

CITY OF CORRY

Ordinance

Ordinance No. 1596

Council Bill No. 19-06

Presented by: Mr. Sproveri

An Ordinance of the City of Corry, Erie County, Pennsylvania, adopting the 2018 edition of the International Property Maintenance Code, regulating and governing the conditions and maintenance of all property, building, and other structures; 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 in the City of Corry; providing for the issuance of permits and collection of fees therefor; repealing Ordinance No. 1515 of the City of Corry, and all other ordinances and parts of ordinances or local laws in conflict herewith.

WHEREAS, it is the intent of the City Council of the City of Corry to protect, promote, and improve the health, safety, and welfare of the citizens residing within the City of Corry by providing clear and manageable standards with enforcement rules that provide an equitable, expeditious, and effective method of ensuring compliance with the Property Maintenance ordinances enacted and in force within the City; and

WHEREAS, the City Council of Corry desires to effectively promote the revitalization of blighted areas and the elimination of nuisances through Code enforcement; and

WHEREAS, the City Council of Corry desires to protect the existing housing inventory in the City through the adoption of ordinances, which promote and protect residential neighborhoods and reduce and/or abate nuisance properties that tend to diminish neighboring property values and contribute to an increase in crime and loss of aesthetic value; and

WHEREAS, the City Council of Corry deems it reasonable and necessary to exercise the authority granted to it by adopting the 2018 edition of the International Property Maintenance Code, as amended;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Corry as follows:

Section 1. Adoption of Corry Property Maintenance Code. That a certain document, one copy of which is on file in the office of the City Manager of the City of Corry, being marked and designated as "*The International Property Maintenance Code*," 2018 Edition, as published by the International Code Council, Inc., be and is hereby adopted as the Property Maintenance Code for the City of Corry, State 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 existing structures as provided therein; 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 City Manager of the City of Corry, Erie County, Pennsylvania, are hereby referred to, adopted, and made a part thereof, 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 of the 2018 Edition of the International Property Maintenance Code are hereby revised:

A. Section 101.1 shall be amended to read as follows:

101.1 Title. These regulations shall be known as the International Property Maintenance Code of the City of Corry, Erie County, Pennsylvania, hereinafter referred to as "this code."

B. Section 103.5 shall be amended to read as follows:

103.5 Fees. 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, Appendix A: Fees

Administration fee - \$25.00

Reports - \$25.00 each

Labor hourly rate - \$50.00/hour

Materials - total material cost paid by the city

Mowing fee - total cost paid by city to have property mowed + Administration fee

C. Section 112.4 shall be amended to read as follows:

112.4 Failure to comply. 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 ONE HUNDRED DOLLARS (\$100.00) or more than FIVE HUNDRED (\$500.00) DOLLARS.

D. The first paragraph of Section 302.4 shall be amended to read as follows:

302.4 Weeds. All premises and exterior property within the following restricted areas shall be maintained free from weeds or plant growth in excess of eight (8") inches in height. Restricted areas shall include: a. All areas within fifty (50) feet of any building used for or intended to be used for human habitation, or institutional, or industrial or commercial use.; b. All areas within fifty (50) feet of the traveled portion of any public street or roadway, if such area is within two hundred (200) feet of any building described in prior subsection (a.); c. All areas within ten (10) feet of any public sidewalk. 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 and gardens. Other paragraphs in this section shall remain unchanged.

E. The first paragraph of Section 302.8 shall be amended to read as follows:

302.8 Motor Vehicles. Except as provided in other regulations, no inoperative or unlicensed motor vehicle shall be parked, kept or stored on any premises, and no vehicle shall remain in a state of major disassembly, disrepair, or in the process of being stripped or dismantled, for a period in excess of forty-five (45) days. Painting of vehicles is prohibited unless conducted inside an *approved* spray booth. The exception therein shall remain unchanged.

All openly stored vehicles shall be classified as one of 3 following classes by the code enforcement officer.

A. Restorable junk vehicle- A vehicle that is in a condition whereby repairs to same could reasonably be made to place it in operating condition without exceeding the estimated value when repaired. The vehicle must be titled to an occupant of the property where said vehicle is located. Number of restorable junk vehicles is limited to one (1) per property in residential zoned areas per Zoning Ordinance 1347 Section 619.

B. Non-restorable junk vehicle - junk vehicle in such condition that it is economically unsound to restore same to an operating condition considering the repairs to be made, age of the vehicle, market value of the vehicle if it were restored or in such a condition that the Code Compliance Officer determines that it warrants such classification.

C. Abandoned vehicle - Unused, stripped, junked, wrecked or otherwise usable vehicles which do not carry a current registration plate or inspection sticker and which are no longer safely usable for the purpose of which they were manufactured and which have been in place for a period of thirty (30) days.

F. Section 304.14 shall be amended to read as follows:

304.14 Insect screens. During the period from May 1st to October 1st, 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 minimum 16 mesh per inch (16 mesh per 25 mm), and every screen door used for insect control shall have a self-closing device in good working condition.

Exception: Screens shall not be required where other approved means, such as air curtains or insect repellent fans, are employed.

G. Section 308.2.3 Add exterior placement of indoor furniture/appliances/electronics.

Under section 308.2 add 308.2.3 – It is prohibited to store or place any/all appliances, electronics or furniture including, but not limited to televisions, ranges, refrigerators, freezers, air conditioners, ovens, washers, dryers, microwaves, dishwashers, mattresses, recliners, sofas, interior chairs, or tables on the exterior of any property for any reason, except to preform maintenance on said property.

H. Section 602.3 is hereby amended to read as follows:

602.3 Heat supply. 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 1st to May 1st to maintain a minimum temperature of 68°F (20°C) in all habitable rooms, bathrooms and toilet rooms. The Exceptions therein listed shall remain unchanged.

I. Section 602.4 is hereby amended to read as follows:

602.4 Occupiable work spaces. Indoor occupiable work spaces shall be supplied with heat during the period from October 1st to May 1st to maintain a minimum temperature of 65°F (18°C) during the period the spaces are occupied. The Exceptions therein listed shall remain unchanged.

Section 3. Repealer Clause. All Ordinances or parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency and further that City of Corry Ordinance# 1515 and Ordinance# 1561 are hereby repealed in their entirety.

Section 4. Savings Clause.

That if any section, subsection, sentence, clause, or phrase of this legislation is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The City of Corry 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.

Section 5. Rights Reserved.

That nothing in this legislation or in the Property Maintenance Code hereby adopted shall be construed to affect any suit or proceeding impending in any court.

Section 6. Publication.

This legislation shall be published in the manner as provided by law.

Section 7. Penalties.

Each person in violation of this ordinance shall upon conviction of a first offense, be sentenced to pay a fine of not less than seventy five dollars (\$75.00) and not more than one hundred dollars (\$100.00). Each person upon conviction of a second offense shall be sentenced to a fine not less than one hundred dollars (\$100.00) and not more than two hundred dollars (\$200.00). Each person convicted of a third offense shall not pay a fine of less than three hundred dollars (\$300.00) and not more than one thousand dollars (\$1,000.00). Each person convicted of a fourth and subsequent offense shall not pay a fine less than one thousand dollars (\$1,000.00) and in default of the payment of such fine, may be sentenced to imprisonment for not more than ninety (90) days.

This penalty section shall apply to all sections of this code except for Section 112.4 whose fine is already set in Section 2C.

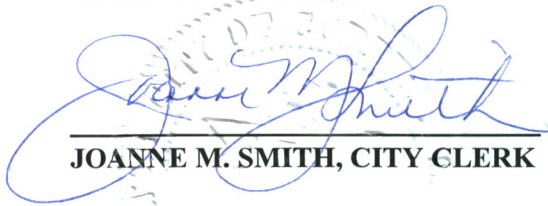
Sub Section A. – City ordinance 1593 - Quality of Life Violations:

Each person who has been issued a quality of life ticket by code enforcement officers for violations of this ordinance and fails to pay the quality of life ticket in the timeframe established on the ticket, a citation shall be issued for failure to pay. Upon conviction, said person shall be subject to fines established in Sec 7 (Penalties) and the sum of the fines issued through Quality of Life tickets as set in Section 8 Paragraph E of City Ordinance 1593 - Quality of Life Ticket Program.

Section 8. Effective Date. This ordinance shall become effective on the 1st day of January, 2020.

ORDAINED AND ENACTED by Council this 18th day of November, 2019.

ATTEST:



JOANNE M. SMITH, CITY CLERK



DAVID E. MITCHELL, MAYOR