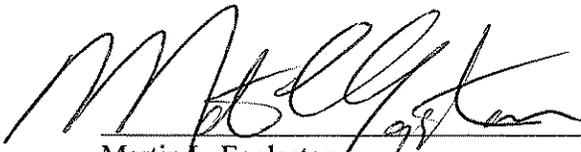
SECTION 2:

If any provision of this ordinance or the application thereof to any person or circumstance is held invalid, the remainder of this ordinance, including the application of such part or provision to other persons or circumstances shall not be affected thereby and shall continue in full force and effect. To this end, provisions of this ordinance are severable. The City Council of the City of Coatesville hereby declares that it would have passed each section, subsection, subdivision, paragraph, Sentence, clause, or phrase hereof irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses, or phrases be held unconstitutional, invalid, or unenforceable.

SECTION 3:

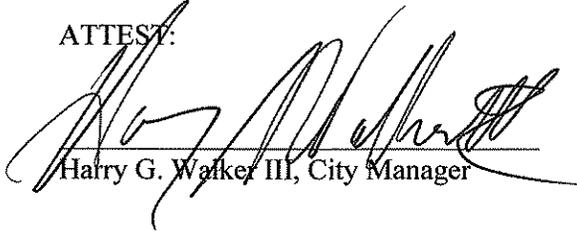
This Ordinance shall be effective thirty (30) days after publication following final adoption in accordance with the City Charter and the Third-Class City Code.

ENACTED AND ORDAINED this 13th day of April, 2009.



Martin L. Eggleston
President, City Council

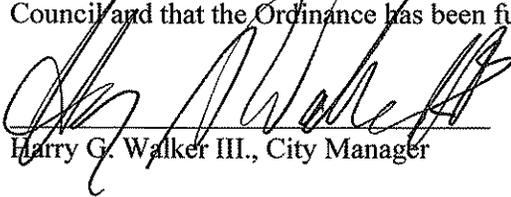
ATTEST:



Harry G. Walker III, City Manager

CERTIFICATION

I HEREBY CERTIFY that the foregoing Ordinance was introduced on the 23rd day of March, 2009 and was duly enacted by the Council of the City of Coatesville, Chester County, Pennsylvania, on the 13th day of April, 2009, that the vote upon the said Ordinance has been recorded in the Minutes of the City Council and that the Ordinance has been fully recorded.



Harry G. Walker III., City Manager