

## **Chapter 4**

### **Buildings**

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**Part 1****Occupancy Permits****§4-101. Purpose.**

The purpose of this Part is to protect the health, safety and welfare of residents of Swissvale Borough and, in particular, to guarantee that dwelling units are in a safe, livable and habitable condition and that all buildings and premises in the Borough of Swissvale meet fire, safety, health and other regulations.

(Ord. 89-6, 11/8/1989, §1)

**§4-102. Definitions.**

The following words and phrases shall have the meaning ascribed to them, as follows:

*Borough* - the Borough of Swissvale, Allegheny County, Pennsylvania.

*Council* - the Council of the Borough of Swissvale, Allegheny County, Pennsylvania.

*Commercial premises* - any building or portion of any building that is designed or used for business, storage or any purpose other than a place of residence for a person or family.

*Dwelling unit* - any house, building, premises, apartment or portion of any building, including any apartment building, boarding home or condominium development that is designed or used as a place of residence for one person or family and which contains a facility for cooking.

*Owner* - the legal owner of real estate, including the owner as reflected in deed or document recorded in the Office of the Recorder of Deeds of Allegheny County or any other County office.

*Person* - any natural person, firm, partnership, association or corporation.

(Ord. 89-6, 11/8/1989, §2)

**§4-103. Occupancy Permit.**

No dwelling unit or commercial premises which have not been previously occupied or which have been vacated may be occupied until the owner has secured an occupancy permit from the Borough Secretary. A separate permit must be issued for each dwelling unit or commercial premises. Responsibility for compliance with this Part shall be with the owner.

(Ord. 89-6, 11/8/1989, §3)

**§4-104. Reporting Changes.**

Any change in the occupancy of any dwelling unit or commercial premises shall be reported by the owner to the Borough Secretary within 10 days after such change. It is intended by this Section that an owner report the names, addresses and occupations of any person or new lessee who rents or occupies a dwelling unit or commercial

premises from the owner.  
(*Ord. 89-6, 11/8/1989, §4*)

#### **§4-105. Status of Occupancy Report.**

The Borough Secretary and/or code officers may prepare a form for purposes of reporting the status of occupancy, which may require the information set forth in the previous Sections and any other pertinent information that the Borough deems necessary. The failure to prepare or issue such report forms, however, shall not excuse any owner from the obligation to provide information required by this Part or to otherwise comply with this Part. An owner may provide information by providing to the Borough Secretary a copy of any lease agreement which may be in effect, provided that such agreement provides the information required by this Part.

(*Ord. 89-6, 11/8/1989, §5*)

#### **§4-106. Inspection.**

No occupancy permit shall be issued until such time as the dwelling unit or commercial premises have been inspected by the Borough's health officer or any other person designated by the Borough and have been deemed to be in a safe, livable and habitable condition and in compliance with all applicable safety, fire and health regulations. The cost for each such scheduled inspection shall be an amount as established from time to time by resolution of Borough Council. Where an inspection is scheduled, and the inspection officer attempts to make an inspection and is unable to make such inspection at the agreed upon time and place due to the failure of the applicant to appear or cooperate, the charge will be collectable against the applicant before any occupancy permit shall be issued. Each such inspection shall be subject to an individual charge per inspection.

(*Ord. 89-6, 11/8/1989, §6, as amended by Ord. 91-5, 5/8/1991; and by Ord. 05-02, 6/1/2005*)

#### **§4-107. Application.**

The owner shall submit an application for each occupancy permit, which shall disclose the following information:

- A. Name and address of the owner.
- B. Address of the dwelling unit or commercial premises.
- C. Number of rooms and bathroom facilities in the premises.
- D. General condition of the dwelling unit or commercial premises.
- E. Name and occupation of occupant.

(*Ord. 89-6, 11/8/1989, §7*)

#### **§4-108. Application Fee.**

Each application for occupancy permit shall be accompanied by a fee in an amount established from time to time by resolution of Borough Council in order to defray the cost of administering this Part. No occupancy permit shall be issued until the application fees and inspection fees have been paid.

(*Ord. 89-6*, 11/8/1989, §8; as amended by *Ord. 91-5*, 5/8/1991; and by *Ord. 05-02*, 6/1/2005)

**§4-109. Violation and Penalty.**

Any person, firm or corporation who shall violate any provision of this Part, upon conviction thereof, shall be sentenced to pay a fine of not more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 30 days. Each day that a violation of this Part continues shall constitute a separate offense.

(*Ord. 89-6*, 11/8/1989, §10; as amended by *Ord. 05-02*, 6/1/2005)



**Part 2****Building Numbers****§4-201. Numbering Buildings.**

Numbers, as assigned to each building in the Borough, according to the street number address, shall be affixed to or painted upon or carved upon such building or upon a permanent standard, base or support between such building and the street and alley, if any. Each number shall be of such size, color and material as to be visible from the street and alley, if any, and shall be constantly maintained in complete and legible form. The property owner shall reaffix or renew all numbers that do not conform to the requirements of this Section. Provided, in the case of buildings occupied by other than the owner thereof, the occupant, rather than the owner, shall be responsible for maintaining numbers upon such buildings as hereby required.

(*Ord. 92-9, 11/11/1992, §1*)

**§4-202. Violation.**

After the effective date of this Part, if a building does not have the proper building number affixed in accordance with the provisions of §4-201, the owner, or occupant thereof, having received notice in writing from the Borough to comply with the provisions of §4-201, and not having affixed such building number within 30 days of receipt of said notice, such owner, or occupant, shall be guilty of a violation of the provisions of this Part.

(*Ord. 92-9, 11/11/1992, §2*)

**§4-203. Notice.**

Notice as required by §4-202 of this Part may be transmitted by certified or registered mail, by personal service on the owner or occupant responsible, or by posting the premises.

(*Ord. 92-9, 11/11/1992, §3*)

**§4-204. Penalty.**

Any person, firm or corporation who shall violate any provision of this Part, upon conviction thereof, shall be sentenced to pay a fine of not more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 30 days. Each day that a violation of this Part continues shall constitute a separate offense.

(*Ord. 92-9, 11/11/1992, §4; as amended by Ord. 05-02, 6/1/2005*)

