

## C

**Effective:[See Text Amendments]**

Purdon's Pennsylvania Statutes and Consolidated Statutes [Currentness](#)

Title 53 P.S. Municipal and Quasi-Municipal Corporations

Part IX. Townships of the First Class

▣ [Chapter 131](#). First Class Township Code ([Refs & Annos](#))

▣ [Article XV](#). Corporate Powers

→ **§ 56519. Building and housing sanitation regulations**

In addition to other remedies provided by law, and in order to promote the public health, safety, morals, and the general welfare, to enact and enforce suitable ordinances to govern and regulate the construction, alteration, repairs, occupation, maintenance, sanitation, lighting, ventilation, water supply, toilet facilities, drainage, use, and inspection of all buildings and housing, or parts of buildings and housing, constructed, erected, altered, designed or used, in whole or in part, for human habitation or occupancy, and of the sanitation and inspection of land appurtenant thereto. In case any building, housing or structure is constructed, reconstructed, altered, repaired, converted, or maintained, or any building, housing or land is used, in violation of any ordinance enacted under authority conferred hereby, the board of township commissioners, in addition to penalties provided by ordinances enacted hereunder, may institute appropriate actions or proceedings, at law or in equity, to prevent and restrain such unlawful construction, reconstruction, alteration, repairs, conversion, maintenance or use, and to restrain, correct, or abate such violation and to prevent the occupancy of said building, housing or structure. The ordinances enacted pursuant to this clause shall not be inconsistent with the provisions of any statute governing the same matter, but all regulations prescribed by such ordinances, which are additional or supplementary to the statute law and not inconsistent therewith, or enacted for the purpose of carrying into effect the provisions of the statute law, shall be valid and binding. Such ordinances may adopt any standard building code and any standard housing code, published and printed in book form, covering any or all of the above items, without incorporating such building code and such housing code in the ordinance; or any township may enact such building code and such housing code as its ordinance authorized under the provisions of this clause. In either event, such building code and such housing code shall not be published or advertised in full, as provided by this section in the case of the adoption of ordinances: Provided, That notice of the adoption of such standard building code and such housing code as the building ordinance and the housing ordinance of the township, together with a brief summary thereof setting forth the principal provisions of said ordinance in such reasonable detail as will give adequate notice of its contents pursuant to a uniform form which shall be prepared or approved by the Department of Labor and Industry, and a reference to the place or places, within the township, where copies of the building code and the housing code adopted are deposited and may be examined, shall be published in the manner provided by this section for the publication of ordinances. Not less than three such copies shall be made available to public inspection and use, during business hours, for a period of not less than three months after the adoption of such building code and such housing code.

## HISTORICAL AND STATUTORY NOTES

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Act 1957-243 legislation

Act 1957, June 28, P.L. 439, No. 243, § 2 read as follows:

“All ordinances heretofore enacted by townships of the first class to govern and regulate the construction, alteration, repairs, occupation, maintenance, sanitation, lighting, ventilation, water supply, toilet facilities, drainage, use, and inspection of buildings, or parts of buildings, constructed, erected, altered, designed or used, in whole or in part, for human occupancy, shall continue in full force and effect and are hereby ratified, confirmed and validated with like effect as though this act had been in effect at the time of their enactment as ordinances.”

Act 1963-204 legislation

Section 4 of the act of 1963 provided:

“Any housing ordinance heretofore enacted by a township of the first class which provides for the purposes authorized by this act is hereby validated.”

Prior Laws:

1927, May 11, P.L. 964.

## CROSS REFERENCES

Power to abate nuisances prejudicial to public health and safety, see [53 P.S. § 56526](#).

## LIBRARY REFERENCES

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[Towns](#)  15.

Westlaw Topic No. 381.

[C.J.S. Towns §§ 41 to 44, 49 to 57](#).

## RESEARCH REFERENCES

2009 Electronic Update

Encyclopedias

[Summary Pa. Jur. 2d Municipal Law § 13:15, First Class Townships.](#)

2009 Main Volume

[Summary Pa. Jur. 2d Municipal Law § 20:4, Statutory Authority, Generally--Townships and Boroughs.](#)

2009 Electronic Update

[Summary Pa. Jur. 2d Municipal Law § 20:4, Statutory Authority, Generally--Townships and Boroughs.](#)

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[Summary Pa. Jur. 2d Municipal Law § 20:6, Statutory Authority, Generally--Injunctive Relief; Penalties.](#)

[Summary Pa. Jur. 2d Municipal Law § 13:15, First Class Townships.](#)

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[Summary Pa. Jur. 2d Municipal Law § 20:6, Statutory Authority, Generally--Injunctive Relief; Penalties.](#)


## NOTES OF DECISIONS

Exhaustion of remedies [3](#)


Garbage and refuse [2](#)

New development [1](#)


### 1. New development

Under the circumstances of rapid development of area, it is not unreasonable, arbitrary or capricious to require construction of sanitary sewer prior to the approval of a subdivision plan. [Appeal of Saxony Const. Co. from Marple Tp. Disapproval of Subdivision Plan, 41 Del.Co. 69 \(1954\)](#), exceptions dismissed [41 Del.Co. 258](#), appeal dismissed [113 A.2d 342](#), [178 Pa.Super. 132](#), appeal dismissed [76 S.Ct. 833](#), [351 U.S. 935](#), [100 L.Ed. 1463](#). [Municipal Corporations](#)  [708](#)

### 2. Garbage and refuse

Township was authorized to implement a licensing and inspection program for garbage and refuse containers located within the township under the First Class Township Code and the Municipal Waste Planning, Recycling, and Waste Reduction Act. [Pennsylvania Independent Waste Haulers Ass'n v. Township of Lower Merion, 872 A.2d 224](#), Cmwlt.2005, reargument denied. [Municipal Corporations](#)  [607](#)

### 3. Exhaustion of remedies

The equity powers granted by this section and sections 56526 and 58108 of this title, to abate nuisances and enforce ordinances do not require exhaustion of summary remedies provided for in ordinances. [Bristol Tp. v. Kasperitis, 19 Bucks 164, 61 Mun.L.R. 1 \(1969\). Nuisance](#)  77

53 P.S. § 56519, PA ST 53 P.S. § 56519

Current through end of the 2008 Regular and 2007-2008 Special Sessions

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