

TO: North East Borough Council

FROM: Bobbi Jo Morey, Mayor

DATE: May 28, 2025

SUBJECT: Notice of Objections and Veto of Ordinance No. 936 for inclusion in the Minutes of the June 2nd 2025 Borough Council Meeting.

Dear Members of Council,

I am hereby returning to you, without my signature and with my formal objections, **Ordinance No. 936**, titled "**Adopting the International Property Maintenance Code**", which was passed by the Borough Council on May 19 2025.

While I respect the legislative prerogative of the Borough Council, I cannot in good conscience approve this measure. My primary duty is to the well-being of the entire Borough of North East, and, after much research and information gathering I believe this ordinance will have unintended consequences resulting in undue burden to residents and businesses in our community. Our current Ordinances offer the same enforcement opportunities without additional codes that are not easily accessible and are unnecessarily intrusive.

Statement of Objections

My objections to this ordinance are based on the following concerns:

Procedural and Transparency Concerns: Council and the Community were initially told that Ordinance 924 (Rental Inspection and Registration Program) would not be affected by passage of Ordinance 936. As you know, the Rental Inspection Program was a controversial subject and took much work and negotiation to be passed. Ordinance 936 was not advertised with any indication that it would affect Ordinance 924 (Rental Inspection and Registration Program) and, additionally, the language of Ordinance 936 does not call out Ordinance 924 as being affected. Because of this, key stakeholder groups were not adequately notified before the Public Hearing and therefore had no opportunity to voice any concerns they may have had before the final vote. Not only does this mean that the community was not accurately notified of the effects this new ordinance would have, but it could also open a door to future lawsuits. The process by which this ordinance was deliberated and passed lacked the necessary level of public engagement and transparency for something that has such a broad and significant impact.

Additionally, I don't believe that our residents or businesses understand the potential burden the adoption of the International Property Maintenance Code brings. The Code is huge and not easily accessed. Many properties in our community that are safe and well maintained will not meet the standard this code demands.

Negative Impact on Local Business: The International Property Maintenance Code makes requirements of business properties that will be impossible, either physically or financially, to meet. This includes small businesses and our large manufacturing facilities. For example, section 602.4 of the IPMC requires that occupied work spaces be heated to a minimum of 65

degrees from October 1st thru May 15th. This is simply not possible or reasonable for many businesses in our community. Even OSHA does not require such a measure. Business owners had no reason to assume that this Ordinance would require them to meet these standards. If we want to attract and keep businesses in the Borough we can't surprise them with overly burdensome regulations.

Failure to address core issues and false promises: North East residents deserve to have safe, clean neighborhoods. The hardest part of entering these objections is knowing that there are residents who believe that their problems will be resolved by the passage of this Ordinance and who will believe that I am ignoring the validity of their complaints and frustrations. The truth is that there is nothing in the IPMC that will resolve their issues. Their frustration is the result of failed enforcement. The penalty language in the codes we already have in place is nearly the same as that of the IPMC and the Borough has the same enforcement options now as they would with the IPMC. It is not right to lead residents to believe otherwise. I agree 100% that we need to address certain properties, but we already have the tools we need to do so. It is not accurate to tell our residents that we can't enforce the code we have now. We can. And it is also not accurate, or responsible, to imply that a child would not have died if the IPMC were in place. That is not true and the implication should not have been shared. The solution to dealing with these properties is in enforcement, not new regulations.

Conclusion

For the reasons stated above, I am compelled to veto this ordinance.

There is the feeling among the Council Members and residents that supported Ordinance 936 that something must be done. I wholeheartedly agree. Unfortunately, adopting the IPMC does not "do" anything but add intrusive and unreasonable regulations that will negatively impact many property and business owners. I have included 2 documents with my objections that I believe could be starting points to real solutions that serve the best interests of all residents and business owners of the Borough of North East. One is a clarifying plan on how to move forward with enforcement. It is an all hands on deck approach that uses the tools we already have in place to work towards compliance. The other document is a proposal asking Council to create a Task Force that will address the issue of blight from a community based, neighbor helping neighbor perspective. I believe that we can address this problem together and help North East continue to be the safe, beautiful community that we all love.

Respectfully submitted,

Bobbi Jo Morey
Mayor, Borough of North East