

Chapter 154

PROPERTY MAINTENANCE

Part 1 Minimum Property Standards

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[HISTORY: Adopted by the Borough Council of the Borough of Camp Hill as indicated in part histories. Amendments noted where applicable.]

GENERAL REFERENCES

Keeping of animals — See Ch. 71.
Building construction — See Ch. 79.
Uniform construction code — See Ch. 90.
Drainage facilities — See Ch. 100.

Fire prevention — See Ch. 113.
Garbage, rubbish and refuse — See Ch. 120.
Exterior lighting — See Ch. 133.
Trees — See Ch. 187.

Part 1
Minimum Property Standards
[Adopted 9-10-1980 by Ord. No. 840, approved 9-10-1980]

ARTICLE I
Administration and Enforcement

§ 154-1. Title, purpose and scope.

- A. Title. Part 1 of this chapter shall be known as the "Minimum Properties Standards Code" for all structures and properties and is herein referred to as the "Housing-Property Maintenance Code" or "this code."
- B. Purpose. The purpose of this code is to protect the public health, safety and welfare on the premises as hereinafter provided by:
 - (1) Fixing the responsibility of owners, operators and occupants of all structures.
 - (2) Providing for administration, enforcement and penalties.
- C. Matters covered. The provisions of this code shall apply to all structures and premises which are now or may become in the future substandard with respect to structure, premises, unsanitary conditions or other conditions which may be deemed to constitute a menace to the safety, health and welfare of the public.

§ 154-2. Applicability.

- A. General. The exterior of all buildings and premises used or intended to be used shall comply with the provisions of this code, irrespective of when such building shall have been constructed, altered or repaired.
- B. Application of Building Code. Any alterations to buildings or changes of use therein which may be caused directly or indirectly by the enforcement of this code shall be done in accordance with applicable sections of the Building Code of the municipality.¹
- C. Application of Zoning Law. Nothing in this code shall permit the establishment or conversion of a multifamily dwelling in any zone except where permitted by the Zoning Law, nor the continuation of such nonconforming use in any zone except as provided therein.²
- D. Conflict with other ordinances. In any case where a provision of this code is found to be in conflict with a provision of any zoning, building, firesafety or health ordinance or code of this municipality existing on the effective date of this code, the higher standard shall prevail.

1. Editor's Note: See Ch. 79, Building Construction, Art. I.

2. Editor's Note: See Ch. 200, Zoning.

- E. Existing remedies. Nothing in this code shall be deemed to abolish or impair existing remedies of the municipality or its officers or agencies relating to the removal or demolition of any buildings which are deemed to be dangerous, unsafe or unsanitary.

§ 154-3. Enforcement authority.

- A. Enforcement officer. It shall be the duty and responsibility of the Building Official of the municipality to enforce the provisions of this code as herein provided.
- B. Coordination of enforcement. Inspection of premises and the issuing of orders in connection therewith under the provisions of this code shall be the exclusive responsibility of the Building Department of the municipality. Whenever, in the opinion of the Building Official, it is necessary or desirable to have inspections of any condition by any other department, he shall arrange for this to be done in such manner that the owners or occupants of buildings shall not be subjected to visits by numerous inspectors nor to multiple or conflicting orders. An order for correction of any violation under this code shall not be issued without the approval of the Building Official, and it shall be the responsibility of that Official, before issuing any such order, to determine that it has the concurrence of any other department or official of the government concerned with any matter involved in the case in question.
- C. Administrative liability. Except as may otherwise be provided by statute or local law or ordinance, any officer, agent or employee of the municipality charged with the enforcement of this code shall not render himself personally liable for any damage that may accrue to persons or property as a result of any act required or permitted in the discharge of his duties under this code. A person who institutes or assists in the prosecution of a criminal proceeding under this code shall not be liable to damages hereunder unbeliving that the person accused or prosecuted was guilty of any unlawful act or omission. Any suit brought against any officer, agent or employee of the municipality as a result of any act required or permitted in legal representative of the municipality until the final determination of the proceedings therein.
- D. Inspections. The Building Official shall make or cause to be made inspections to determine the conditions of all structures and premises in order to safeguard the safety, health and welfare of the public under the provisions of this code. The Building Official is authorized to enter any structure or premises at any reasonable time for the purpose of performing his duties under this code. The owner, occupant or operator of every structure or premises or the person in charge thereof shall give the Building Official free access thereto and to all parts thereof and to the premises on which it is located at all reasonable times for the purpose of such inspection, examination and survey.
- E. Right of entry.
- (1) It shall be unlawful for any person to refuse entrance to or to impede any inspector or officer authorized under this code in the performance of his duties, and every such inspector or officer shall have the right to enter, examine and survey all premises, grounds and structures and every part thereof at all reasonable times upon display of proper identification.

- (2) If any owner, occupant or other person in charge of a structure subject to the provisions of this code refuses, impedes, inhibits, interferes with, restricts or obstructs entry and free access to every part of the structure or premises where inspection authorized by this code is sought, the administrative authority may seek, in a court of competent jurisdiction, an order that such owner, occupant or other person in charge cease and desist with such interference.
- F. Access by owner or operator. Every occupant of a structure or premises shall give the owner or operator thereof or his agent or employee access to any part of such structure and its premises at reasonable times for the purpose of making such inspection, maintenance, repairs or alterations as are necessary to comply with the provision of this code.

§ 154-4. Dangerous or unfit structures.

- A. Dangerous structures. If all or part of any building or structure, including, among others, a fence, billboard or sign, shall be found, in the opinion of the Building Official or in the opinion of any competent architect or engineer whose opinion was solicited by the Building Official, to be found to be in an unsafe condition, dangerous to life, limb or property, he shall proceed to have the same condemned pursuant to the applicable provisions of codes of the municipality pertaining to unsafe structures.
- B. Structures unfit for human occupancy. Whenever the Building Official finds that any structure constitutes a hazard to the safety, health or welfare of the occupants or to the public because it lacks maintenance or it is in disrepair, unsanitary, vermin-infested or rodent-infested or because it lacks the sanitary facilities or equipment or otherwise fails to comply with the minimum provisions of this code, but has not yet reached such state of complete disrepair as to be condemned as a dangerous structure as hereinbefore provided, he may declare such structure as unfit for human occupancy and order it to be vacated.
- C. Notice. Notice of the declaration of any building under this code as unfit for human occupancy and an order to vacate it shall be served as provided in this code and such other codes or ordinances of the municipality pertaining to unsafe buildings.
- D. Posting of notice. Any structure declared unsafe shall be posted with a placard by the Building Official. The placard shall include the following:
 - (1) The name of the Borough.
 - (2) The name of the authorized department having jurisdiction.
 - (3) The chapter and section of the Code under which it was issued.
 - (4) An order that the structure, when vacated, must remain vacant.
 - (5) The date that the placard is posted.
 - (6) A statement of the penalty for defacing or removing the placard.

- E. Form of notice. Whenever the Building Official has declared a structure unsafe, he shall give notice to the owner of such declaration and placarding of the structure as unsafe. Such notice shall:
- (1) Be in writing.
 - (2) Include a description of the real estate sufficient for identification.
 - (3) Include a statement of the reason or reasons why it is being issued.
 - (4) State the time to correct the conditions.
 - (5) State the time occupants must vacate the structure.
- F. Service of notice. Service of notice to vacate shall be as follows:
- (1) By delivery to the owner personally or by leaving the notice at the usual place of abode of the owner with a person of suitable age and discretion;
 - (2) By certified or registered mail addressed to the owner at his last known address with postage prepaid thereon; or
 - (3) By posting and keeping posted for 24 hours a copy of the notice in placard form in a conspicuous place on the premises to be vacated.
- G. Removal of placard or notice. A person shall not deface or remove the placard from any structure which has been declared or placarded as unfit for human habitation except by authority, in writing, from the Building Official. Unauthorized removal of such placard or notice shall be punishable by a fine of not less than \$25 nor more than \$100 or imprisonment for a term not to exceed 10 days, or both. **[Amended 9-14-1983 by Ord. No. 865, approved 9-14-1983]**
- H. Vacating of declared building. Any structure which has been declared and placarded as unfit for human occupancy by the Building Official, shall be vacated with a reasonable time as required by the Building Official, and it shall be unlawful for any owner or operator to let to any person, for human occupancy, said structure, and a person shall not occupy any structure which has been declared or placarded by the Building Official as unfit for human occupancy after the date set forth in the placard.
- I. Unlawful structure. If any structure or any part thereof is occupied by more occupants than permitted under this code or was erected, altered or occupied contrary to law, such structure shall be deemed an unlawful structure, and the Building Official may cause such structure to be vacated. It shall be unlawful to again occupy such dwelling until it or its occupation, as the case may be, has been made to conform to the law.

§ 154-5. Violations.

- A. Notice. Notice of violation shall be served upon the owner of record, provided that such notice shall be deemed to be properly served upon the owner if a copy thereof is delivered to him personally or, if not found, by leaving a copy thereof at his usual place of abode with a person of suitable age and discretion, who shall be informed of the

contents thereof, or by sending a copy thereof by mail to his last known address or, if the letter with the copy is returned showing it has not been delivered to him, by posting a copy thereof in a conspicuous place in or about the structure affected by the notice.

- B. Service of notice. Whenever the Building Official determines that there has been or is a violation or that there are reasonable grounds to believe that there has been or is a violation of any provisions of this code, he shall give notice of such violation or alleged violation to the person or persons responsible therefor. Such notice shall:
- (1) Be in writing.
 - (2) Include a description of the real estate sufficient for identification.
 - (3) Specify the violation which exists and the remedial action required.
 - (4) Allow a reasonable time for the performance of any act it requires.
- C. Prosecution of violation. In case any violation order is not promptly complied with, the Building Official, his designee or his legal representative may institute appropriate action or proceedings at law or in equity against the person responsible for the violation, ordering him: **[Amended 9-14-1983 by Ord. No. 865, approved 9-14-1983]**
- (1) To restrain, correct or remove the violation or refrain from any further execution of work;
 - (2) To restrain or correct the erection, installation or alteration of such building;
 - (3) To require the removal of work in violation;
 - (4) To prevent the occupation or use of the building, structure or part thereof erected, constructed, installed or altered in violation of or not in compliance with the provisions of this code or in violation of a plan or specification under which an approval, permit or certificate was issued; or
 - (5) To comply with the penalty provisions of this code.
- D. Penalty for violations. Any person, firm or corporation who shall violate any provision of this code shall, upon conviction thereof, be subject to a fine of not less than \$50 nor more than \$300, and costs of prosecution, and in default of payment of such fine and costs, to imprisonment for a term not to exceed 30 days, at the discretion of the court. Every day that a violation continues after notice has been served in accordance with the terms and provisions hereof shall be deemed a separate offense. **[Amended 12-9-1987 by Ord. No. 891, approved 12-9-1987]**
- E. Saving clause. This code shall not affect violations of any other ordinance, code or regulation of the municipality existing prior to the effective date hereof, and any such violation shall be governed and shall continue to be punishable to the full extent of the law under the provisions of those ordinances, codes or regulations in effect at the time the violation was committed.

ARTICLE II
Definitions

§ 154-6. Word usage and general provisions.

- A. Scope. Unless otherwise expressly stated, the following terms shall, for the purposes of this code, have the meanings indicated in this article.
- B. Interchangeability. Words used in the present tense include the future; words in the masculine gender include the feminine and neuter; and the singular number indicates the plural, and the plural the singular.
- C. Terms defined in Building Code. Where terms are not defined in this section and are defined in the Building Code, they shall have the same meanings ascribed to them in the Building Code.³
- D. Terms not defined. Where terms are not defined under the provisions of this code or under the provisions of the Building Code, they shall have ascribed to them their ordinarily accepted meanings or such as the context herein may imply.

§ 154-7. Terms defined.

As used in this chapter, the following terms shall have the meanings indicated:

APPROVED — As applied to a material, device or method of construction, approved by the Building Official under the provisions of this code or approved by other authority designated by law to give approval in the matter in question.

BASEMENT — That portion of a building which is partly below and partly above grade, having at least 1/2 its height above grade (see "cellar").

BUILDING CODE — The Building Code officially adopted by the Borough Council⁴ or such other code as may be officially designated by the legislative body of the jurisdiction for the regulation of construction, alternation, addition, repair, removal, demolition, use, location, occupancy and maintenance of buildings and structures.

BUILDING OFFICIAL — The official designated by the municipality to enforce building, zoning or similar laws and this code, or his duly authorized representative.

CELLAR — That portion of a building which is partly or completely below grade, having at least 1/2 of its height below grade.

DWELLINGS:* —

- A. **ONE-FAMILY DWELLING** — A building containing one dwelling unit with not more than two lodgers or boarders.*

3. Editor's Note: See Ch. 79, Building Construction, Art. I.

4. Editor's Note: See Ch. 79, Building Construction, Art. I.

- B. TWO-FAMILY DWELLING — A building containing two dwelling units with not more than two lodgers or boarders per family.*
- C. MULTIFAMILY APARTMENT HOUSE — A building or portion thereof containing more than two dwelling units and not classified as a one- or two-family dwelling.*
- D. BOARDINGHOUSE or TOURIST HOUSE — A building arranged or used for the lodging, with or without meals, for compensation, of more than two people but not more than 12 individuals.*
- E. LODGING HOUSE — Any building or portion thereof containing not more than five guest rooms which are used by not more than five guests, where rent is paid in money, goods, labor or otherwise. A "lodging house" shall comply with all requirements for dwellings.
- F. DORMITORY — A space in a building where group sleeping accommodations are provided for persons not members of the same family group in one room or in a series of closely associated rooms.
- G. HOTEL — Any building containing six or more guest rooms intended or designed to be used or which are used rented or hired out to be occupied or which are occupied for sleeping purposes by guests.*
- H. DWELLING UNIT — A single nonprofit housekeeping unit providing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation.

ENFORCEMENT OFFICER — The official designated herein or otherwise charged with the responsibilities of administering this code, or his authorized representatives.

EXTERIOR PROPERTY AREAS — The open space on the premises and/or adjoining property under the control of the owners or operators of such premises.

EXTERMINATION — The control and elimination of insects, rodents or other pests by eliminating their harborage places, by removing or making inaccessible materials that may serve as their food, by poison spraying, fumigating, trapping or by any other approved pest-elimination methods.

FAMILY — Any number of individuals, including domestic servants or gratuitous guests, living together in a single dwelling unit and maintaining a common household with cooking facilities. A roomer, boarder or lodger shall not be considered a member of a family.

FURNITURE — Any items normally kept within a dwelling unit, except lawn, patio and outdoor furnishings; the movable things within a room or apartment which equip it for living, as chairs, sofas, tables, beds, cabinetry, etc.

GARBAGE — The animal and vegetable waste resulting from the handling, preparation, cooking and consumption of food.

GROSS FLOOR AREA — The total area of all habitable space in a building or structure.

HABITABLE ROOM — A room or enclosed floor space arranged for living, eating and sleeping purposes, not including bathrooms, water closet compartment, laundries, pantries, foyers, hallways and other accessory floor spaces.

HOTEL — See "dwellings."

INFESTATION — The presence within or contiguous to a structure or premises of insects, rodents, vermin or other pests.

MOTEL — For purposes of this code, the same as a hotel.

MULTIFAMILY (MULTIPLE) DWELLING — See "dwellings."

OCCUPANT — Any person over one year of age, including the owner or operator, living and sleeping in a dwelling unit or having actual possession of said dwelling or rooming unit.

OPENABLE AREA — That part of a window or door which is available for unobstructed ventilation and which opens directly to the outdoors.

OPERATOR — Any person who has charge, care or control of a structure or premises which is let or offered for occupancy.

OWNER — The owner or owners of the freehold of the premises or lesser estate therein, a mortgagee or vendee in possession, assignee of rents, receiver, executor, trustee, lessee or other person, firm or corporation in control of a building or of premises, or their duly authorized agents.

PERSON — An individual, firm, corporation, association or partnership.

PLUMBING or PLUMBING FIXTURES — Water-heating facilities, water pipes, gas pipes, garbage and disposal units, waste lavatories, bathtubs, shower baths, installed clothes washing machines or other similar equipment, catch basins, drains, vents or other similarly supplied fixtures, together with all connections to water, gas, sewer or vent lines.

PREMISES — A lot, plot or parcel of land, including the buildings or structures thereon.*

ROOMING HOUSE — Any residence building or any part thereof containing one or more rooming units, in which space is let by the owner or operator to more than five persons who are not members of the family (See "dwellings: boardinghouse").*

RUBBISH — Combustible and noncombustible waste materials, except garbage, and the term shall include the residue from the burning of wood, coal, coke and other combustible materials, paper, rags, cartons, boxes, wood, excelsior, rubber, leather, tree branches, yard trimmings, tin cans, metals, mineral matters, glass, crockery and dust and other similar materials.

STRUCTURE — That which is built or constructed.

SUPPLIED — Installed, furnished or provided by the owner or operator.

VENTILATION — The process of supplying and removing air by natural or mechanical means to or from any space.

- A. MECHANICAL — Ventilation by power-driven devices.
- B. NATURAL — Ventilation by opening to outer air through windows, skylights, doors, louvers or stacks without wind-driven devices.

WORKMANLIKE — Whenever the words "workmanlike state of maintenance and repair" are used in this code, they shall mean that such maintenance and repair shall be made in a reasonably skillful manner.

YARD — An open, unoccupied space on the same lot with a building extending along the entire length of a street or rear or interior lot line.

*NOTE: Whenever the words "multifamily dwelling," "residence building," "dwelling unit," "rooming house," "rooming unit" or "premises" are used in this code, they shall be construed as though they were followed by the words "or any part thereof."

ARTICLE III Environmental Requirements

§ 154-8. Scope.

The provisions of this article shall govern the minimum conditions of property and buildings. Every building or structure occupied by humans and the premises on which it stands shall comply with the conditions herein prescribed as they may apply thereto.

§ 154-9. Exterior property areas.

- A. General. A person shall not occupy any structure or premises which does not comply with the following requirements. The Building Official of the municipality shall cause periodic inspections to be made of all premises to secure compliance with these requirements.
- B. Sanitation. All exterior property areas shall be maintained in a clean and sanitary condition, free of rubbish, garbage and animal excrement. **[Amended 9-14-1983 by Ord. No. 865, approved 9-14-1983]**
- C. Grading and drainage. All premises shall be graded and maintained so as to prevent the accumulation of stagnant water thereon or within any building or structure located thereon, and, further, so as to prevent erosion and drainage onto adjacent properties or into streets or public ways. **[Amended 9-14-1983 by Ord. No. 865, approved 9-14-1983]**

- D. Porches, carports and sheds. Such areas, open and visible to the public eye, shall remain free of discarded or broken household furnishings, appliances, junk, etc., and similar items not currently being used, excluding the type designed for use in such structures. Such structures shall be kept in a sanitary and orderly manner, free of litter, rubbish and garbage not stored in approved covered containers as required by law. **[Amended 9-14-1983 by Ord. No. 865, approved 9-14-1983; 12-9-1987 by Ord. No. 891, approved 12-9-1987]**
- E. Insect and rodent harborage. Every owner of a structure or property shall be responsible for the extermination of insects, rodents, vermin or other pests in all exterior areas of the premises, except that the occupant shall be responsible for such extermination in the exterior areas of the premises of a single-family dwelling. Whenever infestation exists in the shared or public parts of the premises of other than a single-family dwelling, extermination shall be the responsibility of the owner.
- F. Accessory structures. All accessory structures, including detached garages, shall be maintained structurally sound and in good repair and in compliance with all other requirements of this article. **[Amended 9-14-1983 by Ord. No. 865, approved 9-14-1983]**
- G. Motor vehicles. Not more than one currently unregistered and/or uninspected motor vehicle shall be parked on any property in a residential district, and at no time shall said vehicle be in any state of major disassembly, disrepair or shall it be in the process of being stripped or dismantled. At no time shall any vehicle of any type undergo major overhaul, including body work, in a residential district.

§ 154-10. Exterior structures.

- A. General. A person shall not occupy any structure or portion thereof which does not comply with the following requirements.
- B. Exterior walls. Every exterior wall shall be free of holes, breaks, loose or rotting boards or timbers. All exterior surface material must be painted in accordance with acceptable standards, and all siding materials must be kept in good repair.
- C. Roofs. The roof shall be structurally sound, tight and have no defects which might admit rain, and roof drainage shall be adequate to prevent rainwater from causing dampness in the walls or interior portion of the building.
- D. Stairs, porches and railings.
- (1) Stairs and other exit facilities shall be adequate for safety as provided in the Building Code and shall comply with the following subsection.
 - (2) Structural safety. Every outside stair, every porch and every appurtenance attached thereto shall be so constructed as to be safe to use and capable of supporting the loads to which it is subjected as required by the Building Code and shall be kept in sound condition and good repair.

- E. Window and door frames to fit in wall. Every window, door and frame shall be constructed and maintained in such relation to the adjacent wall construction so as to exclude rain as completely as possible and to substantially exclude wind from entering the dwelling or structure. **[Amended 9-14-1983 by Ord. No. 865, approved 9-14-1983]**

§ 154-11. Interior structures.

- A. General. Every building and structure shall comply with the following requirements, and, further, no person shall occupy or use any structure or portion thereof which does not comply with said requirements. **[Amended 9-14-1983 by Ord. No. 865, approved 9-14-1983]**
- B. Sanitation. The interior of every dwelling and structure shall be maintained in a clean and sanitary condition, free from any accumulation of rubbish, garbage, refuse or any uncontained human or animal food which can attract rodents or insects. Rubbish, garbage and other refuse shall be properly kept inside temporary storage facilities as required.
- C. Insect and rodent harborage. Buildings shall be kept free from insect and rodent infestation, and, where insects or rodents are found, they shall be promptly exterminated by acceptable processes which will not be injurious to human health. After extermination, proper precautions shall be taken to prevent reinfestation.
- D. Extermination from buildings. Every owner of a dwelling or multifamily dwelling shall be responsible for the extermination of insects, rodents, vermin or other pests whenever infestation exists in two or more of the dwelling units or in the shared or public parts of the structure.
- E. Extermination from single dwelling units. The occupant of a dwelling unit in a dwelling or multifamily dwelling shall be responsible for such extermination within the unit occupied by him whenever his dwelling unit is the only unit in the building that is infested.
- F. Responsibility of owner. Notwithstanding the foregoing provisions, whenever infestation of rodents is caused by failure of the owner to maintain any dwelling or multifamily dwelling in a rodent-proof condition, extermination of such rodents shall be the responsibility of the owner.

§ 154-12. Grass, weeds and other vegetation. [Added 12-9-1987 by Ord. No. 891, approved 12-9-1987]

It shall be unlawful for any person, persons, firm or corporation owning or having a personal interest in any real estate in the Borough of Camp Hill to permit any grass or weeds or any vegetation whatsoever not edible or planted for some useful or ornamental purpose to grow or remain upon such premises so as to exceed a height of six inches or to throw off any unpleasant or noxious odor or to conceal any filthy deposit or to create or produce pollen. Any such grass, weeds or other vegetation growing upon any premises in the Borough in violation of any of the provisions of this section is hereby declared to be a nuisance and detrimental to the health, safety, cleanliness and comfort of the inhabitants of the Borough.

Part 2
BOCA National Property Maintenance Code
[Adopted 5-8-1996 by Ord. No. 952B, approved 5-8-1996]

ARTICLE IV
Adoption of Standards

§ 154-13. Adoption of standards by reference.

A certain document, copies of which are on file in the office of the Borough Manager of the Borough of Camp Hill, being marked and designated as "The BOCA National Property Maintenance Code, Fourth Edition, 1993," as published by the Building Officials and Code Administrators International, Inc., be and is hereby adopted as the Property Maintenance Code of the Borough of Camp Hill in the Commonwealth of Pennsylvania, for the 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 out in this Part 2 of this chapter, with the additions, insertions and changes prescribed in § 154-15.

§ 154-14. Repealer.

All ordinances or parts of ordinances insofar as they are inconsistent herewith be, and the same are hereby repealed.

§ 154-15. Additions, insertions and changes.

The following sections are hereby revised as follows:

A. Section PM-101.1 is amended to read:

PM-101.1 Title: These regulations shall be known as the "Property Maintenance Code of the Borough of Camp Hill," hereinafter referred to as "this code."

B. Section PM-105.1 is amended to read:

PM-105.1 General: The Code Official shall enforce all of the provisions of this code. The phrase "Code Official," "Building Inspector," or "Building Official" as used herein shall be the Borough Manager or his designee.

C. Section PM-105.9 is deleted in its entirety.

D. Section PM-106.2 is amended to read:

PM-106.2 Penalty: Any person who shall violate a provision of this Code shall, upon conviction thereof be subject to a fine of not less than \$50, nor more than \$300 or imprisonment for a term not to exceed 30 days, or both, at the discretion of the court. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

E. Section PM-111.1 is amended to read:

PM-111.1 Application for appeal: Any person shall have the right to appeal a decision of the Code Official to the Borough Council sitting as the Board of Appeals. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply, or an equivalent form of construction is to be used.

F. Section PM-111.2 is deleted in its entirety.

G. Section PM-111.5 is amended to read:

PM-111.5 Postponed hearing: When a majority of Council members is not present to hear an appeal, either the appellant or the appellant's representative shall have the right to request a postponement of the hearing.

H. Section PM-111.6 is amended to read:

PM-111.6 Board decision: The Board shall modify or reverse the decision of the Code Official only by a concurring vote of a majority of members present.

I. Section PM-202.0, the following definitions are amended:

One-family dwelling: A building containing one dwelling unit with not more than two lodgers or boarders.

Two-family dwelling: A building containing two dwelling units with not more than two lodgers or boarders per family.

J. Section PM-303.4 is amended to read:

PM-303.4 Weeds: All premises and exterior property shall be maintained free from weeds or plant growth in excess of six inches. All noxious weeds shall be prohibited. "Weeds" shall be defined as all grasses, annual plants and vegetation, other than trees or shrubs; provided, however, that this term shall not include cultivated flowers and gardens.

K. Section PM-304.12 is amended to read:

PM-304.12 Insect screens: During the period from May 1 to October 30, every door, window and other outside opening utilized or required for ventilation purposes serving any structure containing habitable rooms, food preparation areas, food service areas, or any areas where products to be included or utilized in food for human consumption are processed, manufactured, packaged or stored, shall be supplied with approved tightly fitting screens of not less than 16 mesh per inch, and every swinging door shall have a self-closing device in good working condition.

L. Section PM-602.2.1 is amended to read:

PM-602.2.1 Heat supply: Every owner and operator of any building who rents, leases or lets one or more dwelling unit, rooming unit, dormitory or guest room on terms, either express or implied, to furnish heat to the occupants thereof shall supply sufficient heat during the period as provided by Pennsylvania Landlord and Tenant Act, as from time to time amended and supplemented.

M. Section PM-602.3 is amended to read:

PM-602.3 Nonresidential structures: Every enclosed, occupied work space shall be supplied with sufficient heat during the period established in Section PM-602.2.1 to maintain a temperature of not less than 65° F. (18° C.) during all working hours.

Exceptions:

1. Processing, storage and operation areas that require cooling or special temperature conditions.
2. Areas in which persons are primarily engaged in vigorous physical activities.

§ 154-16. Effect on pending court cases and other laws and remedies.

Nothing in Part 2 of this chapter or in the Property Maintenance Code hereby adopted shall be construed to affect any suit or proceeding impending 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 § 154-14, nor shall any just or legal right or remedy of any character be lost, impaired or affected by Part 2 of this chapter.

§ 154-17. Responsibility of Borough Manager; when effective.

The Borough Manager of the Borough of Camp Hill is hereby authorized and directed to do all matters and things required to be done for the proper carrying out of the purposes of Part 2 of this chapter, which shall take effect upon adoption.

