

**ADOPTION OF THE *INTERNATIONAL PROPERTY MAINTENANCE CODE*
ORDINANCE NO. 2012-02**

An ordinance of the Borough of Clarks Summit adopting the 2009 edition of the *International Property Maintenance Code*, regulating and governing the conditions and maintenance of all property, buildings and structures; by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; and the condemnation of buildings and structures unfit for human occupancy and use, and the demolition of such existing structures in the Borough of Clarks Summit; providing for the issuance of permits and collection of fees therefore; repealing §5-301 of the Borough of Clarks Summit Code of Ordinances and all other ordinances and parts of the ordinances in conflict therewith.

The Borough Council of the Borough of Clarks Summit does ordain as follows:

Section 1. That a certain document, three (3) copies of which are on file in the office of the Borough Code Enforcement Officer of Borough of Clarks Summit, being marked and designated as the *International Property Maintenance Code*, 2009 edition as published by the International Code Council, be and is hereby adopted as the Property Maintenance Code of the Borough of Clarks Summit, in the State of Pennsylvania for regulating and governing the conditions and maintenance of all property, buildings and structures; by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; and the condemnation of buildings and structures unfit for human occupancy and use, and the demolition of such existing structures as herein provided; providing for the issuance of permits and collection fees therefore; and each and all of the regulations, provisions, penalties, conditions and terms of said Property Maintenance Code on file in the office of the Borough of Clarks Summit are hereby referred to, adopted, and made a part hereof, as if fully set out in this ordinance, with the additions, insertions, deletions and changes, if any, prescribed in Section 2 of this ordinance.

Section 2. The following sections are hereby revised:

Section 101.1. Insert: Borough of Clarks Summit

Section 103.5 is hereby amended to provide:

§103.5 Fees. The fees for activities and services performed by the department in carrying out its responsibilities under this code shall be in such amounts as established from time to time by resolution of Borough Council

Section 302.4. Insert: 10 inches

Section 304.14. Insert: May 1 and September 30

Section 602.3. Insert: October 1 and April 30

Section 602.4. Insert: October 1 and April 30

Section 3. That §5-301 of the Borough of Clarks Summit Code of Ordinances and all other ordinances and parts of the ordinances in conflict therewith are hereby repealed.

Section 4. That if any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The Borough Council hereby declares that it would have passed this ordinance, and each section, subsection, clause of phrase thereof, irrespective of the fact that any one or more sections, subsection, sentences, clauses or phrases be declared unconstitutional.

Section 5. That nothing in this ordinance or in the Property Maintenance Code hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause of causes of action acquired or existing, under any act or ordinance hereby repealed as cited in Section 3 of this ordinance, nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance.

Section 6. That the Borough Secretary is hereby ordered and directed to cause this ordinance to be published. (An additional provision may be required to direct the number of times the ordinance is to be published and to specify that it is to be in a newspaper in general circulation. Posting may also be required.)

Section 7. That this ordinance and the rules, regulations, provisions, requirements, orders and matters established and adopted hereby shall take effect and be in full force and effect 10 days from and after the date of its final passage and adoption.

Enacted as an Ordinance by the Council of Clarks Summit Borough this 4th day of January 2012.

Germaine Carey, President
Clarks Summit Borough Council

ATTEST:

Virginia Kehoe,
Borough Secretary/Manager

Harold P. Kelly
Clarks Summit Borough

Passed by Clarks Summit Borough Council on **this 4th day of January 2012**, receiving the affirmative votes of _____ negative votes of _____.