

ORDINANCE NO. 4 of 2020

An Ordinance of Newport Township providing for the Inspection of Dwellings and Buildings Prior to Renting, Leasing, Changes in Residence and Occupation and the issuance of A Certificate of Use or Occupancy.

WHEREAS, the Township of Newport is desirous of providing for the health, welfare and safety of Township residents; and

WHEREAS, this can be accomplished through the implementation of certain regulations governing and regulating housing within the Township;

NOW THEREFORE, be it enacted and ordained by the Township of Newport, Luzerne County, Pennsylvania, and it is hereby enacted and ordained by the authority of the same as follows:

Section 1. APPLICABILITY

No person, firm or corporation managing, selling, conducting or operating a house, building, apartment or dwelling unit of any kind shall sell, rent, lease, let out, or permit the occupation or shall re-rent or re-occupy the same without first securing a certificate of use and occupancy from the Newport Township Building Code Enforcement Officer, his or her designee or the agency or person (s) designated by the Township for that purpose.

Section 2. INSPECTION

Prior to each managing, selling, renting, leasing, letting out, or permitting the occupation of or re-occupation of any house, dwelling, building, apartment or dwelling unit, the owner(s) of each house, dwelling, building, apartment or dwelling unit shall first request an inspection of said house, dwelling, building, apartment or dwelling unit by the Newport Township Building Code Enforcement Officer, his or her designee or the agency or person(s) designated by the Township to conduct said inspection(s).

Section 3. INSPECTION GUIDELINES AND INCORPORATION OF THE UNIFORM CONSTRUCTION CODE OF 2006 PROPERTY MAINTENANCE SECTION

The Newport Township Building Code Officer or his or her designee, or the agency or person(s) designated by the Township to conduct said inspection(s) shall follow the guidelines for occupation enacted by the Uniform Construction Code of 2006, (Property Maintenance Section) or any revisions thereof, which is hereby incorporated into this Ordinance by reference thereto.

Section 4. ISSUANCE OF OCCUPANCY PERMIT

If the Newport Township Building Code Enforcement Officer, or his or her designee or the agency or person(s) designated by the Township determines that the house, dwelling, building, apartment or dwelling unit meets the occupation requirements as set forth and established by the Uniform Construction Code of 2006 (Property Maintenance section) or most recent revision thereof, he or she shall issue a Certificate of Occupancy to the owner of said structure.

In the event that the Newport Township Building Code Enforcement Officer, or his or her designee or the agency or person(s) designated by the Township determines that the house, dwelling, building, apartment or dwelling unit does not meet the occupation requirements as set forth and established by the Uniform Construction Code of 2006 (Property Maintenance Section) or most recent revision thereof, he or she shall notify the owner thereof of any deficiencies, and a Certificate of Occupancy shall not be issued.

The occupancy permit is valid for six (6) months or until the inspected property becomes vacant by the current occupant at which time a re-inspection is required.

Any habitation of said house, dwelling, building, apartment or dwelling unit without the deficiencies being remedied to the satisfaction of the Newport Township Building Code Enforcement Officer, or his or her designee or the agency or person(s) designated by the Township, when applying the applicable Code, regulation or law shall be determined to be a violation of this Ordinance.

Section 5. FEES

A. Existing residential unit (existing individual home)

Permit fee plus inspection fee which shall be determined by the applicable fee schedule in effect at time of inspection. Fee schedules are incorporated herein by reference thereto and shall be available for review at the Newport Township Municipal Building during normal business hours. Inspection shall be performed by the Newport Township Code Enforcement Officer or building inspection agency approved by Newport Township.

B. Existing Residential Multi-Unit Housing (any unit capable of housing more than one occupant in separate quarters)

Permit fee plus inspection fee which shall be determined by applicable inspection fee schedule in effect at time of inspection. Fee schedules of inspection agencies or the Township are incorporated herein by reference thereto and shall be available for review at the Newport Township Municipal Building during normal business hours. Inspection shall be performed by the Newport Township Code Enforcement Officer or a building inspection agency approved by Newport Township.

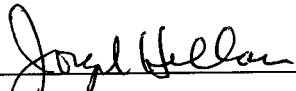
C. New Single-Family home

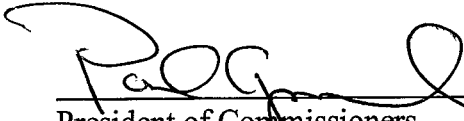
There shall be no permit fee. Inspection fee shall be determined by the applicable inspection agency fee schedule in effect at the time of inspection. Fee schedules of inspection agencies or the Township are incorporated herein by reference thereto and shall be available for review at the Newport Township Municipal Building during normal business hours. Inspection shall be performed by the Newport Township Code Enforcement Officer or a building inspection agency approved by Newport Township.

SECTION 6. VIOLATION AND PENALTY.

Any person(s), firm or corporation who-violates any provision of this Ordinance shall, upon conviction thereof be sentenced to pay a fine of not more than Six Hundred (\$600.00) Dollars and costs of prosecution, or in default of This Ordinance shall become effective immediately upon passage.

Enacted and Ordained by the Board of Commissioners of Newport Township this 6th
day of July, 2020.


Secretary

NEWPORT TOWNSHIP

President of Commissioners

