

**BOARD OF COMMISSIONERS OF
CHELTENHAM TOWNSHIP
MONTGOMERY COUNTY, PENNSYLVANIA**

ORDINANCE NO. 2110-06

**AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF
THE TOWNSHIP OF CHELTENHAM BY AMENDING CHAPTER
167 HOUSING STANDARDS BY DELETING SECTIONS 167-1
THROUGH 167-13 AND CHAPTER 285, SECTION 241 INOPERABLE
VEHICLES PROHIBITED IN THEIR ENTIRETY AND REPLACE
THEM WITH A NEW SECTION 167, THE INTERNATIONAL
PROPERTY MAINTENANCE CODE, 2006 EDITION**

The Board of Commissioners of Cheltenham Township does hereby **ENACT** and **ORDAIN** as follows:

Section 1. That Chapter 167 of the Code of the Township of Cheltenham entitled Housing Standards, Chapter 285-41 entitled Inoperable vehicles Prohibited, and all other ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 2. That the *International Property Maintenance Code*, 2006 edition, as published by the International Code Council, be and is hereby adopted as the *Property Maintenance Code* of the Township of Cheltenham, in the Commonwealth 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 therefore; and each and all of the regulations, provisions, penalties, conditions and terms of said *Property Maintenance Code*. Said Code is 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 3 of this ordinance.

Section 3. The following sections of the International Property Maintenance Code, 2006 Edition are hereby revised as follows:

(1) Section 101.1 Title.

Insert - Township of Cheltenham

(2) Section 102.3 Application of other codes.

Delete - International Zoning Code
Insert - Cheltenham Zoning Code.

(3) Section 102.6 Historic buildings.

Add - Historic buildings shall be designated as such by the township, county, state, or federal government.

(4) Section 103 Title

Delete – Department of Property Maintenance Inspection

Insert – Property Maintenance Code Division

(5) Section 103.1 General

Delete – department of property maintenance inspection

Insert – property maintenance code division

(6) Section 103.4 Liabilities

Delete – department of property maintenance inspection

Insert – property maintenance code division

(7) Section 103.5 Fees.

Delete

Insert - No fees will be charged at this time but may be added in the future by Resolution.

(8) Section 104.7 Department records.

Delete

Insert - Records shall be retained in accordance to the “Retention and Disposition Schedule for Records of Pennsylvania Municipal Governments.”

(9) Section 106.4 Violation penalties.

Add - Upon conviction before the Magisterial Judge, a fine of not more than one thousand dollars (\$1,000) per day together with costs of the suit shall be collectible as permitted by this ordinance.

(10) Section 107.2 Form.

Add - 5. The right to appeal is before the Public Works Committee. The request to be heard must be put in writing to the Township Manager within 10 days after the decision, notice or order was made.

(11) Section 108 Unsafe Structures And Equipment.

Insert a new subsection 108.2.1 to read as follows:

108.2.1 Vacant Buildings. It shall be unlawful for an owner or operator to allow a building to remain vacant for a period in excess of six (6) months unless during said period the owner or operator thereof shall provide documentation to the code official of a bona fide attempt to sell or let the property.

(12) Section 108.4.1 Placarding.

Add - No person shall occupy a placarded premise nor operate placarded equipment until written approval is secured from and such placards removed by the code official.

(13) Section 111 Means Of Appeal.

Delete

See Section 107.2

(14) Section 201.3 Terms defined in other codes.

Delete - International Building Code, International Zoning Code Insert - Cheltenham Building Code and Cheltenham Zoning Code respectively.

(15) Section 202 General Definitions.

Add a new definition as follows:

Vacant Buildings - A building which, if residential, has ceased to be occupied as a residence by any person for a period in excess of six (6) months and, if commercial, has ceased to be occupied by any person, firm or corporation for a period in excess of six (6) months or is empty by the removal of all machinery, equipment, inventory or merchandise, unless said residential or commercial building is in the process of undergoing repair or renovation, which repair or renovation necessitates the activity of persons in and about the building on at least a weekly basis. A vacant commercial space normally occupied within a building does not apply.

(16) Section 302.1 Sanitation.

Delete (See Cheltenham Code, Chapter 188)

(17) Section 302.4 Weeds.

Delete (See Cheltenham Code, Chapter 188)

(18) Section 302.8 Motor vehicles.

Add a new exception:

Exception 2. Inoperative or unlicensed vehicles may be stored inside a permanent structure.

(19) Section 302.9 Defacement of property.

Delete (See Cheltenham Code, Chapter 205)

(20) Section 303.2 Enclosures.

Add – The fence or barrier shall not have openings, holes or gaps that would permit the passage of a 4-inch diameter sphere.

(21) Section 304.14 Insect screens.

Insert - June 1 to November 1

(22) Section 304.18 Building security.

Delete (See Cheltenham Code, Chapter 234)

(23) Section 401.3 Alternative devices.

Delete - International Building Code

Insert - Cheltenham Building Code

(24) Section 403.4 Process ventilation.

Delete (Regulated by other government agencies)

(25) Section 404.4 Bedroom and living room requirements.

(26) Section 404.4.1 Room area.

(27) Section 404.5 Overcrowding

Delete these sections and replace with language used in the 2003 Property Maintenance Code which reads as follows:

Insert – Section 404.4 Bedroom requirements.

Every bedroom shall comply with the requirements of Section 404.4.1 through 404.4.5

(3) Insert – Section 404.4.1 Area for sleeping purposes.

Every bedroom occupied by one person shall contain at least 70 square feet (6.5m²) of floor area for each occupant thereof.

(4) Insert – Section 404.5 Overcrowding.

Dwelling units shall not be occupied by more occupants than permitted by the minimum area requirements of Table 404.5.

TABLE 404.5
MINIMUM AREA REQUIREMENTS

SPACE	MINIMUM AREA IN SQUARE FEET		
	1-2 occupants	3-5 occupants	6 or more occupants
Living room ^{a,b}	No requirements	120	150
Dining room ^{a,b}	No requirements	80	100
Bedrooms	Shall comply with Section 404.4		

For SI: 1 Square foot = 0.093 m²

a. See Section 404.5.2 for combined living room/dining room spaces.

b. See Section 404.5.1 for limitations on determining the minimum occupancy area for sleeping purposes.

(5) Insert – Section 404.5.1 Sleeping area.

The minimum occupancy area required by Table 404.5 shall not be included as a sleeping area in determining the minimum occupancy area for sleeping purposes. All sleeping areas shall comply with Section 404.4.

(6) Insert – Section 404.5.2 Combined spaces.

Combined living room and dining room spaces shall comply with the requirements of Table 404.5 if the total area is equal to that required for separate rooms and if the space is located so as to function as a combination living room/dining room.

(28) Section 602.3 Heat supply.

Insert - October 1 to May 15

(29) Section 602.4 Occupiable work spaces.

Insert - October 1 to May 15

(30) Section 606 Elevators, Escalators And Dumbwaiters.

Delete (Regulated by other government agencies)

(31) Section 702.3 Locked doors.

Delete - International Building Code

Insert - Cheltenham Building Code

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 Board of Commissioners hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more section, subsections, sentences, clauses and 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 or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in Section 2 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 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 after its approval as required by law.

Section 7. EFFECTIVE DATE. This Ordinance shall take effect and be enforced from and after its approval.

ORDAINED AND ENACTED by the Board of Commissioners of Cheltenham Township, Montgomery County, Pennsylvania, this 27th day of **June, 2006**.

CHELtenham TOWNSHIP
BOARD OF COMMISSIONERS

By: 
Morton J. Simon, Jr., President

Attest: 
David G. Kraynik, Secretary