

ORDINANCE NO. 402

AN ORDINANCE REGULATING ENTRYWAY DOORS AND WINDOWS

WHEREAS, exercising their powers and authorities under the law, the Borough Council of Duncannon has adopted various ordinances regulating property maintenance in the Borough.

NOW, THEREFORE, BE IT ENACTED AND ORDAINED by the Council of Duncannon Borough:

Section 1. Purpose.

The purpose of this Ordinance is to require that entryway doors and windows on all buildings in the Borough be maintained in good repair.

Section 2. Authority.

This Ordinance is enacted under authority of the Borough Code, 8 Pa.C.S.A. §§ 1202(4), (5), (15) and (74), and 1203.

Section 3. Doors and Windows.

The owner of a building in the Borough shall secure all entryways to the building with doors and all spaces designed as windows with windows that have frames and glazings. Entryway doors and windows shall be of such material and design that permits them to be closed and fastened or locked. Doors and windows shall be kept in good repair and intact. Sealing an entryway door area or area designed as a window with boards or masonry or other materials not meeting the requirements set forth herein is prohibited.

Provided, however, that Section 3 shall not be applicable to:

- a. A property undergoing construction, reconstruction or repair pursuant to a current building permit; and
- b. A property damaged by flood or fire, but only for a period not to exceed 90 calendar days following such flood or fire event. If, no later than 45 days prior to the expiration of the 90 day period, a written request stating the reason(s) for an extension of time is submitted to the Borough, the Borough Council, upon determining sufficient cause exists, may grant an extension for a stated period of time.

Section 4. Fines and Penalties, Generally

Any a person who violates this Ordinance commits a summary offense and shall, upon conviction by a magisterial district judge, be sentenced to pay a fine of up to \$500 for each offense and the costs of prosecution, and in default of payment of such fine and the costs of prosecution shall be imprisoned for not more than ten days for a first offense and not more than 30 days for a subsequent offense. Each day of violation shall be deemed to be a separate offense.

Section 5. Repealer.

All ordinances in effect as of the time of enactment of this Ordinance, to the extent that the same are inconsistent with the terms of this Ordinance, are repealed.

Section 6. Severability.

If any sentence, clause, section or part of this Ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts of this Ordinance. It is hereby declared as the intent of the Borough that this

Ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein.

Section 7. Effective Date.

This Ordinance shall be in force and effect as soon as permitted by operation of Section 3301.3(b) of the Borough Code.

ENACTED AND ORDAINED this ____ day of _____, 2015.

ATTEST:

Kathryn Bauer, Secretary

Duane Hammaker
President of Council

(SEAL)

DULY EXAMINED AND APPROVED this ____ day of _____, 2015.

Mayor