

MUNICIPALITY OF MONROEVILLE
ALLEGHENY COUNTY, PENNSYLVANIA

ORDINANCE NO. 2464

AN ORDINANCE OF THE MUNICIPALITY OF MONROEVILLE, ALLEGHENY COUNTY, PENNSYLVANIA SETTING FORTH THE REQUIREMENTS FOR OBTAINING OCCUPANCY PERMITS PRIOR TO THE TRANSFER OF ONE AND TWO FAMILY DWELLING UNITS, ESTABLISHING INSPECTION REQUIREMENTS FOR MULTI-FAMILY DWELLINGS, ESTABLISHING PROCEDURES FOR OBTAINING SAID OCCUPANCY PERMITS, AND SETTING FEES FOR SAID PERMITS.

WHEREAS, the Municipality of Monroeville wishes to promote the general health, safety and welfare of the citizens of the Municipality of Monroeville; and

WHEREAS, the Municipality of Monroeville has previously adopted the International Building Code, International Residential Building Code, International Fire Code, International Property Maintenance Code by Ordinance in its entirety; and

WHEREAS, it is the intent of this ordinance to promote the health and safety of the occupants of all dwelling units within the Municipality of Monroeville; and

WHEREAS, the above referenced codes and standards will be applied equally to all residential dwellings in the Municipality of Monroeville; and

WHEREAS, it is not the intent of the Municipality of Monroeville to require any structural modifications to said dwellings which do not comply with the current regulations; and

WHEREAS, the Municipality of Monroeville will continue to ensure that the above referenced standards are adhered to: and

WHEREAS, the Municipality of Monroeville hereby designates that the time for a determination of compliance with these requirements in one and two family dwelling units shall be when a residential dwelling unit changes occupants; and

WHEREAS, no occupancy of a one or two family residential dwelling unit may occur until an occupancy permit is issued by the Municipality of Monroeville, with the exception of those units which are currently occupied; and

WHEREAS, the Municipality of Monroeville hereby designates that multi-family dwelling, defined for the purpose of this ordinance as those structures with three or more dwelling units in one structure, shall be inspected on a cyclical basis not determined by change

of occupancy for common areas, however will remain as part of the program of inspection for the change of occupant in the dwelling unit; and

WHEREAS, the occupancy permit requirement shall apply equally to both-owner occupied and rental units, as well as single family, two-family and multi-family dwellings, however differing requirements shall be attached to the different type of units.

NOW, THEREFORE , BE IT ORDAINED AND ENACTED, by the Municipality of Monroeville, that the following codes and sections of codes shall be adopted and shall be the standards for maintenance of residential dwelling units in the Municipality of Monroeville.

- International Property Maintenance Code – 2006 Edition
- International Residential Code – 2009 Edition – to include Sections R309, E3802.1, E3802.2, E3802.3, E3802.4, E3802.6, and E3802.7.
- International Building Code – 2009 Edition
- International Fire Code – 2009 Edition

The above referenced Codes and Sections shall apply equally to single-family, two-family and multi-family dwellings regardless of construction type and design and shall be the basis for which all residential dwelling units are inspected.

BE IT FURTHER ORDAINED AND ENACTED, by the Municipality of Monroeville that the following procedures for ensuring compliance with the above referenced standards shall be followed:

SECTION 1. PROCEDURES - One and Two Family Residences

1. All residential structures, whether owner-occupied or rental units, single-family or two-family dwellings, shall be bound by these requirements. Each unit in a two-family dwelling shall be treated separately by this ordinance and each shall require its own occupancy permit.
2. All residential dwelling units must be inspected by the Municipality of Monroeville and brought up to the required standards prior to a change in the person or persons occupying the dwelling unit.
3. The property owner or agent for the property owner shall make application to the Municipality of Monroeville on the Municipality supplied form and return it to the Municipality along with the required application fees.
4. The Municipality of Monroeville shall conduct an inspection of the premises and shall make note of all deficiencies from the applicable codes and standards adopted in this ordinance. If the dwelling unit is found to be in compliance with the aforementioned codes and standards then the property owner or agent shall be issued a Certificate of Occupancy for the dwelling unit.

5. If deficiencies are found, the Municipality of Monroeville shall re-inspect the property after notification that all deficiencies are corrected by the owner or agent. If all deficiencies are found to be corrected, the owner or agent shall be issued a Certificate of Occupancy for the structure.
6. No dwelling unit may be sold, leased, rented or otherwise re-inhabited prior to the issuance of a Certificate of Occupancy after the tenants legally residing in the premises at the time of adoption of this ordinance vacate the premises.

SECTION 2. PROCEDURES – Multi-family Residences

1. All multi-family residential dwellings shall be bound by these requirements. Each unit in a multi-family dwelling shall be treated separately by this ordinance and each shall require its own Certificate of Occupancy.
2. All dwelling units in a multi-family dwelling must be inspected by the Municipality of Monroeville and brought up to the requirements of the Codes and Standards outlined in this ordinance for each dwelling unit at the time of occupancy.
3. The property owner or agent for the property owner shall make application to the Municipality of Monroeville on a supplied Municipal form and returned to the Municipality along with the required fees prior to the requested inspection.
4. The Municipality of Monroeville shall conduct an inspection of the premises and shall make note of all deficiencies from the applicable codes and standards adopted in this ordinance. If the dwelling unit is found to be in compliance with the aforementioned codes then the property owner or agent shall be issued a Certificate of Occupancy for the dwelling unit.
5. Interior corridors of all multi-family dwellings whose units share common interior corridor are subject to inspection and code compliance at the same time as the inspection of the first unit in the structure requested for inspection and the common area will remain on a cyclical basis.

SECTION 3. FEES

1. Fees for Occupancy permits for one and two family dwelling units shall be set by the most recent fee schedule adopted by the Municipality of Monroeville.
2. Fees for Occupancy permits for units in buildings Multi-tenant in nature shall be set by the most recent fee schedule adopted by the Municipality of Monroeville.
3. The Municipality of Monroeville shall reserve the right to charge a re-inspection fee after two visits to the same dwelling or dwelling unit as set by the most recent fee schedule adopted by the Municipality of Monroeville.

4. Fees shall be due and payable at the time of application for a occupancy permit.

SECTION 4. PENALTIES

Any individual, firm or corporation who shall violate a provision of this Ordinance or shall fail to comply with any of the requirements thereof shall be guilty of a misdemeanor in the first degree, punishable by a fine of not more than \$500.00 dollars or by imprisonment not exceeding thirty (30) days, or both such fine and imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense. The fines and penalties may be collected by suit instituted in the name of the Municipality of Monroeville before the District Magistrate in the like manner as debts of like amounts may be sued for by existing laws.

SECTION 5. EFFECTIVE DATE

This Ordinance shall take effect February 1, 2010.

SECTION 6. CONSTITUTIONALITY

If any sentence, clause, section or part of this ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts of this ordinance.

ORDAINED and **ENACTED** this 28th day of December, 2009.

ATTEST:

MUNICIPALITY OF MONROEVILLE



Marshall Bond, Manager
Municipality of Monroeville



Gregory Erosenko, Mayor
Municipality of Monroeville

ENTERED INTO LEGAL BOOK ON: January 7, 2010