

ARTICLE 1714
Change of Ownership/Tenant Certificate of Compliance

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CROSS REFERENCES
Property Maintenance Code - see B. & H. Art. 1763

1714.01 SCOPE.

(a) The provisions of this article shall apply to all existing structures and premises whereupon there is a change in ownership or tenancy without a change in the Use Classification of same.

(b) Exceptions.

- (1) Existing structures and premises that are currently licensed under the requirements of Article 1763 of the Codified Ordinances of the City of York, Pennsylvania.
- (2) Owner occupied single-family residential structures and premises.
(Ord. 27-2012. Passed 8-21-12.)

1714.02 INTENT.

To ensure the public health, safety and welfare and the vitality of building stock and properties insofar as they are affected by the re-occupancy or change of ownership or tenancy of any existing structure or premise.
(Ord. 27-2012. Passed 8-21-12.)

1714.03 DEFINITIONS.

The following words and terms, when used in this article, shall have the following meanings unless the context clearly indicates otherwise.

- (a) "Code Official" means the Building Code Official of the City of York, Pennsylvania.
- (b) "Department" shall mean the Department of Economic and Community Development.

- (c) “Person” means an individual or individuals, a partnership, an association, a corporation, a joint stock company, a trust, an unincorporated association or any other group or legally recognized entity and/or the owners or officers in such legally recognized entities.
(Ord. 27-2012. Passed 8-21-12.)

1714.04 INSPECTION REQUIRED.

Upon the change of ownership or tenancy of any existing structure or premises that is not a change of use classification, and prior to the re-occupancy of such structure or premises, the Department shall conduct an inspection to determine compliance with the Property Maintenance Code of the City of York, Pennsylvania.

- (a) If any structure or premises remains vacant or unoccupied for five years, it will require a certificate of compliance inspection regardless of whether there is a change of ownership or tenancy at the structure or premises.
(Ord. 27-2012. Passed 8-21-12.)

1714.05 CERTIFICATE OF COMPLIANCE ISSUED.

The Code Official shall issue orders to correct all Property Maintenance Code violations that may be discovered. Absent violations or upon correction of all violations the Code Official shall issue a “Certificate of Compliance” to the owner.
(Ord. 27-2012. Passed 8-21-12.)

1714.06 INSPECTION FEE.

Any person applying for an inspection required under this article shall pay an inspection fee as established by resolution of Council.
(Ord. 27-2012. Passed 8-21-12.)

1714.07 ENFORCEMENT.

The Code Official or his designee(s) shall have the authority to institute summary criminal proceedings as a means of enforcement of this article and shall, when acting within the scope of employment hereunder, have the powers of a police officer of the City, provided, however, that under no circumstances shall they have the power of arrest.
(Ord. 27-2012. Passed 8-21-12.)

1714.99 PENALTY.

In addition to any other sanction or remedial procedure provided, any person who violates any provision of this article shall upon conviction thereof, in a summary proceeding, be fined not less than one hundred dollars (\$100.00) and not more than one thousand dollars (\$1,000) for a first offense, not less than two hundred dollars (\$200.00) and not more than one thousand dollars (\$1,000) for a second offense and not less than three hundred dollars (\$300.00) and not more than five thousand dollars (\$5,000) for a subsequent offense and costs of prosecution for each offense, to be collected as other fines and costs are by law collectible. Any person in default of payment thereof shall be imprisoned for not more than ninety days (90 days). Continuing violation as to any premises of the same provision after notice from the Department shall be a separate violation for each day.
(Ord. 27-2012. Passed 8-21-12.)