



**BOROUGH OF STEELTON, PA
CODE HEARING BOARD**

123 NORTH FRONT STREET
STEELTON, PA 17113

REQUEST FOR APPEAL APPLICATION

PLEASE PRINT CLEARLY IN INK OR TYPE

PLEASE NOTE:

This application for appeal is based upon a claim that the true intent of the code has been incorrectly interpreted or is adequately satisfied by other means, or that the strict application of any requirement of borough code would cause undue hardship and where the public health and safety will not be jeopardized.

INSTRUCTIONS FOR FILING AN APPEAL:

- This application is applicable for appealing borough codes (i.e. Property Maintenance, Solid Waste, Streets & Sidewalks, etc.), except the codes, rules, and regulations of the Pennsylvania Uniform Construction Code. If you wish to file a UCC appeal, please obtain/complete the UCC Appeal Application.
- An appeal must be filed within 10 days of action or the receipt of written notice.
- There is an application fee for submitting a Request for Appeal Application to the Code Hearing Board. The fee is currently \$50.00 for residential property appeal and \$75.00 for non-residential property appeal. This fee must be paid at the time the application is submitted. The application will not be accepted if the fee is not included. Payment must be made in the form of cash, certified check, money order or check.
- Complete the entire application. If any section of the application is not completed/left blank, the application will be returned.
- Please feel free to attach any supporting documents/pictures to support your application.

- The hearings are scheduled for the first (1st) Wednesday of each month, beginning at 6:00 pm. Applications for appeal must be submitted 18 (Eighteen) days before the hearing date desired in order to be eligible for a decision to be issued during that month's meeting. A decision may be postponed to the next month's meeting if the Board determines that it requires additional time to consider the Application. The date, place and time of the meeting during which the Application will be considered will be confirmed by mail.
- Failure to follow the above will result in delaying your appeal request.

(1) Property Address:

STEELTON, PA 17113

(2) Legal Owner of Property:

Name: _____

Address: _____

City/State/Zip: _____

Phone: _____

Email: _____

(3) Agent Information. The following listed person is allowed as an agent for the property owner and may represent the property owner's interest in the property in the property referenced in this appeal.

Name: _____

Address: _____

City/State/Zip: _____

Phone: _____

Email: _____

Association with the Property Owner: _____

Reason for the Appeal.
Please answer the following questions.
Attach additional pages if necessary.

(4) Date of Notice/Order from Code Official: _____

(5) Description of Notice/Order being reviewed by the Appeals Board:

(6) I am requesting (check any of the following)

Requesting a variance to Code Compliance:

If you are requesting a variance to the Code Compliance, describe the variance and how the variance will satisfy the Borough Code.

Requesting a review of the interpretation of the Code/Notice and the Code Official's determination.

If you are requesting a review of the Code/Notice interpretation or the Code Official's determination, please describe your argument or position on the issue.

(7) If the request would be approved by the Appeals Board, please explain how the approval will prevent neighborhood deterioration and depreciation of the property values and preserve the aesthetic character of the neighborhood:

Certificate of Application:

I hereby certify that the above application and/or and all attachments thereto are true, correct and complete to the best of my knowledge and belief. I understand that the code hearing board may deny the request in whole or in part, grant the request in whole or in part, grant the request upon certain conditions being satisfied.

(Signature of Owner)

(Date)

<u>FOR BOROUGH USE ONLY</u>
Date/Time Received: _____
Received By Staff Member: _____
Date/Time Received By Codes Manager: _____
Date Codes Manager Approved Application for Completeness: _____
Date Application Mailed to Codes Hearing Board: _____

CODE HEARING BOARD

(This page to be filled out by the Appeals Board Members)

Code Hearing Date: _____

Code Section to Be Appealed: _____

Description of Violation: _____

Board's Decision & Order:

CHAIR _____ Vote _____

Name

MEMBER _____ Vote _____

Name

Results: _____ / _____

Yes

No

Board's Findings of Fact & Reasons for Decision:

§ 2-15 Code Hearing Board; variances and appeals.

A. Code Hearing Board. There is hereby established a Code Hearing Board, appointed by the Council of the Borough, consisting of such membership as the Council may from time to time designate by resolution.

B. Powers of Code Hearing Board. The Code Hearing Board shall have the following powers and duties:

- (1) Interpretation.** On appeal from a determination of the Code Enforcement Officer or on request of any Borough official, the Code Hearing Board shall decide any questions involving the interpretation of any provision of this chapter or of those other applicable codes and ordinances.
- (2) Variances.** The Code Hearing Board may grant a variance from the strict application of this chapter or of those other applicable codes and ordinances. Such variances may be granted only in those cases which would result in practical difficulty or unnecessary hardship and where the public health and safety shall not be jeopardized.
- (2) Appeals.** The Code Hearing Board shall hear all appeals made to it and, depending upon its findings, shall decide whether such appeals shall be granted.

C. Request for appeals or variances.

- (1) Appeals or variances.** Any person requesting a variance or aggrieved by a decision of the Code Enforcement Officer or by any other employee or official charged with the administration and enforcement of this chapter and of those other applicable codes or ordinances may take an appeal to the Code Hearing Board. All appeals shall be made in writing, stating the grounds upon which the appeal is based, and shall be transmitted to the Office of Code Enforcement. An appeal must be taken within 10 days of the action or of the receipt of written notice of any decision or ruling which is being appealed.
- (2) Cost of appeal.** Costs of an appeal shall be borne by the appellant. A minimum fee of \$50 for appeals dealing with residential properties and \$75 for nonresidential properties shall be paid with the filing of the appeal in writing.

D. Appeals and variance procedures.

- (1) Public hearing.** The Code Hearing Board shall meet and conduct a hearing within 30 days of the receipt of an appeal or a request for a variance. All hearings shall be public, and all persons whose interest may be affected shall be given an opportunity to be heard. A record shall be kept of all evidence and testimony presented at the hearing.
- (2) Decision of the Board.** All decisions of the Board shall be in writing, and a copy of each decision shall be sent to the applicant and to the Code Enforcement Officer. The Code Hearing Board shall also retain in its files a copy of each decision, which files shall be available for inspection by the public. Each decision shall set forth fully the reasons for the decision of the Code Hearing Board and the findings of fact on which the decision was based. The Code Hearing Board shall make an order on its decision, and the Code Enforcement Officer shall take immediate action to carry out said order.

E. Appeals from the decision of the Code Hearing Board. Any person or persons aggrieved by any final order or decision of the Code Hearing Board may appeal such order or decision within 30 days to the Court of Common Pleas in accordance with, as far as practicable, the rules of civil procedure of the Supreme Court regarding appeals from administrative agencies.

F. Reports by the Code Hearing Board. The Code Hearing Board shall report to the Borough periodically, at intervals of not later than 12 months. The report shall summarize all applications and appeals made to it since the last report and shall contain a summary of the Board's decision on each case. A copy of the report shall be filed with the Code Enforcement Officer. The Code Hearing Board may also submit to the Borough Council advisory reports recommending changes and modifications in this chapter or in those other applicable codes or ordinances.