

## **Chapter 5**

### **Code Enforcement**

#### **Part 1**

#### **Uniform Construction Code**

- §5-101. Enactment of the Uniform Construction Code
- §5-102. Municipal Administration
- §5-103. Administration and Enforcement
- §5-104. Establishment of a Board of Appeals
- §5-105. Savings Clause as to the Existing Ordinances
- §5-106. Fees

#### **Part 2**

#### **Property Maintenance Code**

- §5-201. Adoption of Property Maintenance Code
- §5-202. Conditions, Insertions and Changes



**Part 1****Uniform Construction Code****§5-101. Enactment of the Uniform Construction Code.**

Glendon Borough hereby elects to administer and enforce the provisions of the Pennsylvania Construction Code Act, Act 45 of 1999, 35 P.S. §§7210.101-7210.1103, as amended from time to time, and its regulations.

*(Ord. 2004-1, 6/2/2004)*

**§5-102. Municipal Administration.**

The Uniform Construction Code, contained in 34 Pa.Code, Chapters 401-405, as amended from time to time, is hereby adopted and incorporated herein by reference as the municipal building code for Glendon Borough.

*(Ord. 2004-1, 6/2/2004)*

**§5-103. Administration and Enforcement.**

Administration and enforcement of the Code within Glendon Borough shall be undertaken in any of the following ways as determined by Council from time to time by resolution:

A. By the designation of an employee of the Borough of Glendon to serve as the municipal code official to act on behalf of Glendon Borough.

B. By the retention of one or more construction code officials of third-party agencies to act on behalf of Glendon Borough.

C. By agreement with one or more other municipalities for the joint administration and enforcement of this Act through an intermunicipal agreement.

D. By entering into a contract with another municipality for the administration and enforcement of this Act on behalf of Glendon Borough.

E. By entering into an agreement with the Pennsylvania Department of Labor and Industry for plan review, inspections and enforcement of structures other than one-family and two-family dwelling units and utility and miscellaneous use structures.

*(Ord. 2004-1, 6/2/2004)*

**§5-104. Establishment of a Board of Appeals.**

A Board of Appeals shall be established by resolution of Council of the Borough of Glendon in conformity with the requirements of the relevant provisions of the Code, as amended from time to time, and for the purposes set forth therein. If at any time enforcement and administration is undertaken jointly with one or more other municipalities, said Board of Appeals shall be established by joint action of the participating municipalities.

*(Ord. 2004-1, 6/2/2004)*

**§5-105. Savings Clause as to the Existing Ordinances.**

1. All building code ordinances or portions of ordinances which were adopted by the Borough of Glendon on or before July 1, 1999, and which equal or exceed the requirements of the Code shall continue in full force and effect until such time as such provisions fail to equal or exceed the minimum requirements of the Code, as amended from time to time.

2. All building code ordinances or portions of ordinances which are in effect as of the effective date of this Part and whose requirements are less than the minimum requirements of the Code are hereby amended to conform with the comparable provisions of the Code.

3. All relevant ordinances, regulations and policies of the Borough of Glendon not governed by the Code shall remain in full force and effect.

*(Ord. 2004-1, 6/2/2004)*

**§5-106. Fees.**

Fees assessable by the Borough of Glendon for the administration and enforcement undertaken pursuant to this Part and the Code shall be established by Council by resolution from time to time.

*(Ord. 2004-1, 6/2/2004)*

**Part 2****Property Maintenance Code****§5-201. Adoption of Property Maintenance Code.**

A certain document, copies of which are on file in the Office of the Borough Secretary and the Borough Engineer, being marked and designated as the "International Property Maintenance Code," 2003 Edition, as published by the International Code Council, be and is hereby adopted as the Property Maintenance Code of the Borough of Glendon, Northampton County, Pennsylvania, for the control of buildings and structures as herein provided and each and all of the regulations, provisions, penalties, conditions and terms of said Property Maintenance Code are hereby referred to, adopted, and made a part hereof as if fully set out in this Part, with the additions, insertions, deletions and changes prescribed in §5-202 below.

(Ord. 2006-1, 12/6/2006)

**§5-202. Conditions, Insertions and Changes.**

The International Property Maintenance Code is amended and revised in the following respects:

A. *Section 101.1 Title.* These regulations shall be known as the Property Maintenance Code of the Borough of Glendon, hereinafter referred to as "this Code".

B. *Section 101.3 Intent.* This Code shall be construed to secure its express intent, which is to ensure public health, safety and welfare insofar as they are affected by the continued occupancy and maintenance of structures and premises. Existing structures and premises that do not comply with these provisions shall be altered or repaired to provide a minimum level of health and safety as required herein. Repairs, alterations, additions to, and change of occupancy in existing buildings shall comply with the Uniform Construction Code Act 45, 1999, where applicable, as amended from time to time, and its regulations (hereinafter referred to as "UCC").

(1) Section 101.3a. Where full compliance with the requirements of this Part would be impractical and deviation therefrom is not a significant public health or safety hazard, and no construction is taking place nor removing of interior finishes is involved, the Code Enforcement Officer may make a determination that exact compliance with the provisions of this Part is not required.

C. *Section 102.3 Application of Other Codes.* Repairs, additions, or alterations to a structure, or change of occupancy shall be done in accordance with the procedures and provisions of the UCC, where applicable. Nothing in this code shall be construed to cancel, modify or set aside any provisions of the Glendon Borough Zoning Ordinance.

D. *Section 103.2 Appointment.* The code official shall be appointed by the chief appointing authority of the jurisdiction. (The balance of this section is deleted).

E. *Section 103.3 Deputies.* This section is deleted.

F. *Section 103.5 Fees.* Fees for activities and services performed by the person or organizations carrying out their responsibilities under this Code shall be paid in accordance with fee schedule as established from time to time by resolution of the Council of the Borough of Glendon.

G. *Section 104.2 Rule Making Authority.* This section is deleted and the following is adopted in place thereof:

*Section 104.2 Interpreting Authority.* The code official shall have authority as necessary in the interest of public health, safety and general welfare, to interpret and implement the provisions of this Code; to secure the intent thereof; and to designate requirements applicable because of local climatic or other conditions; provided, however, the code official shall not have the authority to waive structural or fire performance requirements specifically provided for in this code, or to violate accepted engineering methods involving public safety.

H. *Section 106.1 Unlawful Acts.* It shall be unlawful for a person to be in conflict with or in violation of any of the provisions of this code; violations shall be deemed strict liability offenses.

I. *Section 106.3 Prosecution of Violation.* Any violation shall be deemed a strict liability offense. Any person failing to comply with a notice of violation or order served in accordance with §107 shall be deemed guilty. If the notice of violation is not complied with, the code official shall institute the appropriate proceeding at law or in equity to restrain, correct or abate such violation, or to require the removal or termination of the unlawful occupancy of the structure in violation of the provisions of this code or of the order or direction made thereto. Any action taken by the authority having jurisdiction on such premises shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate.

J. *Section 106.4 Violation Penalties.* Any person who shall violate any provision of this code, or fail to comply therewith, or with any of the requirements thereof, shall, upon conviction thereof, be subject to a fine of not more than \$1,000 and in default of payment, to imprisonment for not more than 30 days. Every day that a violation of this code continues shall constitute a separate offense.

K. *Section 111.2 Membership of Board.* The board of appeals shall be the Council of the Borough of Glendon.

L. *Section 111.2.1 Alternate Members.* This section is deleted.

M. *Section 111.2.5 Compensation of Members.* This section is deleted.

N. *Section 111.7 Court Review.* Any person or persons aggrieved by any final order or decision of a Board of Appeals may appeal such order or decision of the Board within 30 days to the Court of Common Pleas, Northampton County, Pennsylvania, in accordance with, as far as practical, the rules of civil procedure of the Supreme Court of Pennsylvania regarding appeals from administrative agencies.

O. *Section 201.3 Terms Defined in Other Codes and Ordinances.* Where terms are not defined in this code and are defined in the International Building Code,

International Fire Code, Glendon Borough Zoning Ordinance, International Plumbing Code, International Mechanical Code, International Existing Building Code or the ICC Electrical Code, such terms shall have the meanings ascribed to them as in those codes.

P. *Section 202 - General Definitions.* Is amended to include:

*Approved authority* - Glendon Borough Council.

*Jurisdiction* - Glendon Borough Council.

Q. *Section 302.4 Weeds.* The first paragraph of said subsection is amended to read:

*Section 302.4 Weeds.* All premises and exterior property shall be maintained free from weeds in excess of 12 inches. All noxious weeds shall be prohibited. Weeds shall be defined as all grasses, annual plants and vegetation other than trees or shrubs; provided, however, this term shall not include cultivated flowers, gardens, woodlands and fencerows.

R. *Section 302.8 Motor Vehicles.* The "Exception" is amended to read:

*Exception:* A vehicle of any type is permitted to undergo a major overhaul, including body work, provided that such work is performed inside a structure or similarly enclosed area designed and approved for such purposes and is permitted under the Glendon Borough Zoning Ordinance.

S. *Section 304.14 Insect Screens.* During the period from April 1 to October 1, every door, window and other outside opening required for ventilation of habitable rooms, food preparation areas, food service areas or any areas where products to be included or utilized in food for human consumption are processed, manufactured, packaged or stored, shall be supplied with approved tightly fitting screens of not less than 16 mesh per inch (16 mesh per 25 mm) and every swinging door shall have a selfclosing device in good working condition; provided, however, screens shall not be required where other approved means, such as air curtains or insect repellent fans, are employed.

T. *Section 404.4 Bedroom Requirements.* Every bedroom shall comply with the requirements of Section 404.4.1 through 404.4.5, provided, however, existing dwellings may be exempted by the code official from the requirements concerning access through a first sleeping room if the condition existed prior to the adoption of ordinance No. 80-2 on June 4, 1980 (now repealed).

U. *Section 602.3 Heat Supply.* Insert "October 1" and "May 1" respectively in place of the two bracketed terms "[date]".

V. *Chapter 8 - Referenced Standards.* The International Zoning Code is deleted from the list.

(Ord. 2006-1, 12/6/2006)

