
Chapter 35 — Property Maintenance

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Article I — In General

§ 35-101 Short Title.

This Chapter shall be known, and may be cited, as the “Property Maintenance Code of the Borough of Alburdis.”

§ 35-102 Adoption.

A certain document, three (3) copies of which are on file in the office of the Secretary of the Borough of Alburdis, being marked and designated as “The BOCA National Property Maintenance Code, Fifth Edition, 1996” as published by the Building Officials and Code Administrators International, Inc. (and incorporated herein by reference), and as modified by the additions, insertions, deletions, and changes set forth in Article II, is hereby adopted as the Property Maintenance Code of the Borough of Alburdis, Lehigh County, Pennsylvania.

Article II — Modifications of National Code

§ 35-201 In General.

The 1996 BOCA National Property Maintenance Code is modified for purposes of the Property Maintenance Code of Borough of Alburdis as set forth in the remaining sections of this Article II (with insertions indicated by double underlining and deletions indicated by ~~stricken through~~ type).

§ 35-202 Name of Jurisdiction.

PM-101.1 (relating to Administration—General—Title) is modified as follows:

These regulations shall be known as the Property Maintenance Code of ~~{NAME OF JURISDICTION}~~ the Borough of Alburdis, hereinafter referred to as “this code.”

§ 35-203 Penalties.

PM-106.2 (relating to Administration—Violations—Penalty) is modified as follows:

Any *person* who shall violate a provision of this code shall, upon conviction thereof, be subject to a fine of not less than ~~{AMOUNT}~~ One Hundred Dollars (\$100.00) nor more than ~~{AMOUNT}~~ One Thousand Dollars (\$1,000.00) or imprisonment for a term not to exceed ~~{NUMBER}~~ thirty (30) days, or both, at the discretion of the court, plus costs. In default of the payment of the fine and costs, a convicted *person* shall be subject to imprisonment for a term not to exceed thirty (30) days. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

§ 35-204 Appeals.

PM-111.2 through 111.7 (relating to Administration—Means of Appeal—Membership of the board; Notice of meeting; Open hearing; Postponed hearing; Board decision; and Court review) are deleted in their entirety and replaced with the following new PM-111.2:

PM-111.2 Board of appeals. The Board of Appeals under this Code shall be the Borough of Alburdis Zoning Hearing Board, which shall conduct appeals under this Code in accordance with its ordinary practices and procedures.

§ 35-205 Weeds.

PM-303.4 (relating to General Requirements—Exterior Property Areas—Weeds) is deleted in its entirety. See Chapter 93 (relating to weed control) for treatment of this subject matter.

§ 35-206 Insect Screens.

PM-304.15 (relating to General Requirements—Exterior Structure—Insect screens) is modified as follows:

During the period from ~~{DATE}~~ April 1 to ~~{DATE}~~ October 31, every door, window and other outside opening utilized or required for *ventilation* purposes serving any structure

§ 35-207 Garbage Facilities.

PM-306.3.1 (relating to General Requirements—Rubbish and Garbage—Disposal of garbage—Garbage facilities) is modified as follows:

The *owner* of every dwelling shall supply one of the following: an approved mechanical food waste grinder in each *dwelling unit*; ~~an approved incinerator unit in the structure available to the occupants in each dwelling unit~~; or an approved leak-proof, covered, outside *garbage* container.

§ 35-208 Heat Supply for Residential Structures.

PM-602.2.1 (relating to Mechanical and Electrical Requirements—Heating Facilities—Residential buildings—Heat supply) is modified 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, either express or implied, to furnish heat to the *occupants* thereof shall supply sufficient heat during the period from ~~{DATE}~~ October 1 to ~~{DATE}~~ April 30 to maintain the room tem-

peratures specified in Section PM-602.2 during the hours between 6:30 a.m. and 10:30 p.m. of each day and not less than 60 degrees F. (16 degrees C.) during other hours.

§ 35-209 Heat Supply for Nonresidential Structures.

PM-602.3 (relating to Mechanical and Electrical Requirements—Heating Facilities—Residential buildings—Heat supply) is modified as follows:

Every enclosed occupied work space shall be supplied with sufficient heat during the period from ~~[DATE]~~ October 1 to ~~[DATE]~~ April 30 to maintain a temperature of not less than 65 degrees F. (18 degrees C.) during all working hours.

* * *

Appendix

¶ 35-A Disposition of Ordinance 339.

Ordinance 339 was never codified to the 1981 Code.

<u>Ordinance 339</u>	<u>2003 Codified Ordinances</u>
§ 1	§ 35-102
§ 2 (intro)	§ 35-201
§ 2(a)	§ 35-202
§ 2(b)	§ 35-203
§ 2(c)	§ 35-204
§ 2(d)	§ 35-205
§ 2(e)	§ 35-206
§ 2(f)	§ 35-207
§ 2(g)	§ 35-208
§ 2(h)	§ 35-209
§ 3 (repealer)	

¶ 35-B Source Ordinances.

Ordinance 339	09-25-1996
Ordinance 415	10-29-2003

§ 35-C Prior Ordinances Concerning Related Subject Matter.

Ordinance 287 09-11-1991

§ 35-D Chapter 123 of the 1981 Code (before Ord. 339).

Ordinance 287 adopted a new Chapter 123 of the 1981 Code. That Chapter was superseded by Ordinance 339, which was not codified to the 1981 Code.

A copy of Chapter 123 as in effect before Ordinance 339 is included with the CD-ROM and online versions of the Codified Ordinances.