

CHAPTER 5
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PART 1

UNIFORM CONSTRUCTION CODE

§5-101. Election to Enforce Pennsylvania Construction Act.

The Borough of East McKeesport hereby elects to administer and enforce the provisions of the Pennsylvania Construction Code Act, Act 45 of 1999, 35 P.S. §§7210.101 - 7210.103, as amended from time to time, and its regulations.

(Ord. 842, 7/24/2004, §1)

§5-102. Uniform Construction Code Adopted.

The Uniform Construction Code, contained in 34 Pa.Code, Chapters 401-405, as amended from time to time, is hereby adopted and incorporated herein by reference as the Municipal Building Code of this Borough.

(Ord. 842, 7/24/2004, §2)

§5-103. Administration and Enforcement.

Administration and enforcement of the Code within this Borough shall be undertaken in any of the following ways as determined by the governing body of this Borough from time to time by resolution:

- A. By the retention of one or more construction code officials or third-party agencies to act on behalf of the Borough.

(Ord. 842, 7/24/2004, §3)

§5-104. Board of Appeals.

A Board of Appeals shall be established by resolution of the governing body of the Borough of East McKeesport in conformity with the requirements of the relevant provisions of the Code, as amended from time to time, and for the purposes set forth therein. If at any time enforcement and administration is undertaken jointly with one or more other municipalities, said Board of Appeals shall be established by joint action of the participating municipalities.

(Ord. 842, 7/24/2004, §4)

§5-105. Savings and Repeals.

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1. All building code ordinances or portions of ordinances which were adopted by the Borough of East McKeesport on or before July 1, 1999, and which equal or exceed the requirements of the Code shall continue in full force and effect until such time as such provisions fail to equal or exceed the minimum requirements of the Code, as amended from time to time.
2. All building code ordinances or portions of ordinances which are in effect as of the effective date of this Part and whose requirements are less than the minimum requirements of the Code are hereby amended to conform with the comparable provisions of the Code.
3. All relevant ordinances, regulations and policies of the Borough of East McKeesport not governed by the Code shall remain in full force and effect.

(Ord. 842, 7/24/2004, §5)

§5-106. Fees.

Fees assessable by the Borough of East McKeesport for the administration and enforcement undertaken pursuant to this Part and the Code shall be established by the Council of the Borough of East McKeesport by resolution from time to time.

(Ord. 842, 7/24/2004, §6)

§5-107. Effective Date.

This Part shall be effective retroactive to July 8, 2004, the date of passage of the resolution passed by Borough Council establishing standards for the administration and enforcement of the Uniform Construction Code.

(Ord. 842, 7/24/2004, §7)

PART 2

PROPERTY MAINTENANCE CODE

§5-201. Adoption of Property Maintenance Code.

A certain document, a copy of which is on file in the office of the Secretary of the Borough of East McKeesport, being marked and designated as the International Property Maintenance Code of 2003, as amended, be and is hereby adopted as the Property Maintenance Code of the Borough of East McKeesport, County of Allegheny, 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 International Property Maintenance Code are hereby referred to, adopted, and made a part hereof, as if set out in this Part, with the additions, insertions, deletions and changes, if any, prescribed in §5-202 of this Part.

(Ord. 852, 5/12/2005, §1)

§5-202. Additions, Insertions and Changes.

The International Property Maintenance Code is amended and revised in the following respects:

A. Title (Section PM 101.1).

These regulations shall be known as the Property Maintenance Code of the Borough of East McKeesport, hereinafter referred to as "this Code."

B. Fees (Section PM 103.5).

The fees for activities and services performed by the Borough in carrying out its responsibilities under this Code shall be as indicated on the current Fee Resolution of the Borough of East McKeesport, a copy of the most current fee resolution being attached hereto.¹

C. Violation Penalties (Section PM 106.4).

- (1) Any individual, firm or corporation that violates any provisions of this Part commits a summary offense and shall, upon conviction, be sentenced to pay a fine of not less than \$250 and not more than \$1,000 plus costs.

¹Editor's Note" The current fee resolution is codified immediately preceding Chapter 1, "Administration and Government," in this Code of Ordinances.

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- (2) Each day that the violation of this Part continues shall be considered a separate violation.

D. Weeds (Section PM 302.4).

All premises and exterior property within the Borough shall be maintained free from weeds or plant growth in excess of 8 inches.

E. Insects (Section PM 304.14).

For the Borough of East McKeesport, the period of time for installation of insect screens shall be April 1 through September 30 of each year.

F. Heat Supply (Section PM 602.3).

Every owner and operator of a building within the Borough of East McKeesport who rents, leases, or lets one or more dwelling unit, rooming unit, dormitory or guest room on terms, either expressed or implied, to furnish heat to the occupants thereof, shall supply heat during the period from January 1 through December 31 of each year to maintain a temperature of not less than 68 degrees Fahrenheit in all habitable rooms, bathrooms and toilet rooms.

G. Occupiable Work Spaces (Section PM 602.4).

Indoor occupiable work spaces within the Borough of East McKeesport shall be supplied heat during the period from January 1 through December 31 to maintain the temperature of not less than 65 degrees Fahrenheit during the period the spaces are occupied.

H. Appeal to Board of Appeals (Section PM 111).

Any person filing an appeal from the decision of the code enforcement officer when notice or order issued under this code has been received shall post a filing fee of \$250 with the Borough Secretary. Appellant shall also be responsible for all costs incurred by the Borough including costs of transcripts, publication of hearing notices, and any other costs incurred by the Borough.

(Ord. 852, 5/12/2005, §3)

§5-203. Saving Clause.

Nothing in this Part 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 insured, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in this Part; nor shall any just or legal right or remedy of any character be lost, impaired, or affected by this Part.

(Ord. 852, 5/12/2005, §4)

