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# CITY OF BETHLEHEM

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## Department of Community and Economic Development

### Interoffice Memo

**To:** J. William Reynolds, City Council President

**From:** Craig B. Hynes, Chief Building Inspector

**Re:** Proposed changes to Article No. 1733

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Attached are proposed changes to Article No. 1733. The bulk of changes are adding back into the ordinance sections that were deleted in a previous adoption of the property maintenance code and changing language to more closely align with that actual published document.

One change is to limit the option to go to the code board of appeals when a violation is cited. This also requires a change to Article No. 150 (submitted under separate memo).

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cc: Robert J. Donchez, Mayor  
William P. Leeson, City Solicitor  
Alicia Miller Karner, Director of Community and Economic Development  
Council Members  
Louise Kelchner, City Clerk  
File

ATTACH

DATE: November 1, 2017

  
\_\_\_\_\_  
Chief Building Inspector

BILL NO. \_\_\_\_ - 2017

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE CITY OF BETHLEHEM,  
COUNTIES OF LEHIGH AND NORTHAMPTON,  
COMMONWEALTH OF PENNSYLVANIA, AMENDING  
ARTICLE 1733 OF THE CODIFIED ORDINANCES OF  
THE CITY OF BETHLEHEM TITLED  
“INTERNATIONAL PROPERTY MAINTENANCE CODE”

THE COUNCIL OF THE CITY OF BETHLEHEM HEREBY ORDAINS AS FOLLOWS:

SECTION 1. That Article 1733 of the Codified Ordinances of the City of Bethlehem, titled “International Property Maintenance Code”, the caption for Section 1733.01 titled “Additions, Deletions, and Modifications”, which reads as follows:

~~1733.01.~~ ADDITIONS, DELETIONS, AND MODIFICATIONS.

Shall be amended and renumbered to read as follows:

1733.02. ADDITIONS, DELETIONS, AND MODIFICATIONS

SECTION 2. That the following sections and sub-sections of the 2009 ICC International Property Maintenance Code previously deleted by Ordinance 4340 and/or Ordinance 2010-27 are hereby reinstated and reincorporated into Article 1733 of the Codified Ordinances of the City of Bethlehem, titled “International Property Maintenance Code”:

Chapter 1 – ADMINISTRATION

Section 108 – Unsafe structures and equipment

Sub-section 108.1.5(4)

Sub-section 108.6 – Abatement Methods

Section 110 – Demolition

Sub-section 110.1 - General

Chapter 3 – GENERAL REQUIREMENTS

Section 304 – Exterior structure

Sub-section 304.1.1 – Unsafe Conditions

Sub-sections 304.1.1(1), (2), (3), (6), (7), (10)

Section 305 – Interior Structures

Sub-section 305.1.1 – Unsafe Conditions

Sub-sections 305.1.1(1), (2), (3), (4), (6)

Section 306 – Component Serviceability

Sub-sections 306.1.1 – Unsafe Conditions

Sub-section 306.1.1(1)

Chapter 4 – LIGHT, VENTILATION AND OCCUPANCY LIMITATIONS

Section 402 - Light

Sub-section 402.2 – Common Hall and Stairways

Section 404 – Occupancy Limitations

Sub-section 404.4.1 – Room Area

Sub-section 404.7 – Food Preparation

Chapter 5 – PLUMBING FACILITIES AND FIXTURE REQUIREMENTS

Section 505 – Water System

Sub-section 505.4 – Water Heating Facilities

Section 506 – Sanitary Drainage System

Sub-section 506.3 – Grease Interceptors

Chapter 6 – MECHANICAL AND ELECTRICAL REQUIREMENTS

Section 604 – Electrical Facilities

Sub-section 604.3.1 – Abatement of electrical hazards associated with water exposure

Sub-section 604.3.1.1 – Electrical Equipment

Sub-section 604.3.2 – Abatement of electrical hazards associated with fire exposure

Sub-section 604.3.2.1 – Electrical equipment

SECTION 3. That the following selected text for subsection 304.14 of the 2009 International Property Maintenance Code as adopted and incorporated into Article 1733.01 of the Codified Ordinances of the City of Bethlehem, and as renumbered herein as Article 1733.02, presently reads as follows:

~~304.14. Insect Screens. Every exterior window and door frame that has the necessary mechanical storm and screen hardware in place, must be provided with proper fitting windows and screens.~~

Shall be amended to read as follows:

304.14. Insect Screens. Every door, window and other outside opening required for ventilation of habitable rooms, food preparation areas, food service areas or any areas where products to be included or utilized in food for human consumption are processed, manufactured, packaged or stored, shall be supplied with approved tightly fitting screens of not less than 16 mesh per inch (16 mesh per 25 mm) and every swinging door shall have a self-closing device in good working condition.

Exception: Screens shall not be required where other approved means, such as air curtains or insect repellent fans are employed.

SECTION 4. That the following selected text for subsection 604.2 of the 2009 International Property Maintenance Code as adopted and incorporated into Article 1733.01 of the Codified

Ordinances of the City of Bethlehem, and as renumbered herein as Article 1733.02, presently reads as follows:

~~604.2. Service. Every single family dwelling and housing rental unit shall be served by a main that is not less than 100 amperes. Inadequate services must be upgraded to meet the requirements of the National Electrical Code.~~

Shall be amended to read as follows:

604.2. Service. The size and usage of appliances and equipment shall serve as a basis for determining the need for additional facilities in accordance with the ICC Electrical Code. Dwelling units shall be served by a three-wire, 120/240 volt, single-phase electrical service having a rating of not less than 100 amperes.

SECTION 5. That the following selected text for subsection 111.1 of the 2009 International Property Maintenance Code as adopted and incorporated into Article 1733.01 of the Codified Ordinances of the City of Bethlehem, presently reads as follows:

111.1. Application for appeal. Any person directly affected by a decision of the code official or a notice or order issued under this code shall have the right to appeal to the board of appeals, provided that a written application for appeal is filed within 20 days after the day the decision, notice or order was served. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply, or the requirements of this code are adequately satisfied by other means.

Shall be amended to read:

Any person directly affected by a decision of the code official or a notice or order issued under this code shall have the right to appeal to the board of appeals, provided that a written application for appeal is filed within **10** days after the day the decision, notice or order was served. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply, or the requirements of this code are adequately satisfied by other means. **Notwithstanding the foregoing, or any other inconsistent provision of this code, there shall be no right of appeal to the board of appeals from a notice of violation issued by the code official alleging a violation of this code. Where a person has been served with a notice of violation and has failed, within the time provided for in the notice, to correct the violation, the code official may immediately issue a summary citation to the person based upon the violation and may issue subsequent citations as frequently as permitted by law until the violation is corrected.**

SECTION 6. That all Ordinances and parts of Ordinances inconsistent herewith be, and the same are hereby repealed.

Sponsored by \_\_\_\_\_

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PASSED finally in Council on the      day of                      , 20\_\_\_\_.

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President of Council

ATTEST:

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City Clerk

This Ordinance approved this      day of                      , 20\_\_\_\_.

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Mayor