

# File of the Council of the City of Easton, Pa.

Ordinance No.

SESSION 2014

Bill No. 24

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**Introduced by: Elinor Warner – August 13, 2014**  
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**Enacted by Council:**  
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AN ORDINANCE AMENDING SECTIONS IN CHAPTER 222, BUYER NOTIFICATION, OF THE CODE OF THE CITY OF EASTON, PA.

WHEREAS, the City of Easton recognizes interests in both protecting the public's health, safety, and general welfare through code compliance and promoting community and economic development through a strong real estate market; and,

WHEREAS, the City of Easton requires a Buyer Notification Inspection ("BNI") by the Bureau of Codes and Inspections to accompany all transfers of title to real estate within the City; and,

WHEREAS, comprehensive yet succinct BNI reports prioritizing life and safety issues balance the City's obligation to ensure code compliance with the needs of buyers and sellers of real estate; and,

WHEREAS, prompt inspection timetables and reasonable inspection fees support a strong real estate market within the City; and,

WHEREAS, BNI content, timetables, procedures, and fees are detailed in Chapter 222, Buyer Notification, and Chapter 222-4, Fees, of the Codified Ordinances of the City of Easton; and,

WHEREAS, certain amendments to the aforementioned sections of the Codified Ordinances of the City of Easton are necessary to ensure comprehensive yet succinct BNI reports, prompt inspection timetables, and reasonable inspection fees.

THE CITY OF EASTON HEREBY ORDAINS:

SECTION 1. Section 222-1 B, be and it is hereby amended to read as follows:

- B. In order to prevent undue hardships and losses imposed on such purchasers by owners who have failed to reveal the illegal use or condition of the property being conveyed or who have made misrepresentations in that regard, Council finds that it is in the best interest of the residents of the City to declare that all sellers of property, as defined herein, shall be required to advise the purchaser of the legal use and condition of such property and to deliver to the purchaser a buyer notification inspection report, obtained from the Chief Codes Administrator or their designee showing the legal use and district classification for such property and the existence of any housing, building, safety, plumbing, electrical or fire violations.

SECTION 2. The definition "Agreement of Sale" in Section 222-2, be and it is hereby repealed.

SECTION 3. The following definitions for Certificate of Occupancy and Inspection Report be and they are hereby added as follows to Section 222-2.

CERTIFICATE OF OCCUPANCY a property specific certificate issued by a public officer indicating compliance with applicable zoning and building codes.

INSPECTION REPORT a property specific notice of violation issued to a seller and indicating any discovered or uncorrected violations of applicable zoning and building codes.

SECTION 4. Section 222-3 be and it is hereby amended to read as follows

222-3 Inspection report required prior to sale.

SECTION 5. Section 222-3 A, be and it is hereby amended to read as follows:

A. The seller or their designee, of any residential property in the City of Easton, shall secure a buyer notification inspection report prior to the transfer of title with the following exceptions:

SECTION 6. Section 222-3 A (1), be and it is hereby amended to read as follows:

(1) Where such properties are intended to be demolished and a valid demolition permit, pursuant to the Building Code of the City, has been obtained, the inspection report set forth in 222-4 shall not be required.

SECTION 7. Section 223-3 A (2) and (3), be and they are hereby repealed in their entirety.

SECTION 8. Section 223-3 B, be and it is hereby amended to read as follows:

B. The seller of the property or their authorized agent shall have five (5) business days from the date of the listing, or offer to sell, to request an inspection.

SECTION 9. Section 223-3 C, be and it is hereby added and shall read as follows:

C. The inspection report shall be valid for a period not to exceed one year from the date of issue. This time period can be extended by the Chief Codes Administrator or their designee but in no case shall exceed two years.

SECTION 10. Section 222-4 be and it is hereby amended to read as follows:

222-4 Sheriff/Courthouse Sales; Bankruptcy Sales; Expedited Sales

A. Northampton County Sheriff/Courthouse Sales - The County shall include the cost of inspection into the sale/bid process and it shall be the responsibility of the awarded purchaser to request inspection within thirty (30) days of title transfer unless there is a clear and immediate intent to demolish or substantially remodel the structure and building permits are obtained within that same time frame.

- B. Bankruptcy Sales – Any sale that results from a Bankruptcy proceeding does not obviate the seller from the requirements of this Ordinance except that the City may defer inspection fees until the sale has been completed provided such request is made by the seller in writing and includes a date certain for payment.
- C. Expedited Sales - Sales that occur while awaiting an inspection within the time frames prescribed by §222-5A and prior to the issuance of an inspection report, shall not preclude such sale from occurring. In such instances, the seller or authorized agent shall notify the purchaser, in writing, of the obligation to secure the inspection report and certificate of occupancy required by this Ordinance.

SECTION 11. Section 224-5, be and it is hereby added and shall read as follows:

**225-5 Application fee; contents.**

- A. Upon application of the owner or authorized agent and payment to the City of a fee in accordance with the schedule as established in Chapter 285, Fees, the Chief Codes Administrator or their designee shall, within fifteen (15) business days, review the pertinent City records and inspect the premises in question. Upon completion of the review and inspection, the Chief Codes Administrator or their designee shall, within three (3) business days, execute and deliver a report to the owner which shall contain the following information:
  - (1) The street address or other appropriate description of subject property.
  - (2) The district classification(s), notation of any illegal or non-conforming uses, and notation of any variance or use permits including any conditions related to such approvals thereto.
  - (3) A statement of all life and safety violations of the housing, building, plumbing, electrical, safety or fire ordinances and regulations.
- B. The seller shall attach to the inspection report as cited above a statement as to whether there are outstanding, against the property, any liens or assessments for public improvements.

SECTION 12. Section 222-7 be and it is hereby amended to read as follows:

222-7 Delivery of inspection report; certificate of occupancy; receipt evidence of compliance.

SECTION 13. Sections 222-7 A, B be and it is hereby amended to read as follows:

- A. In the City no owner shall sell his property unless the owner first delivers to the purchaser, the inspection report described in Section 222-4.
- B. The seller, purchaser or transferee, or an authorized agent shall execute a receipt for the inspection report, as furnished by the City, and such receipt shall be delivered to the Chief Codes Administrator or their designee within seven (7) business days as evidence of compliance with the provision of this chapter.



# File of the Council of the City of Easton, Pa.

Ordinance No.

SESSION 2014

Bill No. 25

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Introduced by: Elinor Warren – August 13, 2014  
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Enacted by Council:  
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## **AN ORDINANCE Amending Section 285-4 Buyer Notification, of Chapter 285 Fees, of the Code of the City of Easton, Pa.**

THE CITY OF EASTON HEREBY ORDAINS:

SECTION 1. Section 285-4, be and it is hereby amended to read as follows:

A. Combined buyer notification inspection report and certificate of occupancy fee (§222-4A).

SECTION 2. Section 285-4 A (1) (2) (3) be and they are hereby amended to read as follows:

- (1) Single-Family Residential - \$150 per dwelling unit.
- (2) Multi-Family Residential - \$300 for common areas and first two units plus \$50 for each additional unit.
- (3) Non-Residential - \$300 for the first 2,000 square feet plus \$50 per each additional 1,000 square feet, capped at \$600.

SECTION 3. Section 285-4 A (4) (5) (6) be and they are hereby added and shall read as follows:

- (4) Mixed-Use - \$50 per residential dwelling unit plus \$300 for the first 2,000 square feet of commercial space plus \$50 per each additional 1,000 square feet, capped at \$600.
- (5) Re-inspections – No charge for first re-inspection and \$50 for any subsequent re-inspection.
- (6) All fees shall be doubled for any owner selling a property without first obtaining an inspection for certificate of occupancy.

SECTION 4. All Ordinances or parts of Ordinances inconsistent herewith be and the same are hereby repealed.

SECTION 5. This Ordinance shall become effective 30 days following adoption by Council.





# File of the Council of the City of Easton, Pa.

Ordinance No.

SESSION 2014

Bill No. 27

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Introduced by: Jeffrey Warren – August 13, 2014  
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Enacted by Council:  
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**AN ORDINANCE: Amending Article 1 of Chapter 399 – Parking Permits of the Code of the City of Easton, Pa.**

THE CITY OF EASTON HEREBY ORDAINS:

SECTION 1. Section 399.9 (A), (B), and (C) - Parking Permit Districts be and they are hereby amended to read as follows:

399.9 Parking Permit Districts

The following areas are hereby designated as the downtown residential permit parking areas. The downtown metered areas will be divided into two (2) color-coded districts:

- A. Blue District (only includes these areas listed)
  - Bushkill Street: 100 and 200 blocks
  - North 2<sup>nd</sup> Street
  - North 3<sup>rd</sup> Street Parking Lot
  - North 4<sup>th</sup> Street
  - North 4<sup>th</sup> Street Lot
  - North 5<sup>th</sup> Street
  - Spring Garden Street: 100-400 block
  
- B. Red District (only includes these areas listed)
  - Ferry Street: 200-400 block
  - South 2<sup>nd</sup> Street
  - South Sitgreaves Street
  - South 4<sup>th</sup> Street
  - Michael J. Koury Place
  - Northampton Street Parking Lot: 200 block
  - Pine Street: 300 block
  
- C. Gold Permit (Includes all areas in Red and Blue Districts)

SECTION 2. Section 399.9 (D) be and it is hereby repealed in its entirety.

SECTION 3. Section 399.10 (A) - Regulations and Procedures are hereby amended to read as follows:

- A. Meters not included in this plan are 3<sup>rd</sup> Street, Northampton Street, Center Square, South Bank Street, 300 block of Church Street, Larry Holmes Drive, South 3<sup>rd</sup> Street Lot.



# File of the Council of the City of Easton, Pa.

Ordinance No.

SESSION 2014

Bill No. 28

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Introduced by: Roger Ruggles – August 13, 2014  
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Enacted by Council:  
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**AN ORDINANCE: Amending Section 404-4 – Acts Prohibited of Chapter 404 – Parks of the Code of the City of Easton, Pa.**

THE CITY OF EASTON HEREBY ORDAINS:

SECTION 1. Section 404-4 (G) be and it is hereby amended to read as follows:

(G) Weapons. No person other than those authorized by the City shall ~~carry or~~ discharge firearms **in City-owned or City-leased park areas. This provision shall also apply to other weapons including** bow and arrows, ~~or other lethal weapons,~~ **crossbows, pellet guns and slingshots. Paint guns are not permitted to be discharged in City park areas.**

SECTION 2. Section 404-4 (I) be and it is hereby amended to read as follows:

(I) Tobacco Use. No person shall smoke tobacco or use smokeless tobacco products at any City ~~and or pool facility area and within any City play equipment or playground safety surface area owned, leased or operated by the City of Easton~~ **owned or City-leased Park or swimming facility.** All areas in which smoking and the use of smokeless tobacco are prohibited shall be properly posted. Failure to comply shall result in the following penalty:

SECTION 3. Section 404-4 **(J)** is hereby added and shall read as follows:

**(J) Metal Detection. Metal detecting is not permitted in any City park unless special permission, in writing, is received from the Director of Public Works.**

SECTION 4. All Ordinances or parts of ordinances inconsistent herewith be, and the same are hereby repealed.

SECTION 5. This ordinance shall take effect 30 days following adoption by Council.

Signed the      day of                      , 2014

ATTEST: \_\_\_\_\_  
City Clerk

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Mayor