

Upon motion by \_\_\_\_\_, seconded by \_\_\_\_\_, the following Ordinance was duly enacted, \_\_\_\_\_ voting in favor of enactment, \_\_\_\_\_ voting against enactment.

**ORDINANCE 98-17**

**An Ordinance amending and restating Ordinance No. 50; requiring the numbering of all buildings in Millcreek Township; establishing regulations for the numbering of buildings; providing penalties for violation and containing repealer and severability clauses.**

**WHEREAS**, the Board of Supervisors, by Ordinance No. 50 enacted on March 1, 1954, established a uniform system for the numbering of buildings, requiring that all buildings in Millcreek Township be numbered and that designated property numbers be displayed on all buildings, this being authorized by Section 1520 of the Second Class Township Code; and

**WHEREAS**, the Board of Supervisors finds that many buildings in Millcreek Township, notably buildings used for business or industrial uses, are not complying with the said Ordinance; and

**WHEREAS**, the proper identification of buildings' assigned numbers is found to be necessary to protect the public safety and welfare and to assist in prompt and effective provision of fire protection, emergency medical and public safety services; and

**WHEREAS**, the Board of Supervisors finds it to be in the best interest of the public safety and welfare that regulations governing the maintenance and implementation of a property identification system, assignment and display of identification numbers on all buildings in the Township and administration of the system be amended to address development and events occurring since enactment of Ordinance No. 50.

**IT IS HEREBY ORDAINED AND ENACTED** by the Board of Supervisors of the Township of Millcreek, Erie County, Pennsylvania, and it is ordained and enacted, as follows:

1.01. Numbering System and Maps Established

A. There is hereby established a numbering system of all buildings in Millcreek Township, as follows:

1. All buildings located on streets, highways and roads running generally in an easterly and westerly direction shall be numbered in consecutive blocks oriented to the west line of the City of Erie and the extension thereof, southwardly to the southern boundary line of the Township;

2. All buildings located on streets, highways and roads running generally in a northerly and southerly direction shall be numbered in consecutive blocks oriented to the south line of the City of Erie and the extension thereof, westwardly in its present direction to the western boundary line of the Township;

3. All buildings located on the north side of streets, highways and roads running generally in an easterly and westerly direction and those located on the west side of streets, highways and roads running generally in a northerly and southerly direction

shall be given even numbers;

4. All buildings located on the south side of streets, highways and roads running generally in an easterly and westerly direction and those located on the east side of streets, highways and roads running generally in a northerly and southerly direction shall be given odd numbers;

5. For the purpose of numbering, each consecutive space of twenty feet, seven and one-half inches (20' 7½"), computed from the west line of Pittsburgh Avenue extended and the south line of Grandview Boulevard extended on their respective side of the street, highway or road shall, for the purposes of this Ordinance, constitute one lot and be given a number.

B. The numbering in each case shall conform to or be a continuation of, as the case may be, the numbering as set forth in the Numbering Ordinance of the City of Erie, Pennsylvania, except as is shown on the Millcreek Township Numbering Maps attached hereto.

1. The said Millcreek Township Numbering Maps attached hereto, collectively, as Exhibit A are hereby ratified and adopted.

2. The Board of Supervisors by Resolution adopted from time to time shall have authority to amend the Millcreek Township Numbering Maps.

3. The said Millcreek Township Numbering Maps shall be deemed amended as changes and conditions require by reasoning of the opening of new streets, highways or roads, development of lots, construction of buildings and/or relocation of streets, highways or roads and, in that event, such Maps shall be deemed amended by virtue of the Board of Supervisors' approval of a submitted plan or the Township's issuance of a building permit, without special Resolution of amendment being required.

1.02 Owners of Buildings Obligated to Obtain and Affix Numbers to Buildings

A. Owners of all buildings located on land situated in Millcreek Township are obligated to obtain from Millcreek Township an assigned number for such building(s) and to affix and maintain at all times such assigned number upon that side of the building which fronts upon a street, highway or road.

B. Such numerals shall be not less than:

1. Three inches (3") high one-half inch (1/2") stroke Arabic on single-family residential and two-family residential dwellings;

2. Six inches (6") high on buildings subject to multi-family residential, business, industrial and other uses, exclusive of single- and two-family residential dwellings.

C. The assigned number for all buildings shall be placed in a conspicuous place above or near

the front door entrance of the building, located so as to be clearly visible from the street, highway or road which such building faces.

- D. All costs associated with affixing and maintaining assigned numbers on buildings shall be the sole responsibility of the owner of the building.

### 1.03 Assignment of Numbers and Administration

The Millcreek Township Code Administrator and his or her subordinates and designees shall be responsible for the assignment of numbers to buildings within Millcreek Township and for administration of this Ordinance, the Millcreek Township Numbering Maps and policies adopted by the Board of Supervisors pursuant to this Ordinance.

- A. The Code Administrator or his or her subordinate or designee (hereinafter, "Code Administrator") shall, upon the request of the owner of a building or the owner's agent, furnish free of charge the correct and assigned number for all buildings constructed or existing on any lot or parcel of land in Millcreek Township.
- B. The Code Administrator shall determine the general direction of a street, highway or road and determine the number to be assigned to all buildings pursuant to this Ordinance.
- C. The Code Administrator shall be authorized to enforce this Ordinance and to institute and prosecute legal proceedings for enforcement of this Ordinance.

### 1.04 Violations; Penalties and Enforcement

- A. Any person, partnership, corporation, firm or other entity who/which fails to obtain an assigned number for a building owned by such person, partnership, corporation, firm or other entity which is located upon any lot or parcel of land in Millcreek Township, and/or who fails to affix the assigned number to such building as required by this Ordinance prior to occupancy of the building, and/or who fails to affix assigned numbers of at least the minimum size required or in a manner contrary to the requirements of this Ordinance, and/or who fails to maintain properly assigned, sized and located numbers upon such building at all times shall violate this Ordinance and be subject to the enforcement measures and penalties prescribed in this Section.
- B. This Ordinance shall be enforced in accordance with the provisions of Ordinances Nos. 96-8 and 96-9, which govern enforcement of ordinances as administrative and civil proceedings and the imposition of costs and attorneys' fees.
- C. An administrative fine of \$150.00 is prescribed and shall be imposed on all persons found by the Code Administrator to have violated this Ordinance, and who shall have failed or refused to remedy the violation after receipt of an administrative enforcement notice. In the event an administrative fine is not paid, and the cited violation rectified, within fifteen (15) days after the date an enforcement notice imposing such fine is received, the Code Administrator shall institute a civil action for enforcement of this Ordinance in the office of the District Justice having proper jurisdiction. In such event, a civil fine of \$250.00 is prescribed for violation and

shall be imposed upon a finding of violation. Each day a violation occurs shall be deemed a separate violation, and shall subject the violator to a civil fine of \$250.00 for each day a violation continues. In accordance with Ordinance 96-9, Millcreek Township shall seek and be entitled to recovery of all attorneys' fees incurred in enforcing this Ordinance, in addition to the prescribed fines and costs.

D. Upon a finding of a violation, the Code Administrator shall, pursuant to Ordinance 96-8 as may be amended, issue to the violator a written enforcement notice, directing the violator to remedy the violation of this Ordinance within a period not less than fifteen (15) and not more than thirty (30) days after the date of the enforcement notice, which shall note the amount of the administrative and civil fines. In the event the cited violation has not been remedied by the deadline therefor set forth in the enforcement notice, the Code Administrator shall issue to the violator a written enforcement notice, imposing the administrative fine prescribed in this Section. If such administrative fine is not paid and the violation remedied within fifteen (15) days after the date such notice was received, the Code Administrator shall institute a civil action for enforcement.

E. The Code Administrator may deny issuance of a building permit to any person, partnership, firm or corporation which is then in violation of this Ordinance as to any other building located in Millcreek Township by reason of such violation.

1.05 Severability

If any section, subsection, sentence, clause, phrase or portion of this Ordinance or its application to any person, property or circumstances is for any reason held invalid or unconstitutional by any court, such holding shall not be construed to affect the validity of any of the remaining provisions of this Ordinance or its application, for such portion shall be deemed as a separate, distinct and independent provision from the remaining provisions which shall be and remain in full force and effect. It is hereby declared the legislative intent that this Ordinance would have been adopted had such valid or unconstitutional provision of its application not been included herein.

1.06 Repealor

All Ordinances or parts of any Ordinances inconsistent herewith are hereby repealed. This Ordinance amends and restates Ordinance No. 50, which shall from the effective date of this Ordinance be null and of no legal effect except as its provisions have been incorporated herein.

**BE IT ENACTED** this 22<sup>nd</sup> day of December, 1998.

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Suzanne R. Weber, Secretary