

**Chapter 159**

**PROPERTY MAINTENANCE**

**§ 159-1. Adoption of standards.**

**§ 159-2. Modification of standards.**

**§ 159-3. Repealer.**

**§ 159-4. Effect on pending proceedings.**

**[HISTORY: Adopted by the Borough Council of the Borough of North Wales 7-24-2001 by Ord. No. 708. Amendments noted where applicable.]**

GENERAL REFERENCES

Brush, grass and weeds — See Ch. 96.  
Building construction — See Ch. 99.

**§ 159-1. Adoption of standards.**

A certain document, three copies of which are on file in the office of the Secretary of the Borough of North Wales, Pennsylvania being marked and designated as the "International Property Maintenance Code" as published by the International Code Council, Inc., be and is hereby adopted as the Property Maintenance Code of the Borough of North Wales 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 Property Maintenance Code are hereby referred to, adopted and made a part hereof; as if fully set out in this chapter, with the additions, insertions, deletions and changes, if any, prescribed in § 159-2 of this chapter.

**§ 159-2. Modification of standards.**

The following information shall be included in and as part of the text of the aforesaid Property Maintenance Code:

- A. In Section 101.1, the words "Borough of North Wales" shall be inserted where the words "Name of Jurisdiction" appear.
- B. Section 103.6, Fees, is revised to read: "Fees for activities and services performed by the Code Officials in carrying out their responsibilities under this Code shall be paid in accordance with the schedule of fees adopted from time to time by resolution of the Borough Council."
- C. Section 104.1, General, is revised to read "The Borough Manager, Building Inspector and the Fire Marshals of the Borough of North Wales shall be Code Officials for purposes of the Code."
- D. Inspections. Notwithstanding any inspection or inspections mandated by the Code, and in addition thereto, the Code Official shall make the following inspections, to be part of the text of the code at new section 104.3A:
  - "1. Single-family dwelling: prior to the dwelling unit's being occupied by a new owner.
  2. All other residential uses or structures defined as Use Group R-1, R-2 or R-3 in Section 310.1 of the Building Code; each unit; and common areas, including but not limited to hallways, corridors, stairways, laundry rooms and common rooms, annually.
  3. Industrial/commercial/retail establishments: each unit; and common areas, including but not limited to hallways, corridors, stairways and common rooms, prior to being occupied by a new owner or tenant.
  4. Schools: each classroom; and common areas, including but not limited to hallways, corridors, stairways and common rooms annually.

5. Churches and other places of religious worship; common areas, including but not limited to hallways, corridors, stairways and common rooms, annually."

D.1. In Section 106.3, Prosecution of violation, the first sentence to be revised to read as follows:

"Any person failing to comply with a notice of violation or order served in accordance with Section 107 shall be deemed guilty of a non-traffic summary violation and subject to the penalties as prescribed by the Borough Code and noted in Section 106.4. **[Added 7-22-2003 by Ord. No. 725]**

E. Section 106.4, Violation penalties, shall be revised to read as follows: "Any person, firm or corporation who shall violate any provision of this Code, or fail to comply with any requirements thereof, shall upon conviction thereof, be guilty of a summary offense, and shall be subject to a fine of not more than \$1,000 plus costs of prosecution and, in default of payment of such fine and costs, shall be sentenced to imprisonment for a period of not more than 30 days." Each day that a violation continues after notice has been served shall be deemed a separate offense. **[Amended 7-22-2003 by Ord. No. 725]**

F. Section 111.2 relating to the Board of Appeals shall be modified by deleting the word "three" in the second line and replacing with the word "nine" and by deleting the words "who are qualified by experience and training to pass on matters pertaining to property maintenance and who are not employees of the jurisdiction." and by deleting the words "The board shall be appointed by the chief appointing authority, and shall serve staggered and overlapping terms" and substituting the words "The Board shall be the Borough Council."

G. Section 111.2.1 relating to alternate members shall be deleted.

- H. Section 303.14 is revised to replace the words "during the period from (DATE) to (DATE)" with the words "at all times."
- I. Section 602.3 is revised to replace the words "(DATE) to (DATE)" with the words "September 30 to March 30."
- J. Section 602.4 is revised to replace the words "(DATE) to (DATE)" with the words "September 30 to March 30."

§ 159-3. Repealer.

That Ordinance Number 649 of the Borough of North Wales entitled the Property Maintenance and all other ordinances or parts of ordinances in conflict herewith are hereby repealed.

**§ 159-4. Effect on pending proceedings.**

Nothing in 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 § 159-3 of this chapter; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this chapter.