

BOROUGH OF MUNCY

Ordinance No.: 523

AN ORDINANCE OF THE BOROUGH OF MUNCY, LYCOMING COUNTY, PENNSYLVANIA, ADOPTING THE 2012 EDITION OF THE INTERNATIONAL PROPERTY MAINTENANCE CODE IN ITS ENTIRETY, 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 IN THE BOROUGH OF MUNCY; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES THEREFOR; AND REPEALING ALL PRIOR ORDINANCES OF THE BOROUGH OF MUNCY INCONSISTENT HEREWITH.

WHEREAS, the BOROUGH OF MUNCY has a responsibility to provide for the safety of its residents; and

WHEREAS, the BOROUGH OF MUNCY has determined that it is in the best interest of the Borough of Muncy to adopt the 2012 edition of the International Property Maintenance Code in order to regulate the conditions and maintenance of properties;

NOW, THEREFORE, be it enacted and ordained and it is hereby enacted and ordained:

1. A certain document shall be kept on file in the office of the Borough Secretary of the Borough of Muncy, being marked and designated as the International Property Maintenance Code, 2012 edition, as published by the International Code Council, and is hereby adopted as the Property Maintenance Code of the Borough of Muncy, County of Lycoming and 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 of Muncy 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 prescribed in Section 2 of this Ordinance.

2. The following sections of the 2012 edition of the International Property Maintenance Code are hereby revised as follows:

- a. Section 101.1. Insert "Borough of Muncy".
- b. Section 103.5. Replace existing with the following: "The fees for activities and services performed by the department in carrying out its responsibilities under this Code shall be in accordance with the Property Maintenance Code Fee Schedule, as set and as may be amended from time to time by the Borough Council of the Borough of Muncy by resolution."
- c. Section 112.4. Replace existing with the following: "Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable to a fine of not less than ten dollars (\$10.00) or more than one hundred dollars (\$100.00)."
- d. Section 302.4. Insert "six inches".

e. Section 304.14. Replace the first clause with the following:
“During the period from April 1 to November 1,”.

f. Section 602.3. The first sentence shall be replaced with the following: “Every owner and operator of any building who rents, leases or lets one or more dwelling units or sleeping units on terms, either expressed or implied, to furnish heat to the occupants thereof shall supply heat during the period from October 1 to April 1 to maintain a minimum temperature of 68°F (20°C) in all habitable rooms, bathrooms and toilet rooms.”

g. Section 602.4. The first sentence shall be replaced with the following: “Indoor occupiable work spaces shall be supplied with heat during the period from October 1 to April 1 to maintain a minimum temperature of 65°F (18°C) during the period the spaces are occupied.”

3. This Ordinance shall repeal any other ordinance of the Borough of Muncy that is inconsistent herewith.

4. 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 Council of the Borough of Muncy hereby declares that it would have passed this law, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

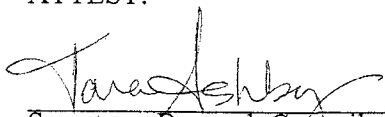
5. Nothing in this Ordinance or in the Property Maintenance Code hereby adopted shall be construed to affect any suit or proceeding pending in any court, or any

rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed, nor shall any just or legal right or remedy of any character be lost, impaired or affected by this Ordinance.

6. This Ordinance and the rules, regulations, provisions, requirements, orders and matters established and adopted hereby shall take effect and be in full force and effect sixty (60) days from and after the date of its final passage and adoption.

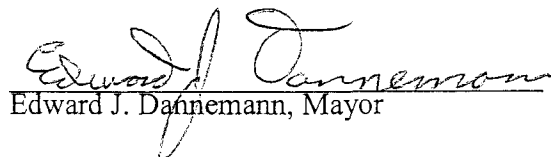
Duly presented and enacted at a meeting of Borough Council of the Borough of Muncy, Lycoming County, Pennsylvania, held this *2nd* day of October, 2012.

ATTEST:


Secretary, Borough Council


President, Borough Council

APPROVED this *2nd* day of October, 2012.


Edward J. Dannemann, Mayor

CERTIFICATE

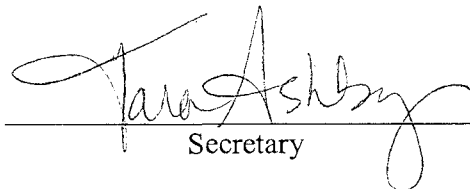
I, the undersigned, Secretary of the Borough of Muncy, Lycoming County, Pennsylvania (the "Borough"), certify that: the foregoing is true and correct copy of the Ordinance No. 523 of the Council of the Borough (the "Council"), in accordance with the law, at a meeting duly held on October 2, 2012, at which meeting a quorum was present. The total number of members of Council is seven (7); the vote of members of Council, upon enactment of said Ordinance, the yeas and nays having been called, duly was recorded by me, as Secretary as follows:

Richard Baker	- No
Galen Betzer	- No
Elaine McAleer	- No
Linda Stein	- Yes
Matilda Noviello	- Yes
Jonathan Ort	- Yes
Dana Bertin	- Yes

said Ordinance has been advertised as required by law, in a proper newspaper of general circulation in the Borough; and said Ordinance has not been amended, altered or repealed as of the date of this Certificate.

I further certify that the Council met the advance notice and public comment requirements of the Sunshine Act, 65 Pa.C.S. Ch. 7, by advertising said meeting, by posting prominently a notice of said meeting at the principle office of the Borough or at the public building in which said meeting was held, and by providing a reasonable opportunity for public comment at said meeting, all in accordance with such Act.

IN WITNESS WHEREOF, I set my hand and affix the official seal of the Borough, this 2nd day of October, 2012.


Secretary

(SEAL)