

CITY OF JEANNETTE
WESTMORELAND COUNTY, PENNSYLVANIA

ORDINANCE NO. 25-5

AN ORDINANCE OF THE CITY OF JEANNETTE, WESTMORELAND COUNTY, PENNSYLVANIA, AMENDING ORDINANCE NO. 17-04 TO MAKE THE FAILURE TO PROPERLY IDENTIFY BUILDINGS, FAILURE TO TRIM OR REMOVE DANGEROUS TREES, FAILURE TO PROPERLY DIVERT WATER, AND FAILURE TO USE APPROVED GARBAGE BAGS QUALITY OF LIFE VIOLATIONS; PROVIDING FOR NON-REPEAL; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Third Class City Code, 11 Pa.C.S.A. § 12417, affords the City of Jeannette with the power to “require and regulate the numbering of buildings and lots”; and

WHEREAS, the Third Class City Code, 53 P.S. § 12416(a), affords the City of Jeanette the power to “regulate the manner and method for the planting, trimming, removing, maintaining and protection of shade trees in, on and along or extending over the public streets, sidewalks and rights-of-way of the city and provide for penalties for violations”; and

WHEREAS, the Third Class City Code, 53 P.S. § 12915(a)(3), affords the City of Jeannette the power to “keep in order and repair and in safe passable condition” “any street or any part of a street within city limits”; and

WHEREAS, the Vehicle Code, 75 Pa.C.S.A. § 6112, affirms “the duty of the owner of real property to remove from the property any tree, plant, shrub or other similar obstruction, or part thereof, which by obstructing the view of any driver constitutes a traffic hazard”; and

WHEREAS, the Third Class City Code, 11 Pa.C.S.A. § 141A04, empowers the City to enact a property maintenance code, and in accordance with such power, the City of Jeannette has adopted a property maintenance code and quality of life ordinance; and

WHEREAS, the Third Class City Code, 11 Pa.C.S.A. § 12414, affords the City of Jeannette with the power “to prohibit and abate public nuisances;” and

WHEREAS, the Stormwater Management Act, 32 P.S. Section 680.1, et seq., as amended, and the Municipalities Planning Code, 53 P.S. § 10101 et seq., as amended, afford the City of Jeannette the power to regulate land use activities that affect stormwater runoff; and

WHEREAS, the Third Class City Code, 11 Pa.C.S.A. § 12415, affords the City of Jeannette with the power to “provide for the regulation of all encroachments in, under or upon sidewalks or other portions of streets in the city”; and

WHEREAS, the Third Class City Code, 11 Pa.C.S.A. § 13401, affords the City of Jeannette with the power to regulate stormwater and stormwater encroachments within the City of Jeannette; and

WHEREAS, the Third Class City Code, 11 Pa.C.S.A. § 12409, the Solid Waste Management Act, 35 P.S. § 6018.101, *et seq.*, and the Municipal Waste Planning, Recycling and Waste Reduction Act, 53 P.S. § 4000.101, *et seq.*, empower the City of Jeannette to regulate the collection and disposal of ashes, garbage, solid waste and other refuse materials located within the City; and

WHEREAS, the Third Class City Code affords the City of Jeannette with the power to regulate businesses and business activities within the City; and

WHEREAS, the Third Class City Code, 11 P.S. § 12435, affords the City of Jeannette with the power to enact ordinances that are “(1) [e]xpeditious or necessary for the proper management, care and control of the city and its finances and the maintenance of the peace, good government, safety and welfare of the city and its trade, commerce and manufactures; or (2) [n]ecessary to the exercise of the powers and authority of local self-government in municipal affairs;” and

WHEREAS, with its Shade Tree Commission Ordinance, enacted March 19, 1975, the City of Jeannette previously exercised its authority to adopt certain rules regarding shade trees located within the City, which rules were subsequently repealed.

BE IT ENACTED AND ORDAINED by the City Council of the City of Jeannette, Westmoreland County, Commonwealth of Pennsylvania, and it is hereby enacted and ordained as follows:

Section 1. Purpose. Section II of Ordinance No. 17-04, as previously amended, shall be amended to read as follows:

Lack of maintenance of properties, littering, improper storage of trash and rubbish, storage of inoperable/non-registered vehicles, vendor operations without permits, accumulation of snow and ice, failure to trim trees and other vegetation within public rights of way and on private property, and failure to properly number and identify buildings and addresses are costly problems that contribute to the deterioration of property values, health, and welfare, and create general disorder in the community. These problems degrade the physical appearance of the City which reduces business and tax revenue, inhibiting economic development. The quality of life and community pride of the citizen of Jeannette are negatively impacted by the occurrences and existence of these activities. Recognizing these are community problems, the purpose of this ordinance is to promote the health, safety, and general welfare of the City by helping to create a clean and safe environment for the citizens of Jeannette while eliminating safety and welfare concerns for both residents and emergency service personnel.

Section 2. Quality of Life Violations.

A new subsection (S) shall be inserted in Section V of the Ordinance, which new subsection shall read as follows:

S. Proper Identification of Buildings.

All persons owning or occupying structures located on property situated in the City of Jeannette shall maintain adequate numerical signs or other display apparatus that signifies the structure's lawfully assigned street address for each address, including, without limitation, unit and sub-unit address, at the property. Identification displays shall show the proper street number (and, if applicable, letter(s)) in its entirety. Identification displays shall be positioned in a manner, affixed to the structure, to be plainly legible and visible from the public right-of-way fronting the property. Identification displays shall contrast with their background. Identification displays shall be in Arabic numbers or alphabet letters. Identification display numbers and letters shall be not less than 4 inches (102 mm) in height with a minimum stroke width of 0.5 inch (12.7 mm). It shall be unlawful for persons owning or occupying a structure to fail to install and /or maintain identification displays as set forth above.

A new subsection (T) shall be inserted in Section V of the Ordinance, which new subsection shall read as follows:

T. Dangerous Trees.

No person owning or occupying property in the City of Jeannette shall allow the presence of any tree on the property that is determined or considered by the Property Maintenance Officer or City Code Enforcement Officer to be dangerous or unsafe to the public due to overgrowth, instability, infestation, harmful insect, or death or disease of the tree.

A new subsection (U) shall be inserted in Section V of the Ordinance, which new subsection shall read as follows:

U. Water Diversion to Public Rights-of-Way.

1. No person owning or occupying property in the City of Jeannette shall cause, permit, enable, or allow water collected in a gutter or gutter system to be deposited onto any public right-of-way from such property except as may be expressly authorized by written permit issued by the property authority of the City of Jeannette.

2. No person owning or occupying property in the City of Jeannette shall cause, permit, enable, or allow a pump, whether a sump pump or otherwise, to deposit water onto any public right-of-way from such property except as may be expressly authorized by written permit issued by the property authority of the City of Jeannette.

3. No person owning or occupying property in the City of Jeannette shall cause, permit, enable, or allow ground water, storm water, waste water or any other source

of water to be deposited onto any public right-of-way from such property except as may be expressly authorized by written permit issued by the property authority of the City of Jeannette.

A new subitem (6) in subsection (D) Storage and storage containers for waste or trash shall be inserted in Section V, subsection (D) of the Ordinance, which new subitem shall read as follows:

6. All waste/trash must be in proper City of Jeannette trash bags or contain a City of Jeannette trash sticker.

Section 3. Codification. This Ordinance shall be codified within the codified ordinances of the City of Jeannette as an amendment to § 372-11.

Section 4. Severability. It is herein declared that the provisions of this Ordinance are severable, and if any provisions, portions, or sections of this Ordinance are declared to be illegal, invalid, or unconstitutional, the decisions of any Court, which makes declarations, shall not impair or affect any of the remaining portions of this Ordinance.

Section 5. Non-Repealer. This Ordinance shall not repeal any other ordinance or part thereof, which shall continue to remain in effect and shall constitute a separate, independent violation.

Section 6. Effective Date. This Ordinance shall become effective ten (10) days after its enactment.

This Ordinance is duly ORDAINED AND ENACTED by a majority of the members of the City Council of the City of Jeannette at a duly advertised public meeting held on the _____ day of _____, 2025.

CITY OF JEANNETTE

By: _____
Curtis J. Antoniak
Mayor and President of Council

ATTEST: (SEAL)

Ethan Keedy
City Clerk/ City Manager