

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 541 Session of 1997

INTRODUCED BY PICCOLA, BRIGHTBILL, ULIANA, JUBELIRER, MELLOW, AFFLERBACH, GERLACH, HELFRICK, O'PAKE, ROBBINS, MADIGAN, WOZNIAK, THOMPSON AND DELP, FEBRUARY 25, 1997

REFERRED TO URBAN AFFAIRS AND HOUSING, FEBRUARY 25, 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,  
19 Electrical Ordinance and Plumbing Ordinance.--Each city may

1 enact a building ordinance, a housing ordinance, a property  
2 maintenance ordinance, a fire prevention ordinance, an  
3 electrical ordinance, and a plumbing ordinance, which may  
4 provide for the following matters:

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

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

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

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