

ORDINANCE FOR THE ADOPTION OF THE INTERNATIONAL PROPERTY
MAINTENANCE CODE

AN ORDINANCE ESTABLISHING THE MINIMUM REGULATIONS 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 BUILDS AND STRUCTURES UNFIT FOR HUMAN OCCUPANCY AND USE AND THE DEMOLITION OF SUCH STRUCTURES; KNOWN AT THE PROPERTY MAINTENANCE CODE

IT IS HEREBY ORDAINED AND ENACTED by the Township of Newport, as follows:

SECTION 1. ADOPTION OF PROPERTY MAINTENANCE CODE

That a certain document, a copy of which is on file in the Municipal Office of Newport Township, being marked and designated as the **International Property Maintenance Code 2003** as published by the International Code Council, Inc., be and is hereby adopted as the **Property Maintenance Code of the Township of Newport**, for the control of buildings and structures as herein provided; and each and all of the regulations, provisions, penalties, conditions and terms of said **Property Maintenance Code** 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 2 of this ordinance.

SECTION 2. ADDITIONS, INSERTIONS AND CHANGES.

The following sections are hereby revised to read as follows:

Section 101.1. Title. These regulations shall be known as the Property Maintenance Code of the Township of Newport, hereinafter referred to as “this code”.

Section 102.3. Application of Other Codes. Repairs, additions or alterations to a structure, or changes of occupancy, shall be done in accordance with the Pennsylvania Uniform Construction Code, as amended and the Luzerne County Zoning Ordinance. Nothing in this Code shall be construed to cancel, modify or set aside any provisions of the aforesaid Pennsylvania Uniform Construction Code, as

amended and the Luzerne County Zoning Ordinance.

- Section 103.6. Fees. The fees for activities and services performed by the Township of Newport in carrying out its responsibilities under this Code shall be as promulgated by separate regulations of the Township of Newport.
- Section 106.3 Prosecution of Violation. Any person failing to comply with a notice of violation or order served in accordance with section 107 shall be deemed guilty of a summary offense, and the violation shall be deemed a strict liability offense. If the notice violations in not complied with, the Township of Newport, or its designee, shall institute the appropriate proceeding at law or equity to restrain, correct or abate such violation or to require the removal or termination of the unlawful occupancy of the structure in violation of the provisions of the code or of the order or direction made pursuant thereto.
- Section 106.4 Violation Penalties. Any person who shall violate a provision of this code, or fail to comply therewith, or with any of the requirements thereof, shall upon conviction thereof, be subject to a fine of not more than Six Hundred (\$600.00) Dollars or imprisonment for a term not to exceed thirty (30) days, or both. Each day that a violation continues after due notice has been served shall be deemed a separate offense.
- Section 304.14 Insect Screens. Insect screens are required from April 1 to December 1, as described in section 304.14 of this Code.
- Section 602.3 Heat Supply. Heat shall be supplied from October 1 to May 1 to maintain a temperature of not less than 65°F (18° C) in all habitable rooms, bathrooms, and toilet rooms as outlined in section 602.3 of this Code.
- Section 602.4 Occupiable Workspaces. Indoor occupiable workspaces shall be supplied with heat during the period of October 1 to May 1 to maintain a temperature of not less than 65° (18° C) during the period the spaces are occupied.

Exceptions:

1. Processing, storage and operation areas that require cooling and special temperature conditions.

2. Areas in which persons are primarily engaged in vigorous physical activities.

SECTION 3. INCONSISTENT ORDINANCES REPEALED.

Any and all other Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

SECTION 4. SAVING CLAUSE.

That nothing in this ordinance or in the Property Maintenance Code hereby adopted shall be construed to affect any suit or proceeding pending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in Section 3 of this ordinance.

SECTION 5. DATE OF EFFECT.

This Ordinance shall become effective upon enactment.

ENACTED THIS 7th DAY OF NOVEMBER, 2005.


Paul Czapracki, President

ATTEST:


Richard V. Zika, Secretary