



BOROUGH OF BRENTWOOD

ORDINANCE NO. 2014-1221

"PROPERTY REGISTRATION"

AN ORDINANCE OF THE BOROUGH OF BRENTWOOD, COUNTY OF ALLEGHENY, COMMONWEALTH OF PENNSYLVANIA, AMENDING, IN LIMITED PART, CHAPTER 163 OF THE CODE OF THE BOROUGH OF BRENTWOOD REGARDING PROPERTY REGISTRATION.

WHEREAS, the Borough of Brentwood is a municipal corporation organized and existing under the laws of the Commonwealth of Pennsylvania, including but not limited to the Borough Code; and

WHEREAS, the Legislature of the Commonwealth of Pennsylvania vests the Borough of Brentwood with the power and authority to make and adopt all such ordinances, bylaws, rules and regulations not inconsistent with or restrained by the Constitution and laws of the Commonwealth, as is expedient and necessary for the proper management, care and control of, *inter alia*, the Borough's finances, the maintenance of peace, good government, health, safety, and welfare of the Borough, its trade, commerce and manufacturers; and

WHEREAS, the Brentwood Borough Council has determined that it is necessary to regulate residential real estate to ensure the health, safety, and welfare of occupants of residential real estate, and for residents of the Borough generally; and

NOW THEREFORE, on this 24 day of MARCH, 2014, it is hereby Enacted and Ordained by the Council for the Borough of Brentwood, that;

PART I: AMENDMENTS

Chapter 163 of the Code of the Borough of Brentwood is hereby amended, in limited part, as follows:

Section 163-8 is hereby amended to read as follows:

§163-8: Revocation of rental license.

A The Building Code Official is authorized to revoke a rental license under the following conditions:

- (1) A rental unit has become noncompliant with the Borough Property Maintenance Code, and the owner or agent fails to remedy the violation within the time frame specified within the applicable code, or, if a written extension is received from the Building Code Official, fails to remedy the violation within the time frame specified in the extension document.

- (2) The owner fails to provide all required documentation and pay all fees as required for rental registration.
- (3) Upon notification of overdue real estate taxes, water, sewage, or other outstanding fees that are owed to the Borough of Brentwood, the owner fails to pay in full said fees, or fails to enter into an authorized payment plan and meet the conditions set forth in said payment plan.

B If the rental unit is occupied at the time that the rental license is revoked, it shall be vacated within thirty (30) days, and it shall remain vacant until the rental license is reinstated. If the rental unit is vacant at the time that the rental license is revoked, it shall remain vacant until the rental license is reinstated.

Section 163-9 is hereby amended to read as follows:

§163-9: Procedure for revocation of rental license; appeals.

A If the Building Code Official finds, upon inspection, one of the following Borough Property Maintenance Code violations, and the owner or agent fails to remedy the violation within the time frame specified within the applicable code, then the rental license shall be revoked, and the rental unit shall be declared unfit for human habitation and ordered vacant and shall remain vacant until the violation is abated.

- (1) Unsafe structures and equipment, Section 108.
- (2) Rodent harborage, Section 302.5.
- (3) Roofs and drainage, Section 304.7.
- (4) Windows, skylights, and door frames, Section 304.13.
- (5) Building security, Section 304.18.
- (6) Ventilation, Section 403.
- (7) Occupancy limitations, Section 404.
- (8) Required facilities, Section 502.
- (9) Plumbing system hazards, Section 504.3.
- (10) Heating facilities, Section 602.
- (11) Electrical system hazards, Section 604.3.
- (12) Means of egress, Section 702.
- (13) Fire protection systems, Section 704.

B If the Building Code Official determines a rental unit to be noncompliant with any provision outlined in §163-8, except those separately defined above in Subsection A, and said violation has not been remedied within thirty (30) days, then the Building Code Official has the option to issue a thirty-day legal action warning. The thirty-day legal action warning shall be delivered by certified mail, return receipt requested.

C If after thirty (30) days from the receipt of the thirty-day legal action warning, a reinspection reveals that all violations have not been corrected, the rental license shall be revoked.

D Any owner whose rental license has been revoked or whose application for a rental unit has been denied may appeal within 20 days, after paying the applicable fee, to the Rental Property Board of Appeals.

E If the owner is attempting in good faith to correct violations but is unable to do so within the time specified in the notice, the owner shall have the right to request such additional time as may be needed to complete correction work, which request shall not be unreasonably withheld.

PART II- The Borough Manager, Building Code Official/Department, Police Department, Borough Solicitor, and all others employed or appointed by the Borough of Brentwood, are authorized to take any and all action necessary to ensure implementation of this Ordinance and to effectuate the purpose hereof.

PART III- Any and all Ordinances and/or Resolutions, or parts thereof, conflicting herewith are repealed insofar as the matters here in affected.

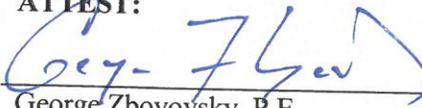
PART IV- The provisions of this Ordinance are servable, and if any cause, sentence, section or subsection hereof shall be adjudged by any court of competent jurisdiction to be illegal, invalid or unconstitutional, such judgment or decision shall not affect, impair, or invalidate the remainder, but shall be confined in its operation and application to the clause, sentence, or subsection rendered. It is hereby declared that the intent of the Borough of Brentwood Council that this Ordinance would have been adopted if such illegal, invalid, or unconstitutional clause, sentence, section, or subsection had not been included therein.

PART V- This Ordinance is effective immediately upon enactment according to law, and shall remain in effect hereafter until revised, amended, or revoked by action of the Council of the Borough of Brentwood.

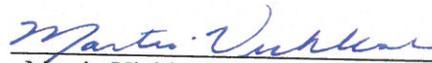
The provisions of this ordinance shall take effect immediately.

ORDAINED AND ENACTED THIS 24th **DAY OF MARCH, 2014 BY THE BOROUGH COUNCIL OF THE BOROUGH OF BRENTWOOD.**

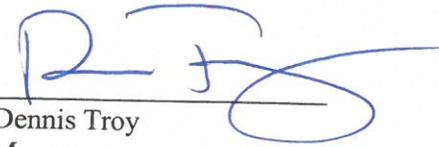
ATTEST:


George Zboyovsky, P.E.
Borough Manager

BOROUGH OF BRENTWOOD


Martin Vickless
President of Council

EXAMINED AND APPROVED BY ME THIS 24th **DAY OF MARCH, 2014**


Dennis Troy
Mayor

APPROVED AS TO FORM


Thomas H. Ayoob III
Borough Solicitor