

**TITLE THREE
LOCAL REGULATIONS**

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**ARTICLE 1721
INCINERATORS**

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1721.03 Chimney Inspection
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1721.05 Fuel Supply Safety Devices
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1721.01 SCOPE

The terms and provisions of this article are intended to cover all devices or apparatus used for the burning of rubbish, garbage or other waste materials, and which are not built or constructed as an integral part of a building. (7533 §1 6/29/54)

1721.02 PERMIT; FEE

No incinerator shall be installed in the City except after making application of such installation and securing a permit for the same from the Building Inspector and payment of the fee as prescribed in Section 1703.01. (7533 §2 6/29/54)

1721.03 CHIMNEY INSPECTION

No incinerator shall be installed except when the chimney to which such incinerator is connected is in good condition and free from cracks or other openings to a point above the roof line, and has been inspected and approved by the Building Inspector. (7533 §3 6/29/54)

1721.04 METAL BREECHING

All incinerators shall be provided with a metal breeching extending from the combustion chamber thereof to the chimney, of not less than No. 16 U.S. Gage. There shall be not less than twelve (12") inch clearance between all parts of the breeching and woodwork. Breeching shall be securely supported and tightly fastened into the flue. (7533 §4 6/29/54)

1721.05 FUEL SUPPLY SAFETY DEVICES

All incinerators arranged for automatic operation shall be provided with approved safety devices to regulate the fuel supply. (7533 §5 6/29/54)

721.99 PENALTY

Any person violating the provisions of this article shall be fined not more than Three Hundred (\$300.00) Dollars or imprisoned not more than ninety (90) days or both. (11995 §1 2/21/73)

**ARTICLE 1725
SWIMMING POOLS**

1725.01 Permit Required
1725.02 Fee
1725.03 Plans and Specifications

1725.01 PERMIT REQUIRED

No person, corporation or other legal entity shall construct a pool to be used for swimming or bathing purposes without first having obtained a building permit from the Building Inspector. (9491 §1 5/16/61)

1725.02 FEE

The fee for such permit shall be based on the same scale as are other permits for buildings and structures which are established pursuant to Article 1703. (9491 §2 5/16/61)

1725.03 PLANS AND SPECIFICATIONS

Plans and specifications for the construction of pools used for swimming and bathing purposes must be submitted with the application for building permit and must be approved by the Bureaus of Health, Water and Plumbing in addition to the Bureau of Inspections. (9491 §3 5/16/61)

ARTICLE 1727 TRAILER PARKS & TRAILERS

- 1727.01 Definitions
- 1727.02 Parking Trailer Coaches
- 1727.03 Parking on Streets
- 1727.04 Occupying Trailer Coach for Living Purposes; Storage of Trailers
- 1727.05 Operation of Trailer Parks
- 1727.06 Permit for Operation; Inspections; Revocation
- 1727.07 Trailer Park Plans
- 1727.08 Inspections; Issuance of Permit
- 1727.09 Lot Areas and Roads
- 1727.10 Water Supply; Disposal
- 1727.11 Sanitary Facilities
- 1727.12 Cooking Facilities
- 1727.13 Laundry Room
- 1727.14 Conformity to Building Code; Conflict
- 1727.15 Garage License Tax
- 1727.16 Disposal of Garbage and Rubbish
- 1727.17 Display of License
- 1727.18 Duties of Park Owner or Attendant
- 1727.99 Penalty

1727.01 DEFINITIONS

For the purpose of this article, the following terms shall have the meanings respectively ascribed to them in this section, unless from the particular context it clearly appears that some other meaning is intended:

1. **Trailer Coach** shall mean any structure which is mounted or designed for mounting upon wheels, and which includes accommodations designed for sleeping or living purposes for one or more persons, excepting a device used exclusively upon stationary rails or tracks.

2. **Trailer Park** shall mean any park, trailer park, trailer court, court, camp site, lot, parcel or tract of land designed, maintained or intended for the purpose of supplying a location or accommodations for any trailer coaches, or upon which any trailer coaches are parked. It shall include all buildings used or intended for use as part of the equipment thereof, whether a charge is made for the use of the trailer park and its facilities or not. Trailer park shall not include automobile or trailer sales lots on which unoccupied trailer coaches are parked for purposes of inspection and sale. (5717 §2 8/27/47)

1727.02 PARKING TRAILER COACHES

No person shall park any trailer coach on any street, alley or other public place, or on any tract of land owned by any person, occupied or unoccupied, within the City, except as provided herein. (5717 §3 8/27/47)

1727.03 PARKING ON STREETS

No person shall park any trailer coach on any public street or alley for any period of time longer than that allowed for the parking of automobiles upon such street or alley by the Traffic Code. (5717 §4 8/27/47)

**1727.04 OCCUPYING TRAILER COACH FOR LIVING PURPOSES;
STORAGE OF TRAILERS**

No person shall occupy any trailer coach for sleeping or living outside a duly permitted trailer park, unless such trailer coach conforms to, and complies with, all plumbing, electrical, sanitary and building codes applicable to stationary dwellings. The parking of only one unoccupied trailer coach in an accessory private garage building, or in a rear yard in any district, shall be permitted, provided no living quarters shall be maintained in such trailer coach while such trailer coach is so parked or stored. (5717 §5 8/27/47)

1727.05 OPERATION OF TRAILER PARKS

No person shall operate or occupy any trailer park within the City except as provided herein. (5717 §6 8/27/47)

1727.06 PERMIT FOR OPERATION; INSPECTIONS; REVOCATION

Any person desiring to operate a trailer park shall make application for a permit to the Building Inspector. The Building Inspector shall not issue any permit for the construction of a trailer park within the City. The permit issued by the Building Inspector shall expire one year from the date of issuance, but may be renewed under the provisions of this article for additional periods of one year each. The Building Inspector is specially charged with the enforcement of this article, shall make periodic inspections of the trailer parks at reasonable intervals and shall have the power to revoke permits to operate trailer parks for noncompliance with the provisions of this article. (5717 §7 8/27/47)

1727.07 TRAILER PARK PLANS

With each application for a permit to operate a trailer park, there shall be submitted three (3) sets of plans of the proposed park showing:

- A. The name and address of the applicant;
- B. The extent and area to be used for trailer park purposes;
- C. Location of sites for trailer coaches;
- D. Roadways and driveways;
- E. Location and number of proposed sanitary conveniences, including proposed toilets, washrooms, laundries and utility rooms;
- F. Method and plan of sewage disposal;
- G. Method and plan of garbage disposal;
- H. Plan of water supply;
- I. Plan of electric lighting. (5717 §8 8/27/47)

1727.08 INSPECTIONS; ISSUANCE OF PERMIT

Before any permit shall be issued, there shall be an inspection and approval in writing by the Building Inspector and the Bureau of Health of the premises upon which such trailer park is located, and of the plan of construction of such trailer park. If upon inspection of the application, plans and premises, as herein prescribed, the Building Inspector and the Bureau of Health determine that the proposed trailer park will be constructed and operated in conformity with the article and other ordinances of the City, the Building Inspector shall issue a permit to operate such trailer park. (5717 §8 8/27/47)

1727.09 LOT AREAS AND ROADS

Roads within a trailer park shall be not less than twenty (20') feet wide and shall be well drained. Such roads shall be clearly marked, adequately lighted at night and easily accessible to all trailer coaches. Lots for each trailer coach shall be indicated with corner markers and shall not be less than eight hundred (800) square feet. (5717 §9 8/27/47)

1727.10 WATER SUPPLY; DISPOSAL

In each trailer park a sufficient supply of pure, healthful drinking water from a source and of a quality approved by the Bureau of Health, not more than fifty (50') feet from any trailer coach, shall be provided in convenient locations. No common drinking vessel shall be provided. Waste from each outlet shall be emptied into a drain

connected to an approved disposal system. An abundant supply of hot water shall be provided at all times for bathing, washing and laundry facilities. (5717 §10 8/27/47)

1727.11 SANITARY FACILITIES

A. Water closets connected to a sanitary sewer or approved septic tank shall be provided as follows: one water closet for each sex for each ten (10) trailer coach lots or fraction thereof, plus one (1) urinal for each water closet room provided for men. Separate facilities shall be maintained for each sex located not more than two hundred (200') feet from any lot. Such facilities shall conform to all sanitary regulations of the City. If any trailer is provided with an inside toilet facility not concerned to a sanitary sewer, there shall be available, within a room separate from other closet rooms, a hopper with flushing facilities for the disposal of contents of night waste containers. Adequate facilities for the washing of night waste containers shall be provided. The washings and hopper wastes shall be disposed of in such manner as shall be approved by the Bureau of Health.

B. Showers or tub baths and lavatories shall be provided in the same ratio as toilets are required to be provided, and shall be no greater distance from the respective lots which they are to serve than two hundred (200') feet.

C. Liquid wastes from baths, sinks, laundry rooms and lavatories shall be piped to a sewer or septic tank approved by the Bureau of Health. (5717 §11,12 8/27/47)

1727.12 COOKING FACILITIES

If cooking is done in any trailer coach which is not furnished with sewer connections and sinks, a hopper, kitchen or laundry sink shall be provided within one hundred fifty (150') feet of such trailer coach for the disposal of dishwater. The facilities for disposal of dishwater, the hopper for disposal of night wastes and the washings from night waste containers shall be separate. (5717 §13 8/27/47)

1727.13 LAUNDRY ROOM

A laundry room, with laundry trays or tubs and facilities for heating water, shall be provided. (5717 §14 8/27/47)

1727.14 CONFORMITY TO BUILDING CODE; CONFLICT

All plumbing, electrical building and other work on or at any trailer park located within the City shall be in accordance with the Building Code and its amendments. If there be any conflict between the Building Code and the provisions of this article, this article shall control. (5727 §15 8/27/47)

1727.15 GARAGE LICENSE TAX

In the event that motor vehicles are permitted to park in or upon any trailer park, any person conducting such trailer park within the City shall obtain a mercantile license to do so. He shall pay the license tax levied by the City for the privilege of conducting a garage business. Any such license shall be subject to revocation by Council for the violation by the licensee of any provision of this article or of any ordinances relating to the business for which such license is issued. Such license shall also be subject to revocation by Council if the licensee, under color of such license, violates or aids or abets in violating, or knowingly permits or suffers to be violated, any penal ordinances. (5717 §16 8/27/47)

1727.16 DISPOSAL OF GARBAGE AND RUBBISH

All ordinances relating to the collection, segregation and disposition of garbage, rubbish or other waste material, shall apply to each person maintaining, operating or occupying any trailer coach located in the City, and to each person operating or maintaining, either as principal or agent, any trailer park located in the City. (5717 §17 8/27/47)

1727.17 DISPLAY OF LICENSE

In every trailer or tourist camp there shall be an office building in which shall be located the office of the person in charge of the camp. A copy of the camp license and this article shall be posted therein. The camp register shall, at all times, be kept in the office. (5717 §18 8/27/47)

1727.18 DUTIES OF PARK OWNER OR ATTENDANT

It is made the duty of the attendant or person in charge, together with the licensee, to:

A. Keep at all times a register of all guests, which register shall be open at all times to inspection by officers of the City, showing for all guests:

1. Names and addresses;
2. Dates of entrance and departure;
3. License numbers of all trailers and towing or other automobiles;
4. States issuing such licenses;
5. Place of last location and length of stay.

B. Maintain the camp in a clean, orderly and sanitary condition at all times.

C. See that the provisions of this article are complied with and enforced and report promptly to the proper authorities any violations of this article or any other violations of law which may come to his attention.

D. Report to the Bureau of Health all cases of persons or animals affected or suspected of being affected with any communicable disease.

E. Prevent the running loose of dogs, cats or other animals or pets.

F. Maintain in convenient places, approved by the Bureau of Fire, hand fire extinguishers in the ratio of one (1) to each eight (8) units or cabins.

G. Prohibit the lighting of open fires on the premises.

H. Prohibit the use of any trailer or cabin by a greater number of occupants than that which it is designed to accommodate. (5717 §19 8/27/47)

1727.99 PENALTY

Any person violating the provisions of this article shall be fined not more than Three Hundred (\$300.00) Dollars or imprisoned not more than ninety (90) days or both. (11995 §1 2/21/73)

ARTICLE 1729 HAMILTON STREET DISTRICT REVIEW BOARD

1729.01 HAMILTON STREET DISTRICT REVIEW BOARD.

- A. Establishment. The Hamilton Street District Review Board shall be a body of five (5) members who shall be appointed by the Mayor, with the advice and consent of City Council. The composition of the Board shall consist of at least three (3) Hamilton Street property owners, business persons or residents, and two (2) persons with a knowledge of or interest in architecture and/or design. The initial terms of the first five (5) members shall be as follows: One (1) shall serve until the first Monday of January 2012, two (2) shall serve until the first Monday of January of 2013, and two (2) shall serve until the first Monday of January 2014. Their successors shall be appointed on the expiration of their respective terms to serve three (3) years. A member shall serve a term of three (3) years from the time of his appointment or reappointment or until his successor shall take office.
- B. Functions. The Hamilton Street District Review Board shall have the following powers:
1. Administrative.

To adopt and administer rules of procedure regarding its organization, officers, times and places of meetings, conduct of meetings, and other legal procedures relating to the hearing and determination of recommendations;
 2. Review and Comment.
 - a. To review, comment and make recommendations to the Zoning Officer and applicant on all applications for signage and façade improvements in the Hamilton Street Overlay Zoning District, pursuant to design guidelines prepared for this purpose, before the issuance of zoning permits for such work; and

- b. To review and comment on the design elements of all applications for grant or loan funding provided by the City of Allentown for façade or sign improvements to Hamilton Street properties, pursuant to the prepared design guidelines; and
- c. To review and provide guidance to property or business owners on proposed façade or design improvements or other architectural or design issues on Hamilton Street properties as to their conformance with the prevailing design guidelines.

C. Meeting Notices. Notices of meetings to be held by the Hamilton Street District Review Board shall include the time and place of meeting; the names of the parties of interest, location, and requested application; and reference to a place within the City where the proposed application may be examined. (11935 §1 4/26/72; 11995 §1 12/16/10)

**ARTICLE 1731 (15026 §1 10/17/12)
ABANDONED REAL PROPERTY**

1731.01 – PURPOSE AND INTENT

It is the purpose and intent of the City to establish a process to address the deterioration and blight of City neighborhoods caused by an increasing amount of abandoned, foreclosed or distressed real property located within the City, and to identify, regulate, limit and reduce the number of abandoned properties located within the City. It is the City's further intent to establish a registration program as a mechanism to protect neighborhoods from becoming blighted due to the lack of adequate maintenance and security of abandoned and foreclosed properties.

1731.02 – DEFINITIONS

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning.

Abandoned Real Property – means any real property located in the City, whether vacant or occupied, that is in default on a mortgage, has had a lis pendens filed against it by the Lender holding a mortgage on the property, is subject to an ongoing foreclosure action by the Lender, is subject to an application for a tax deed or pending tax assessor's lien sale, or has been transferred to the Lender under a deed in lieu of foreclosure. The designation of a property as "abandoned" shall remain in place until such time as the property is sold or transferred to a new owner, the foreclosure action has been dismissed, and any default on the mortgage has been cured.

Accessible Property/Structure – means a property that IS accessible through a comprised/breached gate, fence, wall, etc., or a structure that is unsecured and/or breached in such a way as to allow access to the interior space by unauthorized persons.

Applicable Codes – means to include, but not be limited to, the City's Zoning Code, the City's Property Rehabilitation and Maintenance Code, Neighborhood Improvement Ordinance, Solid Waste Ordinance, Residential and Commercial Recycling Ordinance, and the Pennsylvania Building and Fire Codes.

Blighted Property – means:

- a) Properties that have broken or severely damaged windows, doors, walls, or roofs which create hazardous conditions and encourage trespassing; or
- b) Properties whose maintenance is not in conformance with the maintenance of other neighboring properties causing a decrease in value of the neighboring properties; or
- c) Properties cited for a public nuisance pursuant to the City Codes; or
- d) Properties that endanger the public's health, safety, or welfare because the properties or improvements thereon are dilapidated, deteriorated, or violate minimum health and safety standards or lacks maintenance as required by the applicable codes.

Enforcement Officer – means any Law Enforcement Officer, Building Official, Zoning Inspector, Code Enforcement Officer, Fire Inspector of Building Inspector, or other person authorized by the City to enforce the applicable code(s).

Owner – means any person, legal entity or other party having any ownership interest whether legal or equitable, in real property. This term shall also apply to any person, legal entity or agent responsible for the construction, maintenance or operation of the property involved.

Property Management Company – means a local property manager, property maintenance company or similar entity responsible for the maintenance of abandoned real property.

Vacant – means any building or structure that is not legally occupied.

1731.03 - APPLICABILITY

These sections shall be considered cumulative and not superseding or subject to any other law or provision for same, but rather be an additional remedy available to the City above and beyond any other State, County or Local provisions for same.

1731.04 – ESTABLISHMENT OF A REGISTRY

Pursuant to the provisions of Section 1731.05 the City or designee shall establish a registry cataloging each Abandoned Property within the City, containing the information required by this Article.

1731.05 – REGISTRATION OF ABANDONED REAL PROPERTY

- a) Any mortgagee who holds a mortgage on real property located within the City of Allentown shall perform an inspection of the property to determine vacancy or occupancy, upon default by the mortgagor. The mortgagee shall, within ten (10) days of the inspection, register the property with the Bureau of Building Standards and Safety, or designee, on forms or website access provided by the City, and indicate whether the property is vacant or occupied. A separate registration is required for each property, whether it is found to be vacant or occupied.
- b) If the property is occupied but remains in default, it shall be inspected by the mortgagee or his designee monthly until (1) the mortgagor or other party remedies the default, or (2) it is found to be vacant or shows evidence of vacancy at which time it is deemed abandoned, and the mortgagee shall, within ten (10) days of that inspection, update the property registration to a vacancy status on forms provided by the City.
- c) Registration pursuant to this section shall contain the name of the mortgagee and the server, the direct mailing address of the mortgagee and the server, a direct contact name and telephone number for both parties, facsimile number and e-mail address for both parties, the PIN or tax number, and the name and twenty-four (24) hour contact phone number of the property management company responsible for the security and maintenance of the property.
- d) All registration fees must be paid directly from the Mortgagee, Servicer, Trustee, or Owner. Third Party Registration fees are not allowed without the consent of the City and/or its authorized designee.
- e) This section shall also apply to properties that have been the subject of a foreclosure sale where the title was transferred to the beneficiary of a mortgage involved in the foreclosure and any properties transferred under a deed in lieu of foreclosure/sale.
- f) Properties subject to this section shall remain under the annual registration requirement, and the inspection, security and maintenance standards of this section as long as they remain vacant or in default.
- g) Any person or legal entity that has registered a property under this section must report any change of information contained in the registration within ten (10) days of the change.

- h) Failure of the mortgagee and/or owner to properly register or to modify the registration form from time to time to reflect a change of circumstances as required by this article is a violation of the article and shall be subject to enforcement.
- i) Pursuant to any administrative or judicial finding and determination that any property is in violation of this article, the City may take the necessary action to ensure compliance with and place a lien on the property for the cost of the work performed to benefit the property and bring it into compliance.

1731.06 – MAINTENANCE REQUIREMENTS

- a) Properties subject to this chapter shall be kept free of weeds, overgrown brush, dead vegetation, trash, junk, debris, building materials, any accumulation of newspaper circulars, flyers, notices, except those required by federal, state or local law, discarded personal items including, but not limited to, furniture, clothing, large and small appliances, printed material or any other items that give the appearance that the property is abandoned.
- b) The property shall be maintained free of graffiti or similar markings by removal or painting over with an exterior grade paint that matches the color of the exterior structure.
- c) Front, side, and rear yards, including landscaping, shall be maintained in accordance with the applicable code(s) at the time registration was required.
- d) Yard maintenance shall include, but not be limited to, grass, ground covers, bushes, shrubs, hedges or similar plantings, decorative rock or bark or artificial turf/sod designed specifically for residential installation. Acceptable maintenance of yards and/or landscape shall not include weeds, gravel, broken concrete, asphalt or similar material.
- e) Maintenance shall include, but not be limited to, watering, irrigation, cutting and mowing of required ground cover or landscape and removal of all trimmings.
- f) Pools and spas shall be maintained so the water remains free and clear of pollutants and debris and shall comply with the regulations set forth in the applicable code(s).
- g) Failure of the mortgagee and/or owner to properly maintain the property may result in a violation of the applicable code(s) and issuance of a citation or Notice of Violation in accordance with the applicable code of the City. Pursuant to a finding and determination by the City's Code Enforcement Officer, Magistrate or a court of competent jurisdiction, the City may take the necessary action to ensure compliance with this section.
- h) In addition to the above, the property is required to be maintained in accordance with the applicable code(s) of the City.

1731.07 – SECURITY REQUIREMENTS

- a) Properties subject to these Sections shall be maintained in a secure manner so as not to be accessible to unauthorized persons.
- b) A "secure manner" shall include, but not be limited to, the closure and locking of windows, doors, gates and other openings of such size that may allow a child to access the interior of the property or structure. Broken windows, doors, gates and other openings of such size that may allow a child to access the interior of the property or structure must be repaired. Broken windows shall be secured by re-glazing of the window.
- c) If a mortgage on a property is in default, and the property has become vacant or abandoned, a property manager shall be designated by the mortgagee to perform the work necessary to bring the property into compliance with the applicable code(s), and the property manager must perform regular inspections to verify compliance with the requirements of this article, and any other applicable laws.

1731.08 – PUBLIC NUISANCE

All abandoned real property is hereby declared to be a public nuisance, the abatement of which pursuant to the police power is hereby declared to be necessary for the health, welfare and safety of the residents of the City.

1731.09 – INSPECTIONS FOR VIOLATIONS

Adherence to this article does not relieve any person, legal entity or agent from any other obligations set forth in any applicable code(s), which may apply to the property. Upon offer for sale or transfer of title to the property, the owner shall be responsible to apply to the City's Bureau of Building Standards and Safety office for a Pre-sales Inspection.

1731.10 – ADDITIONAL AUTHORITY

- a) If the enforcement officer has reason to believe that a property subject to the provisions of this article is posing a serious threat to the public health, safety and welfare, the code enforcement officer may temporarily secure the property at the expense of the mortgagee and/or owner, and may bring the violations before the magistrate as soon as possible to address the conditions of the property.
- b) The Code Enforcement Officer or magistrate shall have the authority to require the mortgagee and/or owner of record of any property affected by this section, to implement additional maintenance and/or security measures including, but not limited to, securing any and all doors, windows or other openings, employment of an on-site security guard or other measures as may be reasonably required to help prevent further decline of the property.
- c) If there is a finding that the condition of the property is posing a serious threat to the public health, safety and welfare, then the code enforcement board or special magistrate may direct the City to abate the violations and charge the mortgagee with the cost of the abatement.
- d) If the mortgagee does not reimburse the City for the cost of temporarily securing the property, or of any abatement directed by the code enforcement officer or magistrate, within thirty (30) days of the City sending the mortgagee the invoice then the City may lien the property with such cost, along with an administrative fee as determined in the City's fee ordinance to recover the administrative personnel services.

1731.11 – OPPOSING, OBSTRUCTING ENFORCEMENT OFFICER; PENALTY

Whoever opposes obstructs or resists any enforcement officer or any person authorized by the enforcement office in the discharge of duties as provided in this chapter shall be punishable as provided in the applicable code(s) or a court of competent jurisdiction.

1731.12 – IMMUNITY OF ENFORCEMENT OFFICER

Any enforcement officer or any person authorized by the City to enforce the sections here within shall be immune from prosecution, civil or criminal, for reasonable, good faith entry upon real property while in the discharge of duties imposed by this article.

1731.13 – FEES AND PENALTIES

- a) A non-refundable registration fee in the amount of two hundred (\$200.00) dollars per property, shall accompany the registration form.
- b) Any person who shall violate the provisions of this article may be cited and fined. The following table shows violations of these sections, as may be amended from time to time, which may be enforced pursuant to the provisions of this regulation; and the dollar amount of civil penalty for the violation of these sections as it may be amended. The descriptions of violations below are for informational purposes only and are not meant to limit or define the nature of the violations or the subject matter of the City code sections, except to the extent that different types of violations of the Code section may carry different civil penalties. For each Code section listed in the schedule of

civil penalties, the entirety of the section may be enforced by the mechanism provided in this section, regardless of whether all activities prescribed or required are described in the “Description of Violation” column. To determine whether a particular activity is prescribed or required by this Code, the relevant City Code section(s) shall be examined.

| DESCRIPTION OF VIOLATION | CIVIL PENALTY |
|---|----------------------|
| Failure to register abandoned real property on annual basis and/or any violation of the sections stated within. | \$500.00 |