

FREEPORT BOROUGH ORDINANCE NO. 220

AN ORDINANCE PROVIDING FOR THE ADOPTION BY REFERENCE OF THE BOCA BASIC HOUSING CODE SECOND EDITION 1970 RECOMMENDED AND MAINTAINED BY THE BUILDING OFFICIALS CONFERENCE OF AMERICA, INC. PUBLISHED AUGUST 1969 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 second edition 1970 recommended and maintained by the Building Officials Conference of America, Inc., published August 1969 as amended and supplemented, 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 the Housing Code, the Borough officials may proceed with the provisions of the Borough Code of Pennsylvania in regard to abating a nuisance and the filing of a municipal lien against the tract of land served by the Borough.

SECTION 4. Whenever the term "building code" or "basic building code" is referred to in the housing code adopted hereby, it shall be interpreted as referring to the BOCA Basic Building Code Fourth Edition 1965 together with its supplements and amendments as heretofore adopted by the Borough of Freeport.

SECTION 5. Penalties. In lieu of the penalties set forth in 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. Ordinance No. 212 adopting by reference the BOCA Basic Housing Code First Edition 1964 as amended through 1967 and as amended and supplemented is hereby repealed. All Ordinances or parts of Ordinances inconsistent herewith are hereby repealed.

SECTION 8. This Ordinance shall become effective upon approval by the Mayor.

DONE, ORDAINED AND ENACTED at a meeting of Town Council of the Borough of Freeport the 24th day of September 1969.

ATTEST:

Alfred A. Atkinson
President of Council

Elizabeth J. Cantone

EXAMINED AND APPROVED this 25 day of Sept 1969.

James W. Moly
Mayor