

**BOROUGH OF HATFIELD
MONTGOMERY COUNTY, PENNSYLVANIA
ORDINANCE NO. 556**

AN ORDINANCE AMENDING HATFIELD BOROUGH AMENDING PART II INTERNATIONAL PROPERTY MAINTENANCE CODE OF CHAPTER 5 CODE ENFORCEMENT, TO ADOPT THE 2021 EDITION OF THE INTERNATIONAL PROPERTY MAINTENANCE CODE, REPEALING PRIOR INCONSISTENT ORDINANCES OR PARTS OF ORDINANCES; CONTAINING A SEVERABILITY CLAUSE AND A CLAUSE ADDRESSING FUTURE REVISIONS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Council of the Borough of Hatfield, Montgomery County, Pennsylvania, is duly empowered by the Borough Code, 8 Pa.C.S. § 101, *et seq.*, to enact certain regulations relating to the public health, safety and welfare of the citizens of the community of the Borough of Hatfield;

WHEREAS, pursuant to the Borough Code of the Commonwealth of Pennsylvania including but not limited to Sections 1202(4), 1202(5), 1202(6), 1202(10), 1202(11), and 1202(24), the Council of the Borough of Hatfield is authorized to regulate the conditions and maintenance of all property, buildings, and structures within the Borough of Hatfield;

WHEREAS, the Council of the Borough of Hatfield previously adopted provisions of the International Property Maintenance Code as published by the International Code Council as amended from time to time, pursuant to the Pennsylvania Construction Code Act, 35 P.S. 7210.101, *et seq.*; and

WHEREAS, the Council of the Borough of Hatfield wishes to amend § 5-201, *et seq.*, (International Property Maintenance Code) of the Borough of Hatfield Code of Ordinances to adopt the 2021 edition of the International Property Maintenance Code as the property maintenance code of the Borough of Hatfield.

NOW, THEREFORE, BE IT ORDAINED, by the authority of the Council of the Borough of Hatfield, Montgomery County, Pennsylvania, that the Borough of Hatfield Code of Ordinances, Chapter 5 (Code Enforcement), Part II (International Property Maintenance Code) is hereby amended in accordance with this Ordinance, as follows:

Section 1. 2021 INTERNATIONAL PROPERTY MAINTENANCE CODE.

The Code of Ordinances of the Borough of Hatfield, Chapter 5 *Code Enforcement*, Part II INTERNATIONAL PROPERTY MAINTENANCE CODE, is hereby amended as follows:

Sections 201 through 211 of the Code is hereby amended by adding the underlined text and deleting the bold bracketed text:

§ 5-201. Adoption of 2021 International Property Maintenance Code by Reference.

This Borough hereby enacts by reference, as the Property Maintenance Code of Hatfield Borough, the 2021 International Property Maintenance Code as published by the International Code Council as amended from time to time, as fully as though the Code were set forth herein at length.

§ 5-202. Administration and Enforcement Provisions.

Administration and enforcement of the Code within this Borough shall be undertaken as determined by Hatfield Borough Council in accordance with the regulations of the Pennsylvania Construction Code Act, 35 P.S. § 7210.101 *et seq.*, to the extent applicable and the Pennsylvania Borough Code, 8 Pa.C.S.A. § 101 *et seq.*

§ 5-203. Building Code Board of Appeals.

The Building Code Board of Appeals (hereinafter "Appeals Board"), previously established by separate resolution in conformity with the requirements of the Pennsylvania Construction Code Act, Act 45 of 1999, 35 P.S. § 7210.501(c) and 34 Pa. Code § 403.121, shall hear and rule on appeals, requests for variances and requests for extensions of time.

§ 5-204. Amendments Made in Property Maintenance Code.

1. The existing structures code hereby adopted is amended as follows:
 - A. "Borough of Hatfield" shall be inserted wherever the words "[Name of Municipality]" appear in brackets therein; whenever the term "legal officer" or "legal representative" is used in this Code, it shall be held to mean the Borough Solicitor.
 - B. Section 106.4 is hereby amended to read as follows:

§ 106.4. Penalty:

- (1) Any person, firm or corporation who shall violate any provision of this Part, upon conviction thereof in an action brought before a Magisterial

District Judge in the manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure, shall 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 90 days. Each day that a violation of this Part continues or each section of this Part which shall be found to have been violated shall constitute a separate offense.

(2) The application of the above penalty shall not be held to prevent the enforced removal of prohibited conditions nor permit them to continue.

C. Section 304.14 is hereby amended to read as follows:

§ 304.14. Insect Screens. During the period from the first day of spring to the first day of fall every door, window and other outside opening used or required for ventilation purposes serving any building containing habitable rooms, food preparation areas, food service areas, or any areas where products used in food for human consumption are processed, manufactured, packaged or stored, shall be supplied with approved tightly fitting screens of not less than 16 mesh per inch and every swing door shall have a self-closing device in good working condition.

Exception. Screen doors shall not be required for out-swinging doors or other types of openings which make screening impractical, provided other approved means, such as air curtains or insect repellent fans are employed.

D. Section 602.3, "Heat Supply," is hereby amended to read as follows:

§ 602.3. *Heating for Residential Buildings.*

(1) Every dwelling shall be provided with heating facilities capable of maintaining a room temperature of 65° F. (18° C.) at a level of three feet (914 mm) above the floor and a distance of three feet (914 mm) from the exterior walls in all habitable rooms, bathrooms and toilet rooms based on the outside design temperature required for the locality by the mechanical code listed in Appendix A.

(2) Every owner and operator of any building who rents, leases or lets one or more dwelling unit, rooming unit, dormitory or guest room on terms, either express or implied, to furnish heat to the occupants thereof shall supply sufficient heat during the period from the first day of fall to the first day of spring to maintain a room temperature of not less than 65° F. (18° C.) in all habitable rooms, bathrooms and toilet rooms during the hours between 6:30 a.m. and 10:30 p.m. of each day

and not less than 60° F. (16° C.) during other hours. The temperature shall be measured at a point three feet (914 mm) above the floor and three feet (914 mm) from the exterior walls. When the outdoor temperature is below the outdoor design temperature required for the locality by the mechanical code listed in Appendix A, the owner or operator shall not be required to maintain the minimum room temperatures, provided the heating system is operating at full capacity, with supply valves and dampers in a fully open position.

E. Section 602.4, "Occupiable Work Spaces," is hereby amended to read as follows:

§ 602.4. Occupiable Work Spaces.

(1) Every enclosed occupied work space shall be supplied with sufficient heat during the period from the first day of fall to the first day of spring to maintain a temperature of not less than 65° F. (18° C.) during all working hours. The temperature shall be measured at a point three feet (914 mm) above the floor and three feet (914 mm) from the exterior walls.

(2) Exceptions.

(a) Processing, storage and operation areas that require cooling or special temperature conditions.

(b) Areas in which persons are primarily engaged in vigorous physical activities.

§ 5-205. State Law and Regulations.

In all matters that are regulated by the laws of the Commonwealth of Pennsylvania or by regulations of departments or agencies of the commonwealth promulgated by authority of law, such laws or regulations, as the case may be, shall control where the requirements thereof are the same as or in excess of the provisions of this Part. The Code shall control in all cases where the state requirements are not as strict as those contained in this Part.

§ 5-206. Provisions to be Continuation of Existing Regulations.

The provisions of this Part so far as they are the same as those of ordinances and/or codes in force immediately prior to the enactment of this Part, are intended as a continuation of such ordinances and codes and not as new enactments. The provisions of this Part shall not affect any act done or liability incurred, nor shall

they affect any suit or prosecution pending or to be instituted to enforce any right or penalty or punish any offense under the authority of any of the repealed ordinances.

§ 5-207. Inspection Fees.

Whenever the Code Official, who shall be appointed from time to time by the Borough Council of the Borough of Hatfield, performs an inspection permitted or required by the Code, there shall be charged to the property owner a fee for said inspection initially set at the rate as established, from time to time, by resolution of Borough Council, of inspection, reinspection, investigation and report time. The minimum fee shall be in an amount as established from time to time by resolution of Borough Council. Borough Council may from time to time, by resolution, change such fee and the fee in force at the time of the inspection shall be applied.

Section 2. Severability. The provisions of this Ordinance are severable. If any part of this Ordinance is declared to be un-constitutional, illegal, or invalid, the validity of the remaining provisions shall be unaffected.

Section 3. Repealer. All Ordinances and parts of Ordinances heretofore adopted, to the extent that the same are inconsistent herewith, are hereby repealed, while all Ordinances not inconsistent herewith remain valid and in force.

Section 4. Effective Date. The effective date of this Ordinance shall be January 1, 2025.

ORDAINED AND ENACTED by the Borough Council of HATFIELD BOROUGH on this 4th day of December, 2024 with 5 Council Members


Ferguson, Girard, Burns, Fagan, Kroessler voting "aye" and Ø voting "nay."

Attest:




Jaime E. Snyder, Manager / Secretary

HATFIELD BOROUGH

By: 

Jason Ferguson, Council President

Approved this 4th day of December, 2024.



Mayor Mary Anne Girard