

ORDINANCE NO. 6-06

AN ORDINANCE OF CROSS CREEK TOWNSHIP, COUNTY OF WASHINGTON, COMMONWEALTH OF PENNSYLVANIA, AMENDING ORDINANCE NO. 2-98 PROVIDING FOR CERTIFICATION FROM THE TOWNSHIP PRIOR TO THE PAYMENT FOR FIRE LOSS IN EXCESS OF SEVEN THOUSAND FIVE HUNDRED DOLLARS (\$7,500.00) BY A HAZARD INSURANCE CARRIER AND MAKING PROVISION FOR THE PAYMENT OF DELINQUENT TAXES, ASSESSMENTS, PENALTIES, USER CHARGES AND COSTS INCURRED BY THE MUNICIPALITY FOR THE REMOVAL, REPAIR OR SECURING OF A BUILDING OR OTHER STRUCTURE SO INSURED; THE ISSUANCE OF CERTIFICATES AND THE FILING OF A COPY OF THIS ORDINANCE WITH THE DEPARTMENT OF COMMUNITY AFFAIRS AND REQUIRING THAT BUILDINGS DAMAGED BY FIRE BE REPAIRED OR REMOVED WITHIN NINETY (90) DAYS FROM THE DATE OF SUCH DAMAGE

WHEREAS, Cross Creek Township previously adopted Ordinance No. 2-98 requiring that the Township issue a certificate to an insurance carrier as a prerequisite for the payment of certain fire losses to insureds under certain circumstances; and,

WHEREAS, the Board of Supervisors of Cross Creek Township deem it in the Township's best interest to require that buildings subject to such fire loss be repaired and/or removed within ninety (90) days of such loss.

NOW, THEREFORE, be it ordained and enacted by the Board of Supervisors of Cross Creek Township, Washington County, Pennsylvania, that Ordinance No. 2-98 is revised and amended as follows:

Section (d) is revised to state as follows:

“Upon receipt of proceeds by the Township as authorized by this Ordinance, the Township Treasurer shall place the proceeds in a separate fund to be used solely as security against the total cost of removing, repairing or securing incurred by the Township. When transferring the funds as required in subsection (c) of this Ordinance, an insurance company, association or exchange shall provide the Township with the name and address of the named insured, whereupon the Township shall contact the named insured, certify that the proceeds have been received by the Township and notify the named insured that the procedures under this

subsection shall be followed. Thereafter, the owner of such building or other structure shall cause the structure to be repaired so as to come into compliance with the Township's Building Code, or in the alternative, razed and removed such that the structure will not continue to exist in a dilapidated, damaged or otherwise dangerous condition within ninety (90) days of the damage occurring to such structure and/or building. The fund shall be returned to the named insured when repairs, removal or securing of the building or other structure have been completed and the required proof received by the Township Treasurer if the Township has not incurred any costs for repairs, removal or securing. If the Township has incurred costs for repairs, removal or securing of the building or other structure, the costs shall be paid from the fund, and, if excess funds remain, the Township shall transfer the remaining funds to the named insured. Nothing in this section shall be construed to limit the Township to recover any deficiency nor to prohibit the Township and the named insured from entering into an agreement that permits the transfer of funds to the named insured if some other reasonable disposition of the damaged property has been negotiated."

ORDAINED AND ENACTED by the Board of Supervisors of Cross Creek Township, Washington County, Pennsylvania, this 19th day of September, 2006.

ATTEST:

CROSS CREEK TOWNSHIP

Rachel Warner Blosser, Secretary

By _____
Dean F. Casciola, Chairman

By _____
Tim Paris, Supervisor

By _____
John Rush, Supervisor