

CHAPTER XII

HOUSING

Part 1

Property and Maintenance Code

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Part 1

Property and Maintenance Code

§101. Adoption of Property and Maintenance Code. A certain document, three (3) copies of which are on file in the Office of the Secretary of the Township of Spring, Berks County, Pennsylvania, located in the Township of Spring Municipal Building, 2800 Shillington Road, Spring Township, Berks County, Pennsylvania, and designated as the "BOCA National Property Maintenance Code, Fifth Edition, 1996," as published by the Building Officials and Code Administrators International, Inc., be and is hereby adopted as the Property Maintenance Code of the Township of Spring, Berks County, Pennsylvania; for control of buildings and structures as herein provided; and each and all of the regulations, provisions penalties, conditions and terms of said BOCA National Property Maintenance Code are hereby referred to, adopted and made a part hereof, as if fully set forth in this Part, with the additions, insertions, deletions and changes, if any, prescribed in §103 of this Part. (Ord. 250, 8/26/1996, §1)

§102. Inconsistent Ordinances Repealed. Ord. 224<sup>1</sup> of the Township of Spring, Berks County, Pennsylvania, enacted February 24, 1992, whereby the Township of Spring, Berks County, Pennsylvania, adopted the BOCA Basic Housing-Property Maintenance Code, Third Edition, 1975, as the Property Maintenance Code of the Township of Spring, Berks County, Pennsylvania, and all other ordinances or parts of ordinances in conflict herewith are hereby repealed. (Ord. 250, 8/26/1996, §2)

§103. Additions, Insertions and Changes. The BOCA National Building Code is amended and revised in the following respects:

A. Section PM- 100.1 (page 1, second line), there is inserted in line two of said section in place of the words (Name of Jurisdiction) the words "Township of Spring, Berks County, Pennsylvania."

B. Section PM-106.2 is hereby amended so as to provide as follows:

Civil Enforcement Procedure for violation of this code shall, upon being found liable therefor in a civil enforcement procedure commenced by the Township of Spring, pay a fine set by the Township of Spring plus all court costs, including reasonable attorney fees, incurred by the Township of Spring. The Board of Supervisors of the Township of Spring may prescribe fines not exceeding one thousand dollars (\$1,000.00) for a violation of this Code. Each and every day that a violation occurs shall constitute a separate violation. No judgment shall be imposed until the date of the determination of a violation by a district justice. If a defendant neither pays nor timely appeal the judgment, the Township of Spring may enforce the judgment pursuant to the applicable rules of civil procedure. The Board of Supervisors of the

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<sup>1</sup> Editor's Note: Ord. 250 referred to Ord. 223, which enacted the BOCA National Fire Prevention Code, Eighth Edition, 1990. Obviously Ord. 224 was intended. Ord. 224 adopted the BOCA Basic Housing and Property Maintenance Code, Third Edition, 1975.

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Township of Spring are authorized to adopt rules and regulations, from time to time, to implement the civil enforcement procedure herein referred to.

C. Section PM-304.15 (page 11, first line), there is inserted the date "April 1" and (page 11, second line) there is inserted the date "November 1."

D. Section PM-602.2.1 (page 17, fifth line), there is inserted the words "October 1 to June 1" at each of two (2) references.

E. Section 602.3 (page 17, third line), there is inserted "October 1 to May 1" at each of two (2) references.

F. The following Chapter 9 is hereby added to the Property Maintenance Code pursuant to the recommendation of the Department of Labor and Industry of the Commonwealth of Pennsylvania:

(1) Chapter 9. Adherence to More Stringent Provisions.

(a) Section PM-600.0. Wherever any provision or requirement of the regulations promulgated by the Commonwealth of Pennsylvania and/or any one or more of its departments or agencies including, but not limited to, the Department of Labor and Industry, is more stringent or stricter than a provision or requirement of this Code, the applicable provision or requirement of the regulations so promulgated by the Commonwealth of Pennsylvania and/or any one or more of its departments or agencies shall supersede any provision or requirement of this Code.

(Ord. 250, 8/26/1996, §3)

§104. Brief Summary of the Property Maintenance Code. The following is a brief summary setting forth the principal provisions of the Property Maintenance Code:

- A. Chapter 1. Administration.
- B. Chapter 2. Definitions.
- C. Chapter 3. General Requirements.
- D. Chapter 4. Light, Ventilation and Occupancy Limitations.
- E. Chapter 5. Plumbing Facilities and Fixture Requirements.
- F. Chapter 6. Mechanical and Electrical Requirements.
- G. Chapter 7. Fire Safety Requirements.
- H. Chapter 8. Reference Standards.

I. Chapter 9. Adherence to More Stringent Provisions or Requirements Promulgated by the Commonwealth of Pennsylvania and/or its Departments and Agencies.

J. Chapter 10. Hazard Abatement in Existing Buildings

(Ord. 250, 8/26/1996, §4)

§105. Savings Clause. That nothing in this Part or in the Property and Maintenance Code hereby enacted shall be construed to affect any suit or proceedings impending in any court, or any right acquired, or liability incurred, or any cause or causes of actions accrued or existing, under any act or ordinance hereby repealed as cited in §102 of this Part; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this Part. (Ord. 250, 8/26/1996, §4)

