

**YOE BOROUGH
YORK COUNTY, PENNSYLVANIA**

ORDINANCE 2012-05

**AN ORDINANCE OF THE BOROUGH COUNCIL OF YOE
BOROUGH, YORK COUNTY, PENNSYLVANIA,
AMENDING CHAPTER 5, CODE ENFORCEMENT**

NOW, THEREFORE, BE IT ENACTED AND ORDAINED by the Borough Council of Yoe Borough, York County, Pennsylvania, by virtue of the power and authority vested in the same, as follows:

SECTION 1.

Part 2. "Property Maintenance Code" Section 5-201 "Short Title" is hereby amended as follows:

This Part shall be known as the Rental Property Maintenance Code of Yoe Borough, York County, Pennsylvania."

SECTION 2.

Part 2. "Property Maintenance Code" Section 5-202 "Adoption" is hereby amended as follows:

Certain documents, three copies of which are filed in the office of the Secretary of the Borough of Yoe, being marked and designated as the International Property Maintenance Code, 2009 edition, and all subsequent revisions, as published by the International Code Council, be and are hereby adopted by the Borough of Yoe 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, conditions and terms of such International Property Maintenance Code, 2009 edition, on file in the office of the Secretary of the Borough of Yoe 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 5-203 of this ordinance.

SECTION 3.

Part 2. "Property Maintenance Code" Section 5-203 "Amendments to Code" is hereby amended as follows:

- A. Section 101.1 – Insert "Borough of Yoe".
- B. Section 103.1 – Replace "code official" with "rental code official". Insert "Any reference to code official in this part shall mean rental code official."
- C. Section 103.5 – Insert "The fee schedule shall be set by resolution of the Borough Council of the Borough of Yoe."
- D. Section 106.3 – Insert "Enforcement shall be by action brought before a district justice in the same manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure."
- E. Section 106.4 – Insert "Any person, persons, firm, association or corporation who shall violate any of the provisions of this article herein adopted or fail to comply therewith, or who shall violate or fail to comply with any order made hereunder, or who shall operate or maintain or fail to operate or maintain a building, structure or premises in violation of this Code or any order, rule or regulation thereof from which no appeal has been taken shall, upon conviction thereof in an action brought before a district justice in the manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure, shall be sentenced to pay a fine of not less than \$100 nor more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 90 days. The imposition of one penalty for any violation shall not excuse the violation or permit it to continue, all such persons shall be required to correct or remedy such violations or defects within a reasonable time and when not otherwise specified, each five days that prohibited conditions continue shall constitute a separate offense."
- F. Section 111 – This section shall be deleted in its entirety. Replace with § 5-206 of this Part.
- G. Section 112.4 – Insert \$100 in the first blank and \$1,000 in the second blank.
- H. Section 302.4 – Insert 8 inches.
- I. Section 304.14 – Insert April 1 in the first blank and October 1 in the second blank.
- J. Section 602.3 – Insert October 1 in the first blank and April 1 in the second blank.
- K. Section 602.4 – Insert October 1 in the first blank and April 1 in the second blank.

SECTION 4.

Any reference within Part 2 to "code official" shall be replaced with "rental code official".

SECTION 5.

Part 3. "Property Maintenance Code" Section 5-301 "Short Title" is hereby amended as follows:

This Part shall be known as the Non-Rental Property Maintenance Code of Yoe Borough, York County, Pennsylvania."

SECTION 6.

Part 3. "Property Maintenance Code" Section 5-306 "Buildings and Structures" is hereby amended as follows:

4. For the purpose of ensuring enforcement of this Section, Yoe Borough adopts Chapter 2 "Definitions", Chapter 3 "General Requirements", Chapter 8 "Referenced Standards", and Appendix A "Boarding Standard" of the 2009 International Property Maintenance Code and all subsequent revisions and updates as defining documents to be used to establish and set forth the minimum standards to ensure that buildings and structures are in good repair and no not constitute a safety hazard.

SECTION 7.

This Ordinance shall be effective five (5) days after adoption.

ENACTED AND ORDAINED, this 7 day of December, 2012, by the Borough Council of the Borough of Yoe

ATTEST:

Sandra Steiner
Borough Secretary

BOROUGH COUNCIL OF THE BOROUGH OF
YOE:

By: [Signature]
Borough Council President

APPROVED, this _____ day of _____, 2012, by the Mayor of the Borough of Yoe

ATTEST:

Borough Secretary

Mayor