CHAPTER 11

HOUSING

PART 1

INSPECTION OF RESIDENTIAL UNITS.

§11-101. Definitions
§11-102. Appointment and Duties of Inspection Compliance Official
§11-103. Prohibition of Occupancy
§11-104. Inspection Requirements
§11-105. Issuance and Display of Certificate of Compliance
§11-106. Notice Requirements
§11-107. Responsible Party
§11-108. Penalties
§11-109. Fee Schedule
§11-110. Effective Date

PART 1

INSPECTION OF RESIDENTIAL UNITS.

§11-101. Definitions.

As used in this Part, the following terms shall have the meaning indicated, unless a different meaning clearly appears from the context:

BOCA - Building Officials and Code Administrators International, Inc.

CITY - the City of Lock Haven, Clinton County, Pennsylvania.

CODE - the code setting forth maintenance standards for existing structures.

INSPECTION COMPLIANCE OFFICIAL - the official who is charged with the administration of this Part, or any duly authorized representative of said official.

OWNER - the legal or beneficial holder of title to a premises. The parent or child of the legal or beneficial holder of title of a single-family residence residing in said single-family residence shall be considered an "owner." [*Ord. 514B*]

RESIDENTIAL UNIT - any structurally enclosed area, including or intended to include sleeping facilities.

(*Ord. 442B*, 1/21/1993, §1; as amended by *Ord. 541B*, 4/20/1998, §I)

§11-102. Appointment and Duties of Inspection Compliance Official.

For the administration of this Part, an inspection compliance official shall be appointed by City Council. The inspection compliance official shall administer this Part in accordance with its terms. The inspection compliance official shall be responsible for instituting enforcement proceedings on behalf of the City.

(*Ord. 442B*, 1/21/1993, §2)

§11-103. Prohibition of Occupancy.

No residential unit shall be occupied by other than the owner thereof unless there is displayed at the structure in which the unit is located a certificate of inspection as required by the provisions of this Part.

(*Ord. 442B*, 1/21/1993, §3)

§11-104. Inspection Requirements.

Residential units occupied or to be occupied by other than the owner thereof shall be subject to inspection in accordance with the provisions of this Part:

A. **Purpose.** Inspections required by this Part shall be for the purpose of determining compliance with the provisions of the Code as in effect in the City on the date of inspection.

B. **Permitted Inspectors.** Inspections required by this Part shall be conducted only by individuals or agencies certified as an inspector by BOCA, as to the type of premises to be inspected. No employee of the City shall be permitted to conduct such inspections. Any individual or agency desiring to conduct inspections required by this Part shall provide proof of current certification to the City.

C. **Timing of Inspections.**

(1) As for any residential unit unoccupied or occupied by the owner on or after the effective date hereof, a certificate of inspection shall be issued and displayed prior to occupancy of such residential unit by anyone other than the owner and subsequent inspections shall occur as set forth in subsection (C)(2).

(2) As for any residential unit occupied by other than the owner as of the effective date hereof and for all subsequent inspections, inspections required by this Part shall be completed and the certificate of inspection issued and displayed not later than December 31 of the year for which inspection is required. In no event shall such an inspection be conducted prior to January 1 of the year for which inspection is required. The City shall be divided into districts as follows:

(a) District I - First Ward of the City.

(b) District II - Second Ward of the City.

(c) District III - Third Ward of the City.

(d) District IV - Fourth Ward of the City.

(e) District V - Fifth Ward of the City.

Residential units subject to the inspection requirements of this Part and located in District I shall be inspected during the calendar year in which the Part shall become effective and every fifth year thereafter. Residential units subject to the inspection requirements of this Part and located in District II shall be inspected during the first calendar year subsequent to the year in which this Part becomes effective and every fifth year thereafter. Residential units subject to the inspection requirements of this Part and

located in District III shall be inspected during the second calendar year subsequent to the year which this Part becomes effective and every fifth year thereafter. Residential units subject to the inspection requirements of this Part and located in District IV shall be inspected during the third calendar year subsequent to the year in which this Part becomes effective and every fifth year thereafter. Residential units subject to the inspection requirements of this Part and located in District V shall be inspected during the fourth calendar year subsequent to the year in which this Part becomes effective and every fifth year thereafter. [*Ord. 509B*]

D. **Exceptions.**

(1) Any residential unit occupied or to be occupied by other than the owner thereof shall be excepted from the inspection requirements of this Part upon proof submitted to the inspection compliance official that such unit is subject to a requirement by other governmental agency of safety inspection similar to inspection under subsection (A), above, at least once every 5 years and in compliance with such inspection requirements. [*Ord. 509B*]

(2) No residential unit which would otherwise be subject the inspection requirements of this Part shall be required to be inspected within the 5 calendar years subsequent to the year in which any certificate of occupancy required before occupancy of new construction is issued. [*Ord. 509B*]

(3) When a certificate of inspection has been issued prior to a residential unit being occupied by other than the owner, said residential unit shall not be subject to reinspection under the terms of this Part prior to the first applicable calendar year occurring after the calendar year subsequent to issuance of the initial certificate of inspection.

(*Ord. 442B*, 1/21/1993, §4; as amended by *Ord. 509B*, 8/25/1996, §§1-3)

§11-105. Issuance and Display of Certificate of Compliance.

1. **General Provision.** Upon submission of proof that an inspection required by this Part has been completed and that there were no violations found of the Code as in effect on the date of inspection, or that any such violations have been corrected in accordance with said Code, the inspection compliance officer shall issue a certificate of inspection for the structure with each residential unit therein which was inspected listed upon said certificate. The certificate of inspection shall be displayed in plain view within the unit or structure.

2. **Form of Proof of Inspection.** Proof of inspection and absence of any violations of the Code shall be in such form as approved, from time to time, by the inspection compliance official.

3. **Time of Issuance of Certificate of Compliance.** The inspection compliance official shall either issue the certificate of compliance or a written rejection with the reasons for rejection specified within 14 days of submission of the required form.

(*Ord. 442B*, 1/21/1993, §5)

§11-106. Notice Requirements.

1. **Newspaper Advertisement.** The inspection compliance official shall each year cause notice to be published two times in newspaper of general circulation within the City. The first notice shall be published during January of each calendar year and the second notice shall be published during October of each calendar year. The notice shall set forth the district for which inspection of residential units occupied by other than the owner is required during the year of publication, that inspection may be required before a residential unit is occupied by other than the owner, and where a copy of the Part may be obtained.

2. **Deeds and Agreements of Sale.** Every deed and agreement of sale executed and delivered on or after the effective date of this Part with respect to any premises within the City which includes one or more residential units shall include therein a notice substantially in the form which follows:

> Residential units within the City of Lock Haven which are occupied other than by the owner thereof are subject to the inspection requirements of Ordinance No. 442B.

(*Ord. 442B*, 1/21/1993, §6)

§11-107. Responsible Party.

The owner of any residential unit which is subject to the inspection requirements of this Part shall be responsible for compliance with the provisions of this Part.

(*Ord. 442B*, 1/21/1993, §7)

§11-108. Penalties.

The owner of any residential unit who has violated or permitted the violation of this Part shall, upon conviction thereof, be sentenced to pay a fine of not more than $1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 30 days. Each violation of this Part and each day the same is continued shall be deemed a separate offense.

(*Ord. 442B*, 1/21/1993, §8; as amended by *Ord. 670*, 2/24/2003, §1)

§11-109. Fee Schedule.

The fee schedule for issuance for certificates of inspection shall be established from time to time by resolution of City Council.

(*Ord. 442B*, 1/21/1993, §9; as amended by *Ord. 670*, 2/24/2003, §1)

§11-110. Effective Date.

This Part shall become effective January 1, 1997.

(*Ord. 442B*, 1/21/1993, §12; as amended by *Ord. 471B*, 8/1/1994, §1; by *Ord. 492BA*, 8/7/1995, §I, and by *Ord. 509B*, 8/25/1996, §5)