

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 292 Session of  
1997

INTRODUCED BY BUXTON, CAWLEY, VAN HORNE, TIGUE, ROONEY, SANTONI,  
BELARDI, STABACK, BROWNE, ARGALL, STURLA, MELIO, BOSCOLA,  
MIHALICH, CAPPABIANCA, SAYLOR, WOJNAROSKI, SHANER, SCRIMENTI  
AND RUBLEY, FEBRUARY 5, 1997

REFERRED TO COMMITTEE ON URBAN AFFAIRS, FEBRUARY 5, 1997

AN ACT

1 Amending the act of June 23, 1931 (P.L.932, No.317), entitled  
2 "An act relating to cities of the third class; and amending,  
3 revising, and consolidating the law relating thereto,"  
4 authorizing the adoption of property maintenance ordinances;  
5 and further providing for fines and penalties.

6 The General Assembly of the Commonwealth of Pennsylvania  
7 hereby enacts as follows:

8 Section 1. The heading of subdivision (d) of Article XLI of  
9 the act of June 23, 1931 (P.L.932, No.317), known as The Third  
10 Class City Code, reenacted and amended June 28, 1951 (P.L.662,  
11 No.164) and amended July 29, 1971 (P.L.250, No.61), is amended  
12 to read:

13 (d) Building, Housing, Property Maintenance,

14 Fire Prevention, Plumbing and Electrical Ordinances

15 Section 2. Sections 4130, 4131, 4132 and 4133 of the act,  
16 amended July 29, 1971 (P.L.250, No.61), are amended to read:

17 Section 4130. Building Ordinance [and], Housing Ordinance,  
18 Property Maintenance Ordinance, Fire Prevention Ordinance,

1 Electrical Ordinance and Plumbing Ordinance.--Each city may  
2 enact a building ordinance, a housing ordinance, a property  
3 maintenance ordinance, a fire prevention ordinance, an  
4 electrical ordinance, and a plumbing ordinance, which may  
5 provide for the following matters:

6 (a) A system of specifications and regulations to insure the  
7 structural safety and the incombustibility of buildings and  
8 housing constructed, reconstructed, altered, enlarged, repaired  
9 or maintained within the city.

10 (b) A system of specifications and regulations for the  
11 setting out, construction, alteration, repair, maintenance,  
12 occupation, sanitation, ventilation, lighting, electric wiring,  
13 water supply, toilet facilities, drainage, plumbing, use and  
14 inspection of all buildings and housing or parts of buildings  
15 and housing, and the walls and foundations thereof, constructed,  
16 erected, altered, designated, or used, in whole or in part, for  
17 human habitation, and for the sanitation and inspection of land  
18 appurtenant thereto.

19 Section 4131. Form of Building Ordinance, Housing Ordinance,  
20 Property Maintenance Ordinance, Fire Prevention Ordinance, and  
21 Plumbing Ordinance; Passage; Penalties.--The building ordinance,  
22 the housing ordinance, the property maintenance ordinance, the  
23 fire prevention ordinance, the electrical ordinance and the  
24 plumbing ordinance may adopt any standard or nationally  
25 recognized building code, any standard or nationally recognized  
26 housing code, any standard or nationally recognized property  
27 maintenance code, any standard or nationally recognized fire  
28 prevention code, [or] any standard or nationally recognized  
29 electrical code, or any standard or nationally recognized  
30 plumbing code, or any variations or changes or parts thereof,

1 published and printed in book form, covering any or all of the  
2 above items, without incorporating such code in the ordinance,  
3 or any city may enact any such building code, housing code,  
4 property maintenance code, fire prevention code, electrical  
5 code, or plumbing code, or any changes or variations or parts  
6 thereof, as its building ordinance, as its housing ordinance, as  
7 its property maintenance ordinance, as its fire prevention code,  
8 as its electrical code or as its plumbing code. In either event,  
9 the building ordinance or code, the housing ordinance or code,  
10 the property maintenance ordinance or code, the fire prevention  
11 ordinance or code, the electrical ordinance or code, and the  
12 plumbing ordinance or code, or any changes or variations or  
13 parts thereof, need not be advertised after passage, but notice  
14 of its consideration, in reasonable detail shall be published as  
15 required by section one thousand fourteen of this act. Not less  
16 than three copies of the building ordinance, the housing  
17 ordinance, the property maintenance ordinance, the fire  
18 prevention ordinance, the electrical ordinance or the plumbing  
19 ordinance adopted by council shall be made available to public  
20 inspection and use during business hours for at least three  
21 months after its adoption. The building ordinance, the housing  
22 ordinance and the property maintenance ordinance may provide  
23 penalties of fine not exceeding one per month and limited to no  
24 more than one thousand dollars for the first two violations of  
25 the same subsection of such ordinance and not exceeding ten  
26 thousand dollars for the third and any subsequent violation of  
27 the same subsection of such ordinance. The [building ordinance,  
28 the housing ordinance, the] fire prevention ordinance, the  
29 electrical ordinance, and the plumbing ordinance may provide  
30 [proper fines and penalties] penalties of fine not exceeding

1 [three hundred dollars] one thousand dollars for violations  
2 thereof. The procedure herein set forth relating to the adoption  
3 of such building ordinances, housing ordinances, property  
4 maintenance ordinances, fire prevention ordinances, electrical  
5 ordinances and plumbing ordinances may likewise be adopted in  
6 amending, supplementing or repealing any of the provisions of  
7 such ordinances.

8 Section 4132. Building Inspectors, Housing Inspectors,  
9 Property Maintenance Inspectors, Fire Prevention Inspectors,  
10 Electrical Inspectors, and Plumbing Inspectors.--Council may  
11 appoint building inspectors, housing inspectors, property  
12 maintenance inspectors, fire prevention inspectors, electrical  
13 inspectors and plumbing inspectors and fix their compensation.  
14 Such inspectors shall have the right to enter upon and inspect  
15 any and all premises at all reasonable hours for the  
16 administration and enforcement of the building ordinance, the  
17 housing ordinance, the property maintenance ordinance, the fire  
18 prevention ordinance, the electrical ordinance and the plumbing  
19 ordinance. Any fees payable to them under the building  
20 ordinance, the housing ordinance, the property maintenance  
21 ordinance, the fire prevention ordinance, the electrical  
22 ordinance and the plumbing ordinance shall be paid by them to  
23 the city treasurer for the use of the city as promptly as may  
24 be.

25 Section 4133. Actions to Restrain Violations.--The city may,  
26 in addition to the penalties provided by its building ordinance,  
27 its housing ordinance, its property maintenance ordinance, its  
28 fire prevention ordinance, its electrical ordinance and its  
29 plumbing ordinance, bring actions at law or in equity to prevent  
30 or restrain, correct or abate any violations of its building

1 ordinance, its housing ordinance, its property maintenance  
2 ordinance, its fire prevention ordinance, its electrical  
3 ordinance and its plumbing ordinance.

4 Section 3. This act shall take effect in 60 days.