

BOROUGH OF RIDLEY PARK
DELAWARE COUNTY, PENNSYLVANIA

ORDINANCE NO. 6-2024

AN ORDINANCE OF THE BOROUGH OF RIDLEY PARK, DELAWARE COUNTY, PENNSYLVANIA AMENDING CHAPTER 160 OF THE BOROUGH CODE- ENTITLED "PROPERTY MAINTENANCE"- CONSISTENT HEREWITH AND PROVIDING FOR REGULATIONS, FEES, PENALTIES, AND INSPECTION AND APPEAL PROCEDURES.

BE IT ORDAINED AND ENACTED by the Borough Council of the Borough of Ridley Park, County of Delaware, Commonwealth of Pennsylvania, under authority of the Borough Code (8 Pa. C.S. § 101 et seq.), the Pennsylvania Municipalities Code (53 P.S. § 10101 et seq.) and the Code of the Borough of Ridley Park, as follows:

Section 1: The Code of the Borough of Ridley Park, Chapter 160 entitled "Property Maintenance," is hereby amended as follows:

CHAPTER 160
Property Maintenance

§ 160-1 Adoption of property maintenance code.

The Borough of Ridley Park hereby adopts, for the purpose of establishing the minimum regulations governing the condition and maintenance of all property buildings and structures, including administration, and penalties, the property maintenance code known as "The International Property Maintenance Code, 2021 Edition, of a copy is available at <https://codes.iccsafe.org/content/IPMC2021P1>, and the same is hereby adopted and incorporated as fully if set out at length herein.

§ 160-2 Amendments to code.

The International Property Maintenance Code, 2021 Edition, hereby adopted, is amended as follows:

A. Section 101.1 is hereby amended to read as follows:

101.1 Title: These regulations shall be known as the Property Maintenance Code of the Borough of Ridley Park, hereinafter referred to as "this code."

B. Section 102.3 is hereby amended to read as follows:

102.3 Application of Other Codes: Repairs, additions or alterations to a structure, or changes of occupancy, shall be done in accordance with the PA Uniform Construction Code.

C. Section 102.8 is hereby amended to read as follows:

102.8 Referenced codes and standards: The codes and standards referenced in this code shall be those that are listed in Chapter 8 and considered part of the requirements of this code to the prescribed extent of each such reference and as further regulated in Sections 102.8.1 and 102.8.2.

Exceptions:

1. Where enforcement of a code provision would violate the conditions of the listing of the equipment or appliance, the conditions of the listing shall apply.
2. Where a referenced standard conflicts with the code editions currently adopted by the PA Uniform Construction Code, the PA Uniform Construction Code shall apply.

D. Section 103.1 is hereby amended to read as follows:

103.1 Code Official: It shall be the duty and responsibility of the Code Enforcement Officer, or such other person designated by Borough Council, to enforce the provisions of this code.

E. Section 103.2 is hereby amended to read as follows:

103.2 Appointment: The code official shall be appointed by the Borough Council of the Borough of Ridley Park to serve for such term as it shall determine.

F. Section 104.1 is hereby amended to read as follows:

104.1 Fee Schedule: Any fees required pursuant to this code shall be paid in accordance with a fee schedule adopted by resolution by the Borough Council of the Borough of Ridley Park as said fee schedule may be amended from time to time. Any request for fee refunds shall be determined by motion of the Borough Council.

G. Sections 107.1 through 107.3 and section 108.1 are hereby amended by deleting said sections and inserting the following in place thereof:

107.1 Appeals: Appeals to the Board of Appeals may be taken by any person aggrieved by a decision or interpretation made by the code official under the provision of this code. The Board of Appeals may adopt reasonable rules and regulations for conducting its hearings. All board hearings shall be open to the public. The decision of the Board shall be by resolution. Certified copies shall be furnished to the appellant and to the code official.

107.2 Membership of the Board. The Board of Appeals shall consist of five members appointed by Borough Council as follows: one for five years, one for four

years, one for three years, one for two years, and one for one year. Thereafter, each new member shall serve for five years or until a successor has been appointed.

H. Section 109.4 is hereby amended to read as follows:

109.4 Penalties: Any person who shall violate a provision of this code or shall fail to comply with any of the requirements thereof, shall be guilty of a summary offense, and upon conviction thereof, shall be sentenced to pay a fine of not more than \$1,000, and in default of payment thereof, shall be imprisoned for a period not exceeding 30 days. Each day that a violation continues shall be deemed a separate offense.

I. Section 114, titled Rental Property Certificates of Occupancy, is hereby inserted to read as follows:

114.1 Certificate of Occupancy Required: No person, firm or corporation owning, managing, conducting or operating a dwelling unit shall rent, let out, sell or permit the same to be occupied without first submitting such dwelling unit to an inspection by the housing officer and/or his agent and securing a certificate of occupancy for each occupied and vacant dwelling unit located within the same building. The certificate of occupancy shall be issued pursuant to the provisions of this chapter and other applicable ordinances and rules and regulations enacted by the Borough Council. The certificate of occupancy shall be valid and remain in effect for a period of two years following its date of issue; however, if the certificate of occupancy was issued as a result of a sale of the property, a new certificate of occupancy will be required for any subsequent transaction within 6 months of issuance. The holder of a certificate of occupancy shall apply for a renewal certificate of occupancy at least 60 days prior to the expiration of such two-year period.

114.2 Inspections: The Code Official and/or his/her agent or agents are hereby authorized and directed to process all applications for certificates of occupancy and, prior to the issuance of the same, to conduct an inspection of the dwelling unit and determine that the dwelling unit complies with all requirements of this chapter and/or any other applicable ordinances and rules and regulations enacted by the Borough Council. The Code Official shall not issue a certificate of occupancy for any dwelling unit that does not comply with the requirements of this chapter and/or any other applicable ordinances and rules and regulations enacted by the Borough Council unless a certificate of occupancy is required to be issued in accordance with superseding State laws.

114.3 Record Keeping: Any person, firm or corporation owning, managing, conducting or operating a dwelling unit which has been rented, leased or let out or re-rented during any calendar year shall, on or before May 15 of the following year, file a list with the Code Official setting forth the number of units occupied as of December 31 of the reporting year and the names of the tenants thereof.

J. Section 302.4 is hereby amended by inserting "six inches."

K. Section 304.14 is hereby amended by inserting the period from April 1 to October 1.

L. Section 308 is hereby amended to add Sections 308.4, 308.5 and 308.6 as follows:

Section 308.4. All exterior property and premises shall be free from the accumulation of clutter unless accumulated as appropriate for their collection and disposal. For purposes of this section "Clutter" means an accumulation of items other than garbage, trash, refuse, rubbish or recyclables in such a manner that it would be deemed a nuisance by reasonable living standards. Examples of this include, but are not limited to, construction materials not associated with a current construction project of steady, significant progress; automobile parts, appliances, bicycles, etc.

Section 308.5. All exterior property and premises shall be free from any tire(s), whether mounted on a wheel/rim or not.

Section 308.6. All furniture, materials and other similar products designed, built, and manufactured exclusively for indoor living use shall not be placed or stored on exterior porches, in yards or on any part of an exterior property in residential and nonresidential areas. The storage or placement of automobile car seats and other non-weather-resistant materials shall also be prohibited. Any person who fails to comply with this section after 48 hours' notice from the Borough to do so shall be guilty of violating the provisions of this section and shall be subject to the fines set forth herein.

M. Section 403.6, titled Residential Kitchen Exhaust, is hereby inserted to read as follows:

403.6 Residential Kitchen Exhaust: An approved exhaust fan capable of removing cooking odors and smoke from all residential kitchens shall be required.

Exception: Where installed in accordance with the manufacturer's instructions, and where mechanical or natural ventilation is otherwise provided, listed and labeled ductless range hoods shall not be required to discharge to the outdoors.

N. Section 502.2 is hereby amended to read as follows:

502.2 Rooming Houses: Not less than one water closet, lavatory and bathtub or shower shall be supplied for every two rooming units.

O. Section 502.3 is hereby amended to read as follows:

502.3 Hotels: Where private water closets, lavatories and baths are not provided, one water closet, one lavatory and one bathtub or shower having access from a public hallway shall be provided for each 2 occupants.

P. Sections 602.3 and 602.4 are hereby amended by inserting the period from October 1 to April 1.

Q. Section 605.2 is hereby amended to read as follows:

605.2 Receptacles: Every habitable space in a dwelling shall contain not less than two separate and remote receptacle outlets. Every laundry area shall contain not less than one receptacle. Every bathroom shall contain not less than one receptacle. Every structure shall have at least one exterior receptacle. All receptacle outlets shall have the appropriate faceplate cover for the location.

R. Section 605.2.1, titled GFCI Protection, is hereby inserted to read as follows:

605.2.1 GFCI Protection: GFCI protection shall be provided for any exterior, bathroom, kitchen counter, laundry, or receptacles within 6' (1829 mm) of a water source.

§ 160-3 Repealer

Chapter 75 Buildings, Numbering of and Chapter 124 Housing of the Ridley Park Borough Code are hereby repealed.

§ 160-4 Continuation of existing regulations.

The provisions of this chapter shall not affect any act done or liability incurred, nor shall they affect any suit or prosecution pending under authority of any of the repealed ordinances.

Section 2. Effective Date.

This Ordinance shall become effective within 30 days of its approval.

Section 3. Severability.

Should any section, subsection, paragraph, sentence, laws or phrase of this Ordinance be declared invalid for any reason whatsoever, such decision shall not affect the remaining portions of this Ordinance which shall remain in full force and effect and for this purpose, the provisions of this Ordinance are hereby declared to be severable.

Section 4. General Repealer.

All other Ordinances or parts of Ordinances in conflict with the provisions of this Ordinance, including Chapter 160 as currently adopted, are hereby repealed to the extent of such conflict. The Borough of Ridley Park reserves the right at any time by Ordinance to amend or otherwise modify or repeal this Ordinance.

ORDAINED AND ENACTED into an Ordinance and passed by Borough Council for the Ridley Park Borough on the _____ day of _____, 2024.

BY: _____
Dane Collins
Borough Council President

Attest: Danielle Staccone
Borough Secretary

(SEAL)

Approved this _____ day of _____, 2024.

Hon. Henry A. Eberle, Jr.
Mayor