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ORDINANCE NO. 1069 -- 2011

AN ORDINANCE OF THE BOROUGH OF PHILIPSBURG, CENTRE COUNTY, PENNSYLVANIA, AMENDING THE CURRENT RENTAL INSPECTION ORDINANCE TO PROVIDE A DEFINITION FOR THE TERM RENTAL UNIT, AND TO PROVIDE EXPLICITLY FOR THE INSPECTION OF VARIOUS NON-COMMERCIAL PROPERTIES, INCLUDING HOTEL UNITS AND BED AND BREAKFASTS.

BE IT ENACTED AND ORDAINED by the Philipsburg Borough Council, and it is hereby enacted and ordained by the authority of the same as follows:

SECTION 1: Part 3, Section 304, entitled "Inspection of Rental Units; Fee," of Chapter 5 of the Philipsburg Borough Code is hereby amended to further define the term "rental unit." Therefore, Part 3, Section 304 of Chapter 5 shall be amended to include the following new subsection:

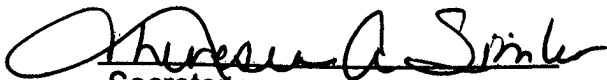
3. For purposes of this Part, the term "rental unit" shall be defined as any single family or multi-family structure containing one or more dwelling units, housekeeping units, rooming units, sleeping units, or any other type of arrangement that is leased, rented, or otherwise occupied for non-commercial purposes, whether intended as a domicile or for temporary sleeping accommodations, by a person or persons other than the owner(s) or owner's family. Without limiting the foregoing, the term "rental unit" shall include but not be limited to single and multi-family homes, apartment units, dwelling houses, rooming houses, hotel rooms, bed and breakfasts, or any similar arrangement.

SECTION 2: Any Ordinance or parts of Ordinances of the Borough of Philipsburg, Centre County Pennsylvania, conflicting with this Ordinance or any part thereof is hereby repealed insofar as the same affects this Ordinance.

ADOPTED as an Ordinance of the Philipsburg Borough Council of the Borough of Philipsburg, Centre County, Pennsylvania, at a meeting of said Borough Council held on the 15th day of August, 2011.

IN WITNESS WHEREOF, we hereunto set our hands and corporate seals this 15th day of August, 2011.

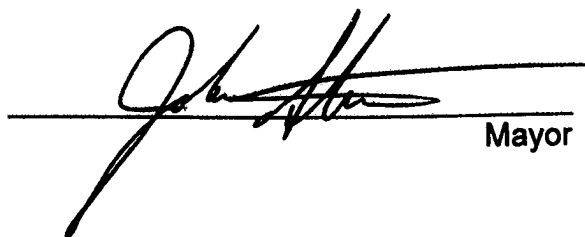
ATTEST:


Secretary

BOROUGH OF PHILIPSBURG

BY 
President of Council

EXAMINED AND APPROVED by me this 15th day of August, 2011.


Mayor

PART 1

UNIFORM CONSTRUCTION CODE

§5-101. Adoption of the Uniform Construction Code.

1. The Borough hereby elects to administer and enforce the provisions of the Pennsylvania Construction Code Act, Act 45 of 1999, as amended from time to time, and its regulations.
2. The Uniform Construction Code, contained in 34 Pa. Code, Chapters 401-403, as amended from time to time, is hereby adopted and incorporated herein by reference as the municipal building code of this Borough.
3. Administration and enforcement of the Code within this Borough shall be undertaken in any of the following ways as determined by the Borough Council of this Borough, from time to time, by resolution:
 - A. By the designation of an employee of the Borough to serve as the Borough Code Official to act on behalf of the Borough;
 - B. By the retention of one or more construction code officials or third party agencies to act on behalf of the Borough;
 - C. By agreement with one or more other municipalities for the joint administration and enforcement of this Act through an intermunicipal agreement;
 - D. By entering into a contract with another municipality for the administration and enforcement of this Act on behalf of this Borough;
 - E. By entering into an agreement with the Pennsylvania Department of Labor and Industry for plan review, inspections and enforcement of structures other than one-family or two-family dwelling units and utility and miscellaneous use structures.
4. A Board of Appeals shall be established by resolution of the Borough Council of this Borough 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 anytime 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.¹
5. Previously Adopted Ordinances and Regulations.

¹ Editor's Note: By agreement, the Borough currently utilizes the services of the Centre County Council of Governments Uniform Construction Code Board of Appeals.

CODE ENFORCEMENT

- A. All building code ordinances or portions of ordinances which were adopted by this Borough 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.
 - B. 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.
 - C. All relevant ordinances, regulations and policies of this Borough not governed by the Code shall remain in full force and effect.
6. Fees assessable by the Borough for the administration and enforcement undertaken pursuant to this Part and the Code shall be established by the Borough Council by resolution, from time to time.

(Ord. 1024, 6/9/2004)