

ORDINANCE 2010 - 14

AN ORDINANCE OF THE TOWNSHIP OF RADNOR, DELAWARE COUNTY, PENNSYLVANIA, REPEALING CHAPTER 222 (PROPERTY MAINTENANCE) OF THE CODE OF THE TOWNSHIP OF RADNOR, AND ADOPTING A NEW CHAPTER 222 UPDATING STANDARDS TO THE 2009 INTERNATIONAL PROPERTY MAINTENANCE CODE, WITH CERTAIN ADDITIONS, DELETIONS, AND AMENDMENTS.

The Board of Commissioners of the Township of Radnor does hereby ENACT and ORDAIN:

Section 1. That Chapter 222 (Property Maintenance) is hereby repealed and a new Chapter 222 updating standards to the 2009 International Property Maintenance Code, be and is hereby enacted.

Section 2. Adoption of code by reference. Certain documents on file in the office of the Secretary of the Township of Radnor, being marked and designated as the 2009 International Property Maintenance Code, as published by the International Code Council, Inc. , are hereby adopted as the Property Maintenance Code for the Township of Radnor, Delaware County, in the Commonwealth of Pennsylvania, for the purpose of establishing minimum regulations governing the conditions and maintenance of buildings and structures within Radnor Township; and each and all of the provisions, penalties, conditions and terms of the 2009 International Property Maintenance Code, are hereby referred to, adopted and made a part hereof as if fully set forth in this chapter with the additions, insertions, deletions and changes as prescribed herein.

Section 3. Additions, insertions, deletions and changes to code. The following sections and subsections of the aforementioned 2009 International Property Maintenance Code, are hereby added, amended, changed and clarified as set forth below:

A. Chapter 1, ADMINISTRATION

1. Section 101, General.

(a) In Subsection 101.1, Title, the "Township of Radnor" shall be inserted as the name of the jurisdiction.

2. Section 103, Department of Property Maintenance Inspection.

(a) Delete subsections 103.1 through 103.3 and substitute with the following:

(b) 103.1 General. The Director of Community Development or any authorized agent or employee thereof shall be designated as the code official for the purposes of this code.

(c) 103.2 Appointment. The code official and employees of the Department of Community Development shall be appointed in accordance with the personnel procedures and policies of the Township of Radnor.

(d) 103.3 Deputies (New)

(e) 103.4 Liability (new number)

- (f) 103.5 Fees. Insert the following for appropriate schedule: Fees for property maintenance inspections and rental housing inspections shall be charged in accordance with the fee schedule as set forth in Chapter 162 (Fees) of the code of the Township of Radnor. Fees shall be paid upon the filing of an application and shall expire as of March 31, at or prior to which time a fee shall be paid for an additional twelve (12) months. Fees shall not be charged for dwellings on the grounds of any educational, religious, or charitable institution.

3. Section 104 Duties and Powers of the Code Official

- (a) Delete subsection 104.1 General and replace with the following:

104.1 General. It shall be the duty and responsibility of the Director of Community Development, or his authorized representative, to enforce the provisions of this code.

4. Section 106, Violations.

- (a) Subsection 106.4, Violation penalties. Delete the present subsection and substitute the following:

106.4 Violation Penalties. Any person, firm or corporation who shall violate any provision of this code shall, upon conviction thereof, be subject to a fine of not more than \$1,000. Each day that a violation continues shall be deemed a separate offense.

5. Section 110, Demolition

- (a) Insert a new subsection 110.5 to read as follows:

110.5 Certificate of Extermination. A certificate of extermination by a recognized exterminating / termite control company addressing the existence of any wood destroying insects, rodents, or other harmful insects or pest life shall be received prior to the issuance of a demolition permit.

- (b) Insert a new subsection 110.6 to read as follows:

110.6 Shade Tree Ordinance. Prior to the issuance of a demolition permit, applicant shall demonstrate compliance with the demolition provisions of Ordinance NO. 2003-21 Shade Tree Ordinance.

6. Section 111, Means of Appeal.

- (a) Delete the entire section and substitute the following:

Section 111 MEANS OF APPEAL

111.1 Appeals. Whenever the owner of a property takes exception to a notice issued by the Code Official in the enforcement of this code, such owner, duly authorized agent or legal representative may, within 10 calendar days from receipt of notification, file an appeal with the Code Appeals Board. Such appeal shall be in writing, state the decision of the Code Official and the reasons for the exception taken thereto and be filed with the Township Secretary. The Code Appeals Board shall, within 30 days from the date of filing, fix a date, time and location to consider the appeal and to allow the person to be heard if he states his desire to do so in the written appeal. A prompt decision shall be rendered by the Code Appeals Board and duly recorded, with such decision being final.

B. Chapter 2, DEFINITIONS

- (1) Section 202, General Definitions

- (a) Insert the definition of "applicant" to read as follows:

APPLICANT. The owner, authorized agent or legal representative of any dwelling unit as herein defined which is being offered for rent or lease.

- (b) Amend the definition of "Code Official" to read as follows:

CODE OFFICIAL. The Director of Community Development charged with the administration and enforcement of this code or his duly authorized representative.

- (c) Insert the definition of "Department" to read as follows:

DEPARTMENT. The Department of Community Development of the Township of Radnor.

- (d) Insert the definition of "dormitory" to read as follows:

DORMITORY. A building or combination of buildings used for living quarters as an accessory use to a college, university, convent, monastery or other similar permitted use within a Planned Institutional Zoning District.

- (e) Amend the definition of "dwelling unit" to read as follows:

DWELLING UNIT. A building or entirely self-contained portion thereof containing complete housekeeping facilities, including not more than one kitchen used exclusively for the residence of one family.

- (f) Insert the definition of "hotel" to read as follows:

HOTEL, MOTEL OR INN. A building arranged or used for shelter and accommodation for compensation of more than 20 persons.

(g) Insert the definition of "single-family dwelling" to read as follows:

SINGLE-FAMILY DWELLING. A building on a lot designed and occupied exclusively as a residence for one family.

(h) Insert the definition of "two-family dwelling" to read as follows:

TWO-FAMILY DWELLING. A building on a lot designed and occupied exclusively as residence for two families living independently of one another.

(i) Insert the definition of "multiple-family dwelling or apartment house" to read as follows:

MULTIPLE-FAMILY DWELLING OR APARTMENT HOUSE. A building on a lot, designed and used exclusively as a residence for three or more families living independently of one another.

(j) Insert the definition of "family" to read as follows:

FAMILY. One or more persons occupying the same dwelling unit and living and cooking as a single housekeeping unit, said unit consisting only of individuals who are related by blood, marriage or otherwise by law, except that such unit may also consist of foster children, domestics and one other individual not related to others in the housekeeping unit. A family as herein defined specifically excludes individuals and groups occupying a boarding or rooming house, lodging house, club, fraternity, dormitory, hotel or other similar living environment.

(k) Amend the definition of "rooming house" to read as follows:

ROOMING HOUSE. A building which has a dwelling unit occupied by the owner and which has accommodations for not more than three roomers.

C. Chapter 3, GENERAL REQUIREMENTS

(1) Section 302, Exterior Property Areas.

(a) Subsection 302.4 Weeds. Insert the number twelve (12) on line two to mean height in inches.

(b) Delete Subsection 302.8, Motor vehicles.

(c) Add new subsection 302.10 Prohibited Furniture to read as follows
302.10 Prohibited Furniture. Furniture which would be adversely affected by the elements and or susceptible to infestation by insects, rats, or other vermin is prohibited from being placed or stored on the exterior of a dwelling. Such prohibited furniture shall include, but is not limited to, upholstered couches and chairs, davenports, beds, divans, and any other interior-type fabric-covered articles not designed or intended for use on the exterior of a dwelling.

(2) Section 304, Exterior Structure.

- (a) Subsection 304.14 Insect screens. Delete the words "During the period from[DATE] to [DATE]," and begin the sentence with the word "Every."

(3) Section 308, Rubbish and Garbage.

- (a) Subsection 308.2 Disposal of rubbish. Amend to read as follows:

308.2 Disposal of rubbish. Both the owner and occupant of a structure shall be responsible for the disposal of all rubbish in a clean and sanitary manner by placing such rubbish in approved containers.

- (b) Subsection 308.3 Disposal of garbage. Amend to read as follows:

308.3 Disposal of garbage. Both the owner and occupant of a structure shall be responsible for the disposal of garbage in a clean and sanitary manner by placing such garbage in an approved garbage disposal facility or approved garbage containers.

D. Chapter 6, MECHANICAL AND ELECTRICAL REQUIREMENTS

1. Section 602.0, Heating Facilities.

- (a) Delete Subsection 602.2, Residential occupancies, and insert the following:

602.2 Residential buildings, minimum level of heat. Every owner of a rental dwelling shall be responsible for maintaining the temperature in every occupied unit at not less than 68° F., but not less than 65° F. between the hours of 12:01 a.m. until 6:00 a.m.

- (b) Delete Subsection 602.3, Heat supply.

- (c) Subsection 602.4 Occupiable work spaces. Delete the words "during the period from [Date] to [Date]" on the second and third lines.

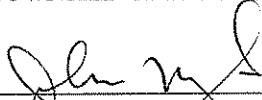
2. Section 605 Electrical Equipment

- (a) Subsection 605.2 Receptacles. Add the words "ground fault circuit interrupter" between the words "one" and "receptacle" on line five (5), and delete the word "new" on line six (6).

ENACTED and ORDAINED this 22nd day of February, 2010

TOWNSHIP OF RADNOR

By:



John Nagle, President
Board of Commissioners

Attest:



Matthew S. Baumann, Secretary