

FREEPORT BOROUGH ORDINANCE NO. 212

AN ORDINANCE PROVIDING FOR THE ADOPTION BY REFERENCE OF THE BOCA BASIC HOUSING CODE FIRST EDITION 1964 AS AMENDED THROUGH 1967 AND AS AMENDED AND SUPPLEMENTED PROVIDING FOR MINIMUM HOUSING STANDARDS FOR DWELLINGS AND MULTIPLE FAMILY DWELLINGS FIXING THE RESPONSIBILITIES OF OWNERS, OPERATORS, AND OCCUPANTS AND PROVIDING FOR ADMINISTRATION, ENFORCEMENT AND PENALTIES.

BE IT ORDAINED AND ENACTED BY THE TOWN COUNCIL OF THE BOROUGH OF FREEPORT, AND IT IS HEREBY ORDAINED AND ENACTED BY AUTHORITY OF THE SAME.

Section 1. There is hereby adopted by the Borough of Freeport that certain housing code known as the BOCA Basic Housing Code first edition 1964 as amended through 1967 recommended by the Building Officials Conference of America, save and except such portions as are hereinafter deleted, modified, or amended, of which not less than three copies have been and now are filed in the Office of the Secretary of the Borough of Freeport, and the same are hereby adopted and incorporated as fully as if set out at length herein, and from the date on which this Ordinance shall take effect the provisions hereof shall be controlling in regard to all dwellings and multiple family dwellings in the Borough of Freeport.

Section 2. Establishment of the Office of Enforcement Officer. The Office of Enforcement Officer of the housing code is hereby created and the executive official in charge shall be known as the Housing Enforcement Officer who shall be appointed by the Council of the Borough of Freeport to serve at its pleasure. During the temporary absence or disability of the Housing Enforcement Officer, the appointed authority shall designate an acting Housing Enforcement Officer.

Section 3. In addition to the provisions of Section H-130.1 of the Housing Code, the Borough officials may proceed with the provisions of the Borough Code in regard to abating a nuisance and the filing of a municipal lien against the tract of land served by the Borough.

Section 4. Wherever the term "building code" or "basic building code" is referred to in the housing code adopted herein, it shall be interpreted as referring to the National Building Code 1955

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edition abbreviated as hereinbefore adopted by the Borough of Freeport.

Section 5. Penalties. In lieu of the provisions set forth in Section H-140.3 of the Housing Code the following provision is made:

"Every person, firm or corporation who shall violate any provision of this Code or of this Ordinance adopting the Code, shall upon conviction be guilty of a summary offense and shall be punished by a fine not to exceed \$100.00 upon failure to pay shall be confined to the County Jail for a period not to exceed 30 days. Each day that a violation continues after due notice has been served in accordance with the terms and provisions hereof, shall be deemed a separate offense."

Section 6. Nothing in this Ordinance or in the Housing Code hereby adopted shall be construed to affect any suit or proceeding now pending in any court, or any rights acquired, or liability incurred nor any cause or causes of action accrued or existing under any act or ordinance repealed hereby.

Section 7. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

Section 8. The Council of the Borough of Freeport declares that should any section, paragraph, sentence or word of this Ordinance or of the Housing Code hereby adopted be declared for any reason to be invalid, it is the intent of the Council that it would have passed all other portions of this Ordinance independent of such portions as may be declared invalid.

Section 9. This Ordinance shall take effect the first day of July 1968.

DONE, ORDAINED AND ENACTED at a regular meeting of the Town Council of the Borough of Freeport this 12th day of June 1968.

ATTEST:

Elizabeth J. Cantone  
Borough Secretary

Alfred A. Atkinson  
President of Council

Examined and approved this 13<sup>th</sup> day of June, 1968.

James H. Wolf  
Mayor