

BOROUGH OF DURYEA

ORDINANCE NO. 2014-3

AN ORDINANCE OF THE BOROUGH OF DURYEA, LUZERNE COUNTY PENNSYLVANIA ADOPTING THE 2006 EDITION OF THE INTERNATIONAL PROPERTY MAINTENANCE CODE, REGULATING AND GOVERNING THE CONDITIONS AND MAINTENANCE OF ALL PROPERTY, BUILDING, AND STRUCTURES; BY PROVIDING THE STANDARDS FOR SUPPLIED UTILITIES AND FACILITIES AND OTHER PHYSICAL THINGS AND CONDITIONS ESSENTIAL TO ENSURE THAT STRUCTURES ARE SAFE, SANITARY AND FIT FOR OCCUPATION AND USE; AND THE CONDEMNATION OF BUILDINGS AND STRUCTURES UNFIT FOR HUMAN OCCUPANCY AND USE, AND THE DEMOLITION OF SUCH EXISTING STRUCTURES IN THE BOROUGH OF DURYEA, PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES THEREFOR; REPEALING ALL OTHER ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT THEREWITH.

BE IT ENACTED AND ORDAINED BY THE BOROUGH OF DURYEA, and it is hereby enacted and ordained by authority of the same:

SECTION 1. That a certain document, one (1) copy of which is on file in the office of the Borough Manager of the Borough of Duryea, being marked and designated as the International Property Maintenance Code, 2006 Edition, as published by the International Code Council, be and is hereby adopted as the Property Maintenance Code of the Borough of Duryea, in the Commonwealth of Pennsylvania for regulating and governing the conditions and maintenance of all property buildings and structures; by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; and the condemnation of buildings and structures unfit for human occupancy and use, and the demolition of such existing structures as herein provided; providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, penalties, conditions and terms of said Property Maintenance Code on file in the office of the Borough Manager are hereby referred to, adopted, and made a part hereof, as if fully set out in this Ordinance, with the additions, insertions, deletions and changes, if any, prescribed in Section 2 of this Ordinance.

SECTION 2. The following sections are hereby revised:

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| Section 101.1 | Borough of Duryea. |
| Section 102.8 | Delete from the Code. |
| Section 103.5 | Filing complaint: \$25.00;
Filing Appeal of Code Enf. Officer: \$150.00. |

Section 108.1.4	Unlawful Structure. An unlawful structure is one found in whole or in part to be occupied by more than two adult persons per bedroom or was erected, altered, or occupied contrary to law.
Section 112.4	First offense: \$250.00; Second Offense: \$500.00; and Third or more offense: \$1,000.00.
Section 302.4	Weeds - Six (6) inches.
Section 304.2	All exterior surfaces, including but not limited to, doors, door and window frames, cornices, porches, trim, balconies, decks, and fences shall be maintained in good condition. The remaining portion of this section is deleted.
Section 304.5	Foundation Walls shall be amended as follows: All foundation walls shall be maintained and shall be kept in such condition so as to prevent the entry of rodents and other pests.
Section 304.14	Delete from Code.
Section 304.18.2	Delete from Code.
Section 305.3	Interior Surfaces. All interior surfaces, including windows and doors, shall be maintained in good, clean and sanitary condition. The remaining portion of this section is deleted.
Section 402.1	Habitable Spaces. An existing window shall remain in each room. The remaining portion of this section is deleted.
Section 602.3	January to December.
Section 602.4	January to December.

SECTION 3. That all other ordinances or parts of ordinances of the Borough of Duryea in conflict herewith are hereby repealed.

SECTION 4. That if any section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this Ordinance. The Borough of Duryea hereby declares that it would have passed this Ordinance, and each section, subsection, clause or phrase thereof,

irrespective of the fact that anyone or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

SECTION 5. That nothing in this Ordinance or in the Property Maintenance Code hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing under any act or ordinance hereby repealed as cited in Section 3 of this Ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this Ordinance.

ENACTED AND ORDAINED this _____ day of _____, 2014.

Borough Council:

By: _____
Michael McGlynn,
Chairman

Attest:

Lois Morreale,
Borough Manager

Keith Moss,
Mayor