

ARTICLE 1763
Property Maintenance Code

- 1763.01 Adoption.
- 1763.02 Changes in Code.
- 1763.03 Posting upon violation.

CROSS REFERENCES
Unsafe dwellings - see BLDG. & HSG. Art. 1725

1763.01 ADOPTION.

There is hereby adopted by the City for the purposes of establishing minimum regulations governing the conditions and maintenance of all property, buildings and structures, that certain code known as the International Property Maintenance Code, 1998 edition, as published by the International Code Council, Inc., except such portions that are hereinafter deleted, modified or amended. Not less than three copies have been and are now filed in the offices of the City Clerk and the same is hereby adopted and incorporated herein as fully as if set out at length therein. From the date on which this section takes effect, the provisions thereof shall be controlling within the limits of the City, except as expressly modified and supplemented by this article. (Ord. 1-2000. Passed 1-18-00.)

1763.02 CHANGES IN CODE.

Chapter 1 - Administration

- (1) Section 101.1 Title be amended to read as follows:

These regulations shall be known as the Property Maintenance Code of the City of York, Pennsylvania, hereinafter referred to as this "Code".

- (2) Section 103.6 Fees be amended to read as follows:

A fee for activities and services performed by the department in carrying out its responsibilities under this Code shall be in accordance with the fee schedule as if set forth from time to time by resolution of the Council of the City of York, Pennsylvania.

- (3) Section 104.9 Enforcement Powers is hereby added to read as follows:
The Code Official and the Building Code Official or their designees shall have the authority to enforce the provisions of this Code. When acting within the scope of their employment hereinunder, they shall have the powers of a police officer of the City, provided however, that under no circumstances shall they have the power to arrest. (Ord. 1-2000. Passed 1-18-00.)
- (4) Section 106. Violations.
106.1 Unlawful acts. It shall be unlawful for a person, firm or corporation to be in conflict with or in violation of any of the provisions of this code.
106.2 Notice of violation. The code official shall serve a notice of violation or order in accordance with Section 107.
106.3 Prosecution of violation. If the notice of violation is not complied with, the code official is authorized to institute the appropriate proceeding at law or in equity to restrain, correct or abate such violation, or to require the removal or termination of the unlawful occupancy of the structure in violation of the provisions of this code or of the order or direction made pursuant thereto. (Ord. 30-2008. Passed 8-19-08.)
106.4 Violation penalties. Any person who shall violate a provision of this code, or fail to comply with any of the requirements thereof or who shall erect, construct, alter or repair a building or structure in violation of an approved plan or directive of the code official, shall be guilty of a summary offense, punishable by a fine of not less than \$100.00 nor more than \$1000.00 for the first two continual and uncorrected violations and not exceeding five thousand dollars (\$5,000) for the third and any subsequent continual and uncorrected violation and the costs of prosecution, and in default of the payment thereof, shall be imprisoned for not more than ninety days (90 days). Each day that a violation continues after due notice has been served shall be deemed a separate offense. (Ord. 1-2009. Passed 1-6-09.)
106.5 Abatement of violation. The imposition of the penalties herein prescribed shall not preclude the legal officer of the jurisdiction from instituting appropriate action to restrain, correct or abate a violation, or to prevent illegal occupancy of a building, structure or premises, or to stop an illegal act, conduct, business or utilization of the building, structure or premises.
106.6 City's abatement of violation. In the event that the violation is not abated as ordered and within the time specified and no request for a hearing has been timely filed, the City shall have the authority, within the discretion of the code official or his designees, to abate the property violation. All costs for any such abatement, including any reasonable administrative fees, shall be the responsibility of the person who had been notified of the violation pursuant to Section 107. In the alternative, the costs for the abatement of the violation may be assessed against the property. (Ord. 30-2008. Passed 8-19-08.)
- (5) 107.1.1 Exceptions to Notice Requirements. Violations of subsections 302.4, 302.3.2, 302.3.3 and 302.3.3.1 of the Property Maintenance Code shall be exempted from the notice requirements of this section and said violations shall be subject to immediate non-traffic summary citation. (Ord. 7-2014. Passed 3-18-14.)

- (6) 108.2 Closing of Vacant Structures. If the structure is vacant and unfit for human habitation and occupancy, and is not in danger of structural collapse, the code official is authorized to post a placard of condemnation on the premises and order structure secured in accordance with §108.2.1 so as to not be an attractive nuisance. Upon failure of the owner to secure the premises in accordance with the requirements of §108.2.1 within the time specified in the order, the owner shall be subject to the penalty section of this code. Additionally, the code official may cause the premises to be closed through any available public agency or by contract or arrangement by private persons and the cost thereof shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate.

(Ord. 7-2014. Passed 3-18-14.)

108.2.1 Procedure for Closing of Vacant Structures. When the code official has ordered a structure closed pursuant to this section said structure shall be closed so that all windows and doors are boarded as described herein to prevent entry by unauthorized persons. All openings shall be fully covered with 3/4-inch thick wood structural panels cut to fit the door or window opening neatly. Each structural panel shall be secured by fastening 3/8-inch diameter carriage bolts through the wood panel to horizontal interior placed 2-inch by 4-inch solid sawn lumber cut 2 inches wider than the opening and placed 6 inches from the top and bottom of window openings and placed at 24 inch intervals in door openings. After alignment and pre-drilling, all bolts shall be secured between the outer wood panel and the inner 2-inch by 4-inch solid sawn framing material with appropriate washers and nuts. The last opening to be closed shall be a second story window secured from the outside with screws and marked appropriately. (Ord. 51-2006. Passed 7-5-06.)

- (7) Section 109 - Emergency Measures

109.1 Imminent danger. When, in the opinion of the code official, there is imminent danger of failure or collapse of a building or structure which endangers life, or when any structure or part of a structure has fallen and life is endangered by the occupation of the structure, or when there is actual or potential danger to the building occupants or those in the proximity of any structure because of explosives, explosive fumes or vapors or the presence of toxic fumes, gases or materials, or operation of defective or dangerous equipment, the code official is hereby authorized and empowered to order and require the occupants to vacate the premises forthwith. Upon ordering the occupants to vacate the premises, the code official shall post at each entrance to such structure a notice that shall be substantially in the following form: "This Structure Is Unsafe and Its Occupancy Has Been Prohibited by the Code Official."

- (a) In addition, when, in the opinion of the code official, there is a building or structure that poses an imminent danger as defined herein, the code official may, without prior notice or hearing, order that such action be taken, including, but not limited to: repair, replacement or destruction of any defective, illegal or unapproved equipment, as may be reasonably necessary to meet the emergency, and demolition, partial demolition or removal of any structure that is in imminent danger of failure, collapse, or which has already failed or collapsed either in whole or in part, or which is otherwise endangering the health, safety and welfare of the public or other property.

- (b) It shall be unlawful for any person to enter such structure except for the purposes of securing the structure, making the required repairs, removing the hazardous condition or of demolishing the same.
- (c) The requirements in this section shall supersede or take precedence over the requirements established in any other City ordinance regarding demolition of a building to ensure the health, safety and welfare of the public or other property. (Res. 114-2008. Passed 8-19-08.)

109.2 Temporary safeguards. Notwithstanding other provisions of this code, whenever, in the opinion of the code official, there is imminent danger due to an unsafe condition, the code official may order the necessary work to be done, including the boarding-up of openings, to render such structure temporarily safe whether or not the legal procedure herein described has been instituted; and may cause such other action to be taken as the code official deems necessary to meet such emergency. (Ord. 7-2014. Passed 3-18-14.)

109.3 Closing streets. When necessary for the public safety, the code official may temporarily close structures and close, or order the authority having jurisdiction to close, sidewalks, streets, public ways and places adjacent to unsafe structures, and prohibit the same from being utilized. (Ord. 31-2008. Passed 8-19-08.)

109.4 Emergency repairs. For the purpose of this section, the code official may employ the necessary labor and materials to perform the required work as expeditiously as possible. (Ord. 7-2014. Passed 3-18-14.)

109.5 Costs of emergency work. Costs incurred in the performance of emergency work shall be paid by the jurisdiction. The legal counsel of the jurisdiction is hereby authorized to institute appropriate action against the owner of the premises where the unsafe structure or equipment is or was located for the recovery of such costs. The costs of the emergency work may also be assessed against the property.

109.6 Hearing. Any person ordered to take emergency measures shall comply with such order forthwith. Any person affected by emergency measures taken by the City pursuant to Section 109 or any person ordered to take action pursuant to this section shall thereafter, upon petition directed to the Appeals Board, be afforded a hearing as described in this code. (Ord. 31-2008. Passed 8-19-08.)

110.3 Failure to comply. If the owner of a premises fails to comply with a demolition order within the time prescribed, they shall be subject to the penalties provided for in Section 106.4 herein. Additionally, the code official shall in cooperation with the City Solicitor take any and all legal action to cause the owner to comply with said order.

After all legal means have been exhausted the code official may cause the structure to be demolished and removed, either through an available public agency or by contract or arrangement with private persons, and the cost of such demolition and removal shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate.

- (8) Section 111.0 Means of Appeal is hereby amended by deleting all existing text and adding the following section to read:
Section 111.0 Means of Appeal. Any person shall have the right to appeal a decision by the Code Official to the Construction Board of Adjustment and Appeals as is otherwise provided for by the ordinances of the City of York, Pennsylvania. (Ord. 1-2000. Passed 1-18-00; Ord. 31-2008. Passed 8-19-08; Ord. 7-2014. Passed 3-18-14.)
- (9) 190.10 The notice of appeal shall be in writing and filed prior to the expiration of the original compliance period and in no case, longer than thirty (30) calendar days after noted of violation or the decision is rendered by the code officials or designees of the Department of Economic and Community Development and/or the Department of Fire/Rescue Services. The notice of appeal shall be filed in a form acceptable to the Board and shall be accompanied by the appropriate fee as is otherwise set forth by resolution of the Council.
(Ord. 7-2014. Passed 3-18-14.)

Chapter 2 - Definitions

- (1) That Section 202 General Definitions be amended as follows:
- (a) "Code Official" shall mean the Chief of the Department of Fire/Rescue Services or designee.
 - (b) "Building Code Official" shall mean the individual or designee who is charged with the enforcement and administration of the Building Code of the City of York. (Ord. 1-2000. Passed 1-18-00.)
 - (c) "Fossil fuel" shall mean coal, kerosene, oil, wood, fuel gases and other petroleum or hydrocarbon products which emit carbon monoxide as a by-product of combustion.
 - (d) "Rubbish" shall mean combustible and noncombustible waste materials, except garbage; the term shall include the residue from the burning of wood, coal, coke, and other combustible materials, paper, rags, cartons, boxes, wood, excelsior, rubber, leather, branches, yard waste, metal cans, metals, mineral matter, glass, crockery and dust and other similar materials.
 - (e) "Sleeping unit" shall mean a room or space in which people sleep, which can also include permanent provisions for living, eating and either sanitation or kitchen facilities, but not both. Such rooms and spaces that are also a part of a dwelling unit are not sleeping units.
 - (f) "Yard waste" shall mean grass clippings, leaves, twigs, branches, and other garden refuse. (Ord. 12-2015. Passed 5-5-15.)

Chapter 3 - General Requirements

- (1) Section 302.1.1 Animal Carcasses be added to read as follows:
The occupant shall keep that part of the exterior property which such occupant occupies or controls free of any putrid, unsound, or unwholesome bones, meats, hides, skins of the whole or any part of a dead animal, fish or fowl.
(Ord. 1-2000. Passed 1-18-00.)
- (1.a) 302.3 Sidewalks and driveways. All sidewalks, walkways, stairs, driveways, parking spaces and similar areas shall be kept in a proper state of repair, maintained in a clean and sanitary condition, and maintained free from hazardous conditions. Stairs shall comply with the requirements of Sections 303.10 and 702.9. (Ord. 1-2010. Passed 2-3-10.)

- (1.b) 302.3.1 Sidewalk Displays: Outside displays on City sidewalks are permitted in Central Business Districts (CBD), General Commercial (CG) Districts, Neighborhood Commercial (CN) Districts and Commercial Waterfront (CW) Districts. The following shall apply:
- a. **Permitted displays** shall be: 1) associated with and be an accessory use to a retail establishment; 2) limited in length to 50% of the establishment's frontage on the sidewalk; and 3) shall not extend more than three (3) feet from the building line. In any case, a four (4) foot pedestrian area shall be maintained from the curb to the display area. If the minimum four (4) foot pedestrian area cannot be met, then a sidewalk display shall not be permitted at that location;
 - b. **Prohibited Displays**: Auto parts and supplies, tires, building materials and supplies, machinery parts, hardware, household appliances, mattresses, janitorial supplies and equipment and upholstered furniture are not permitted to be displayed on City sidewalks;
 - c. **Hazards**: Any display which poses a health, safety or environmental hazard is prohibited;
 - d. **Display Removal**: The display shall be removed from the sidewalk during the hours the establishment is closed.
(Ord. 11-2011. Passed 4-19-11.)
- (2) 302.3.2 Duty to Clear Snow and Ice; Responsibility.
The owner of every property fronting upon or alongside any street or highway in the City is hereby required to remove or cause to be removed from all sidewalks in front of or abutting such property, within twelve hours after snow has ceased to fall, a sufficient amount of snow and ice to leave a cleared pathway at least thirty-six inches in width for the entire length of that portion of the sidewalk in front of and abutting such property. The pathway shall run parallel to the curb or building line of such sidewalk except where a sidewalk is less than thirty-six inches in width, sufficient snow and ice shall be removed within such time to leave a cleared pathway wide enough to permit one pedestrian at a time to pass thereover. (Ord. 35-2009. Passed 10-6-09.)
- (3) 302.3.3 Deposit of Removed Snow.
302.3.3 Deposit of removed snow. No person shall throw, cast or deposit the snow required to be removed by Section 302.3.1 in the roadbed of the street or highway adjoining such property, but is required to deposit the same upon the sidewalk along and immediately inside the curb thereof.
- 302.3.3.1 Deposit of other snow. No person shall deposit snow cleared/removed from parking lots, private property or that snow removed along streets or highways to create parking spaces into the roadbed of the street or highway adjoining such parking lot, private property or parking space. Snow cleared/removed from parking lots or private property shall be piled on such parking lot or private property or shall be hauled away. Snow cleared/removed from parking spaces shall be deposited in accordance with Section 302.3.3 of this code. For the purposes of this section, the owner of any parking lot or private property shall be responsible for the actions of any person or persons employed or contracted with to clear/remove snow.
(Ord. 7-2014. Passed 3-18-14.)

- (4) **302.3.4 Removal by City in Event of Delinquency.**
In any case where the owner, occupant or tenant fails, neglects or refuses to comply with any of the provisions of this article within the time limit prescribed therein, the City authorities may proceed immediately to clear all snow and/or ice from the sidewalk of such delinquents, and to collect the expenses thereof, with any additional amount allowed by law, from such owner, occupant or tenant, as the case may be. Such action may be in addition to any fine or penalty imposed under the provisions of this article.
(Ord. 18-2003. Passed 5-21-03.)
- (4.a) **302.7.2: Fences:**
- (a) **Height Limitations:** Maximum fence height limitations are regulated as follows: A. Residential districts - 6 feet; B. Commercial and industrial districts - 8 feet; C. All other districts - 10 feet.
 - (b) **Hazardous Attachments:** No fence in a residential district may be constructed of or topped by barbed wire or similar hazardous attachments. Fences in commercial or industrial districts may be topped with no more than three strands of barbed wire or with wrought iron spikes. Barbed wire may be used in any other district only if the Zoning Hearing Board grants a special exception.
 - (c) **Electrification:** No fence in any zoning district may be electrified in any way.
 - (d) **Yard Provisions:** Yard provisions shall not apply to hedges, fences or walls six or less feet in height above the natural grade in residential areas and fences eight or less feet in commercial and industrial districts.
(Ord. 11-2011. Passed 4-5-11.)
- (5) **302.8 Motor Vehicles.** Except as provided for in other regulations, no inoperative, unlicensed, currently unregistered or uninspected motor vehicle shall be parked, kept or stored on any premises, and no vehicle shall at any time be in a state of major disassembly, disrepair, or in the process of being stripped or dismantled. No off-street parking of any motor vehicle shall be allowed on an unimproved yard.

Exceptions(s):

- (1) A vehicle of any type is permitted to undergo major overhaul, including body work, provided that such work is performed inside a structure or similarly enclosed area designed and approved for such purposes.
- (2) One inoperative, unlicensed, currently unregistered or uninspected motor vehicle may be stored in a fully enclosed exterior structure which is maintained in good repair, structurally sound, and sanitary so as not to pose a threat to the public health, safety or welfare.
- (3) One inoperative, unlicensed, currently unregistered or uninspected motor vehicle may be stored under a carport which is maintained in good repair, structurally sound, and sanitary so long as the vehicle is completely covered with a vehicle cover specifically manufactured specifically for this purpose.
- (4) Emergency vehicles are exempt from this provision.

- (5.a) 302.9 Defacement of property. No person shall willfully or wantonly damage, mutilate or deface any exterior surface of any structure or building on any private or public property by placing thereon any marking, carving, or graffiti. It shall be the responsibility of the owner to restore said surface to an approved state of maintenance and repair.
- **302.9.1 Signs:** The following signs and/or placement of signs shall be considered defacement of property and prohibited whether a permit is required or not:
 - **Signs on Trees, Utility Poles:** Signs attached or painted to any tree, shrub, rock or other natural object, telegraph, electric light or other utility pole on any street in the City are prohibited without the owner or City's consent.
 - **Signs Within Street Lines, Signs On Public Property:** Signs except those of a duly constituted governmental body, including traffic signs and similar regulating notice, shall not be allowed within street lines or on public property.
 - **Sign Placement Responsibility:** Any individual, organization, or company placing signs on inappropriate or prohibited areas is in violation of this subsection.
- (6) 302.10 Refrigerators and Freezers be added to read as follows:
All refrigerators and freezers which are no longer in active service shall have the doors removed or otherwise be secured to prevent access by any individual to the interior.
- (7) 302.11 Junkyards be added to read as follows:
Except as provided for in other regulations, no premises or properties shall be used or maintained as junk yards, or dumping grounds, or for the wrecking or disassembling of automobiles, trucks, tractors, or machinery of any kind, or for the storing or leaving of worn-out, wrecked, or abandoned automobiles, trucks, tractors or machinery of any kind, or of any of the parts thereof or for the storing or leaving of any machinery or equipment used by contractors or builders or by other persons.
- (7.a) 302.12 Swimming pools. Swimming pools shall be maintained in a clean and sanitary condition and in good repair.

302.12.1 Private Swimming Pool: A private swimming pool may be erected in a rear or side yard, in any district in which it is permitted, provided it complies with the following conditions:

- i) **Location:** Pools in excess of a design depth of three (3) feet and erected on a lot of any width shall be located at least five (5) feet from the rear and side property line and ten (10) feet from the principal building, with the following exceptions:
 - (1) Pools that have a design depth from eighteen (18) inches to and including three (3) feet in depth and erected on a lot eighteen (18) feet wide or greater shall be located ten (10) feet from the principal building and at least three (3) feet from the rear and side property lines.

- (2) Pools that have a design depth from eighteen (18) inches to and including three (3) feet in depth and erected on a lot less than eighteen (18) feet wide shall be located at ten (10) feet from the principal building and at least one (1) foot from the other side property line, provided that a six (6) foot high solid masonry or solid wooden fence be erected along at the property line on the side of the pool with the one (1) foot setback. The remainder of the pool area shall be enclosed in accordance with subsection 302.12.1(iv) hereof.
- ii) Nuisance or Hazard: It shall be suitably designed and located so as not to become a nuisance or hazard to adjoining property owners or the public. Outdoor lights, if used, shall be shielded and not reflected toward adjacent residential properties;
- iii) Drainage: Provision shall be made for drainage of the pool and back-wash water disposal. The use of open fields, lawns or dry wells shall be permitted for this purpose provided they meet the requirements of the Pennsylvania Department of Environmental Protection. Water shall not be emptied onto public roads or adjoining land belonging to others;
- iv) Enclosure: The entire pool area shall be enclosed with a chain link, solid masonry, or solid wooden fence, or picket fence having spacing no greater than four (4) inches, at least four (4) feet in height including a gate with a self-locking and closing device to permit the pool to be locked and secured when not in use. The locking device shall be located at least four (4) feet above ground level;
- v) Additional: All other aspects of swimming pool installation, security and maintenance shall be in accordance with the PA Uniform Construction Code, as adopted by the City in the Codified Ordinances. (Ord. 11-2011. Passed 4-19-11.)
- (7.b) 302.13 Furniture: Other than furniture contained within a structure, use or storage of furniture which is not designed or constructed for exterior use is prohibited in exterior property areas.
- (8) Section 303.15 Insect Screens be amended to read as follows:
During the period of May 1 to September 30, every door, window or other outside opening required for ventilation of habitable rooms, food preparation areas, food service areas, or any areas where products to be included or utilized 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 (16 mesh per 25 mm) and every swinging door shall have a self-latching device in good working condition.
Exception: Screen doors shall not be required where other approved means, such as air curtains or insect repellent fans, are employed.
(Ord. 1-2000. Passed 1-18-00; Ord. 18-2003. Passed 5-21-03; Ord. 1-2010. Passed 2-3-10; Ord. 5-2011. Passed 2-15-11; Ord. 11-2011. Passed 4-19-11.)
- (9) 306.1 Infestation. All structures shall be kept free from insect and rodent infestation. All structures or premises in or on which insects or rodents are found shall be promptly exterminated by approved processes that will not be injurious to human health. After extermination, proper precautions shall be taken to prevent re-infestation.

306.2 Owner. The owner of any structure or premises shall be responsible for extermination within the structure or on the premises prior to leasing the structure or premises.

306.3 Single occupant. The occupant of a one family or of a single-tenant nonresidential structure shall be responsible for extermination.

Exception: The owner shall be responsible for extermination for the first ninety (90) days of tenancy.

306.4 Multiple occupancy. The owner of a structure containing two or more dwelling units, a multiple mixed use occupancy, a rooming house or a non-residential structure shall be responsible for extermination in any unoccupied units, the public or shared areas of the structure and exterior property. If an infestation involves more than one unit of the structure or involves one unit and the public and/or shared areas, the owner shall be responsible for extermination of the entire structure and/or premises. If infestation is caused by failure of an occupant to prevent such infestation in the area occupied, the occupant(s) shall be responsible for extermination.

Exception: The owner shall be responsible for extermination for the first ninety (90) days of tenancy.

306.5 Occupant. The occupant of any structure shall be responsible for the continued rodent and pest-free condition of the structure or premises.

Exception: Where the infestation is caused by defects in the structure or premises, the owner shall be responsible for extermination.

306.6 Vacant structures. The owner of a vacant structure or premises is responsible for the extermination within the structure and the exterior property areas.

306.7 Extermination. Extermination required by this section or resulting from orders issued under this section shall be performed by a licensed pest control company or any person licensed to perform such extermination. A receipt from a licensed pest control company or person shall be required as proof of extermination. When extermination is performed by a licensed person in the employ of the owner a written statement from such employee stating the extermination measures taken shall be required as proof of extermination.

306.8 Failure to exterminate. Failure of the responsible party to have a property exterminated as required by this section or as a result of orders issued under this section shall render the structure unfit for human occupancy as provided for in Section 108.1.3 and said structure shall be condemned in accordance with Section 108.1 and shall be ordered vacated. Occupancy shall not again be permitted until extermination has been performed in accordance with this section. This requirement shall be in addition to the penalties provided for in Section 106.4 (Ord. 7-2014. Passed 3-18-14.)

Chapter 4 Light, Ventilation and Occupancy Limitations

- (1) Section 404.4.2 Access from bedrooms be amended to read as follows:
Bedrooms shall not constitute the only means of access to other bedrooms or habitable spaces and shall not serve as the only means of egress from other habitable spaces.
Exception #1: Units that contain fewer than two bedrooms.
(Ord. 1-2000. Passed 1-18-00.)
Exception #2: Existing residential occupancies as defined in the current edition of the International Code Council International Building Code, as adopted by the Uniform Construction Code as adopted by the Commonwealth of Pennsylvania and the City of York, Pennsylvania.
- (2) Section 404.4.3 Water closet accessibility be amended to read as follows:
Every bedroom shall have access to at least one water closet and one lavatory without passing through another bedroom. Every bedroom in a dwelling unit shall have access to at least one water closet and lavatory located in the same story as the bedroom or an adjacent story. (Ord. 1-2000. Passed 1-18-00.)
Exception: Existing residential occupancies as defined in the current edition of the International Code Council International Building Code as adopted by the Uniform Construction Code as adopted by the Commonwealth of Pennsylvania and the City of York, Pennsylvania.

Chapter 5 Plumbing Facilities and Fixture Requirements

- (1) Section 506 Sanitary Drainage System 506.1 General be amended to read as follows:
All plumbing fixtures shall be properly connected to a public sewer system.
- (2) Section 506.3 Cesspools be added to read as follows:
No person shall construct or place or cause to be constructed or placed on any premise or property any cesspool, privy, vault, dump, or pit of like purpose, nor allow or cause any plumbing fixtures to be connected to such.
(Ord. 1-2000. Passed 1-18-00.)

Chapter 6 Mechanical and Electrical Requirements

- (1) 602.2 Residential occupancies. Dwellings shall be provided with heating facilities capable of maintaining a room temperature of 68° F (20° C) in all habitable rooms, bathrooms and toilet rooms based on the winter outdoor design temperature for the locality indicate in Appendix D of the plumbing code.
(Ord. 7-2014. Passed 3-18-14.)
- (2) Section 602.3 Heat Supply be amended to read as follows:
Every owner and operator of any building who rents, leases or lets one or more dwelling unit, rooming unit, dormitory or guestroom on terms expressed or implied, to furnish heat to the occupants thereof shall supply heat during the period of October 1 to April 30 inclusive to maintain a temperature of not less than sixty-eight degrees Fahrenheit (twenty degrees Centigrade) in all habitable rooms, bathrooms and toilet rooms.
Exception: When the outdoor temperature is below the winter outdoor design temperature for the City of York, Pennsylvania, maintenance of the minimum room temperature shall not be required provided that the heating system is operating at its full design capacity. The winter outdoor design temperature for the City of York, Pennsylvania shall be as indicated in the Appendix D of the International Plumbing Code as is otherwise adopted by the City of York, Pennsylvania.

- (3) Section 602.4 Occupiable work spaces be amended to read as follows:
Indoor occupiable work areas shall be supplied with heat during the period of October 1 to April 30 inclusive to maintain a temperature of not less than sixty-eight degrees Fahrenheit (twenty degrees Centigrade) during the period the spaces are occupied.
Exception #1: Processing, storage, and operation areas that require cooling or special temperature conditions.
Exception #2: Areas in which persons are primarily engaged in vigorous physical activities. (Ord. 5-2011. Passed 3-1-11.)

Chapter 7 Fire and Life Safety Requirements

- (1) 701.1 Scope. The provisions of this chapter shall govern the minimum conditions and standards for fire and life safety relating to structures and exterior premises, including fire and life safety facilities and equipment to be provided.
- (2) 701.2 Responsibility. The owner of the premises shall provide and maintain such fire and life safety facilities and equipment in compliance with these requirements. A person shall not occupy as owner or occupant or permit another person to occupy any premises that do not comply with the requirements of this chapter.
- (3) Section 702.3 Number of exits is amended by adding the following additional exceptions to read:
5. Use Groups R-2, R-3 and R-4 which are existing on the effective date of this ordinance and are equipped with properly installed and maintained single or multiple station smoke alarms.
- (4) Section 705.5 Tests and Maintenance is added to read as follows:
All single and multiple station smoke alarms shall be tested and maintained in accordance with the BOCA National Fire Prevention Code, as is otherwise adopted by the City of York, Pennsylvania.
(Ord. 1-2000. Passed 1-18-00.)
- (5) Section 706 Life Safety Systems.
- 706.1 General. All systems, devices and equipment intended to detect carbon monoxide, noxious/poisonous gasses or other threats to life safety shall be installed and maintained in accordance with manufacturer's recommendations and any applicable code as identified in this section.
(Ord. 12-2015. Passed 5-5-15.)
- 706.2 Carbon monoxide detectors. All tenant occupied residential structures that have fire places, fossil fuel burning heaters, water heaters or fireplaces shall be equipped with single or multiple station carbon monoxide detectors complying with the American National Standard for Carbon Monoxide Alarms (ANSI/UL2304) and The American National Standard for Gas and Vapor Detectors and Sensors (ANSI/UL2075) as required by this section.
(Ord. 25-2015. Passed 10-6-15.)
- Exception: Combination carbon monoxide/smoke detectors meeting the following may be installed:
1. Shall comply with the American National Standard for Single and Multiple Station Carbon Monoxide Alarms (ANSI/UL2034) and the American National Standard for Single and Multiple Station Smoke Alarms (ANSI/UL217).
 2. Shall comply with the American National Standard for Gas and Vapor Detectors and Sensors (ANSI/UL/2075) and the American National Standard for Safety for Smoke Detectors for Fire Alarm Systems (ANSI/UL268).

3. Shall emit an alarm in a manner that clearly differentiates between the detection of the presence of carbon monoxide and the detection of the presence of smoke.
 - 706.2.1 Installation. All detectors shall be installed in accordance with the Pennsylvania Carbon Monoxide Alarm Standards Act (Act of Dec. 18, 2013, P.L. 1229, No. 121), this section and the manufacturer's recommendations. (Ord. 12-2015. Passed 5-5-15.)
 - 706.2.1.1 Detector locations. Carbon monoxide detectors shall be installed in the following locations:
 1. In the immediate vicinity of all fossil fuel burning heaters, water heaters or fireplaces.
 2. In the vicinity of all sleep rooms or areas.

Note: If requirements of the above cited references conflict, the most restrictive requirement shall apply. (Ord. 25-2015. Passed 10-6-15.)
 - 706.2.2 Power source. The power source for carbon monoxide detectors shall be either AC primary power source or a monitored battery primary power source.
 - 706.2.3 Tampering. Anyone tampering or interfering with the effectiveness of a carbon monoxide detector shall be in violation of this code.
 - 706.2.4 Tests and maintenance. All single and multiple station carbon monoxide detectors shall be tested and maintained in accordance with the manufacturer's recommendations but in no circumstance tested less than once each month.
 - 706.2.5 Responsibility. Owner and tenant responsibilities shall be as follows, regardless of any lease agreement(s):
 - 706.2.5.1 Owner's responsibilities. The owner of a tenant occupied residential dwelling shall:
 1. Install approved and operating carbon monoxide detectors in accordance with this section.
 2. Ensure that carbon monoxide detectors are installed and operating in accordance with this section prior to the commencement of new occupancy of the dwelling.
 3. Instruct each new tenant on the operation, testing and battery replacement of the carbon monoxide detectors within the dwelling. (Ord. 12-2015. Passed 5-5-15.)
 4. Not be responsible for the maintenance, repair or replacement of an approved carbon monoxide alarm or the care and replacement of batteries while the building is occupied. Responsibility for maintenance and repair of carbon monoxide alarms shall revert to the owner of the building upon vacancy of the rental property. (Ord. 20-2015. Passed 8-18-15.)
 - 706.2.5.2 Tenant's responsibilities. The tenant of every dwelling unit shall:
 1. Keep and maintain carbon monoxide detectors in good repair.
 2. Test each carbon monoxide detector in accordance with the manufacturer's recommendations and the requirements of this section.
 3. Immediately replace any carbon monoxide detector that is stolen, removed or rendered inoperable or ineffective due to willful or negligent damage.
 4. Immediately notify the owner in writing of any missing, defective or malfunctioning carbon monoxide detector(s).
 5. Replace batteries as needed.
 6. Pay for any re-inspection fee or fines issued by the City of York as a result of tenant's failure to uphold their responsibilities in this section.

706.2.5.3 Owner/Occupant responsibilities. Any person that occupies a residential dwelling as the owner/occupant shall bear the responsibilities of both the owner and tenant as described above. (Ord. 12-2015. Passed 5-5-15.)

Chapter 8 Referenced Standards

This chapter lists the standards that are referenced in various sections of this document. The standards are listed herein by the promulgating agency of the standard, the standard identification, the title, and the section or sections of this document that reference the standard. All referenced standards shall be the most current edition as adopted by the Uniform Construction Code of the Commonwealth of Pennsylvania and the City of York, Pennsylvania. The application of the referenced standards shall be as specified in Section 102.8.

ASME American Society of Mechanical Engineers
345 East 47th Street
New York, NY 10017-2392

Standard Reference	Title	Referenced in code section number
A17.1	Safety Code for Elevators and Escalators	201.3
CODES		
Standard Reference	Title	Referenced in code section number
Building Code	International Building Code	102.3, 201.3, 302.7.1, 401.3, 702.2, 702.3, 702.6, 702.7, 702.8, 702.9, 702.10, 702.11.1, 703.2, 704.1, 705.5.1
Fire Code	International Fire Code	201.3, 702.6, 703.2, 705.1
Mechanical Code	International Mechanical Code	102.3, 201.3
Plumbing Code	International Plumbing Code	102.3, 201.3, 505.1, 602.2, 602.3
NFPA	National Fire Protection Association Batterymarch Park Quincy, MA 02269	
Standard Reference	Title	Referenced in code section number
70	National Electrical Code	102.3, 201.3, 604.2

(Ord. 21-2008. Passed 5-20-08.)

1763.03 POSTING UPON VIOLATION.

The Department of Public Works may post a sign not to exceed 3' x 3' in size stating the property owner's name and address and that the property is in violation of this Code. The sign may remain at the property until the violations are corrected.

(Ord. 35. Passed 10-19-04.)