

BILL NO. 125 2012
AN ORDINANCE

AMENDING THE CITY OF READING CODIFIED ORDINANCES
CHAPTER 10 HEALTH AND SAFETY, PART 18, CERTIFICATE OF
TRANSFER, BY REDEFINING PROPERTY TO INCORPORATE ALL REAL
ESTATE INCLUDING A LOT AND PROVIDING A DEFINITION FOR A
LOT.

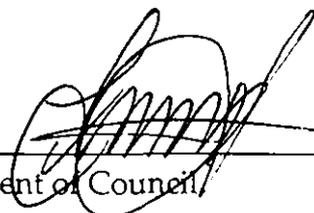
NOW, THEREFORE, THE COUNCIL OF THE CITY OF READING HEREBY
ORDAINS AS FOLLOWS:

SECTION 1. Amending the Codified Ordinances Chapter 10 Health and
Safety by, Part 18, Certificate of Transfer, by redefining property to incorporate
all real estate including a lot and providing a definition for a lot as attached in
Exhibit A.

SECTION 2. All relevant ordinances, regulations and policies of the City of
Reading, Pennsylvania not amended per the attached shall remain in full force
and effect.

SECTION 3. If any section, subsection, sentence or clause of this ordinance is
held, for any reason, to be invalid, such decision shall not affect the validity of
the remaining portions of the Ordinance.

Enacted Dec 10, 2012



President of Council

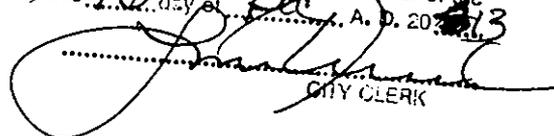
Attest:



City Clerk

(Council Staff)

Submitted to Mayor: Dec 11/12

I, LINDA A. KELLEHER, City Clerk of the City
of Reading, Pa., do hereby certify, that the fore-
going is a true and correct copy of the original
Ordinance passed by the Council of the City of
Reading, on the 10 day of Dec
A. D. 20 12. Witness my hand and seal of the
said City this 10 day of Dec, A. D. 2012

CITY CLERK

Date: _____

Received by the Mayor's Office

Date: 12/18/12

Approved by Mayor:

Date: 12/18/12

Vetoed by Mayor: _____

Date: _____

Handwritten signatures and initials. At the top, there are initials 'VB'. Below that, a large signature is written over the 'Approved by Mayor' line. To the right of this signature, the name 'JAMES HUNTER' is written in capital letters.

EXHIBIT "A"

Part 18. Certificate of Transfer

§10-1802. Definitions.

AGENT - any person who for monetary or other consideration aids a seller in the sale of property. Whenever used in any clause prescribing or imposing a penalty, the term "agent," as applied to partnerships and associations, shall mean the partners or members thereof and, as applied to corporations, the officers thereof.

AGREEMENT - written agreement or written instrument executed by the seller prior to transfer or the buyer after transfer of the property which provides the City with the ability to perform a Health and Safety Inspection.

BUYER - an individual who acquires legal or equitable title pursuant to an agreement of sale.

CERTIFICATE OF TRANSFER - the certificate issued by the City of Reading to the owner of a property that documents that the property is permitted for the use indicated on the Certificate and is based on the property's compliance with the applicable City of Reading Ordinances including but not limited to the Zoning Ordinance and the Housing Ordinance. The Certificate of Transfer does not indicate compliance with the City of Reading Property Maintenance Ordinance.

CERTIFICATE OF TRANSFER PACKET- packet given by the City indicating approved use, rental housing information, and other relevant City documentation.

CITY INSPECTOR - an employee or contractor engaged by the City of Reading to do, among other things, Health and Safety Inspections.

DAYS - calculation of days in this Part shall be by calendar days unless otherwise noted in this Part. If the expiration of the day is on a Saturday, Sunday or Holiday, the deadline shall be extended until the next business day.

DEFICIENCIES - those items indicated on a Health and Safety Inspection report that require repair, remediation or corrective action and/or are hazardous conditions.

DWELLING UNIT or UNIT - a single unit providing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation.

FAILURE TO APPEAR - A failure to appear as described below includes inspection cancellations, no shows and no entries into all units.

HEALTH AND SAFETY COMPLIANCE LETTER - a letter, correspondence or document issued by the City of Reading Property Maintenance Division stating that the requirements of this Part and the minimum habitability requirements set

forth herein have been satisfied and any founded deficiencies have been corrected.

HEALTH AND SAFETY INSPECTION - an inspection to determine the condition of a property in accordance with such standards of minimum habitability and safety as shall be determined by the Property Maintenance Division.

HEALTH AND SAFETY INSPECTION REPORT - a report issued by a City Inspector setting forth the results of a health and safety inspection which shall include the designation of such conditions as shall require repair or remediation and any hazardous conditions for the current use of the property.

INDIVIDUAL - any person, partnership, association, corporation or other entity.

INSPECTION REQUEST - a request for performance of a Health and Safety Inspection other than an agreement submitted by a buyer at the time of transfer of the property.

LOT - *a measured parcel of land having fixed boundaries and designated on a plot or survey owned or meant to be owned by an individual, group or corporation whether used for commercial or private use and may consist of one or more parcels.*

MIXED COMMERCIAL/RESIDENTIAL PROPERTY - a property, building or structure in which part is used for residential purposes and another part is utilized for commercial purposes. Also referred to as mixed residential/commercial property or mixed use - commercial/residential or mixed use - residential/commercial.

MULTI-UNIT DWELLING - a building arranged, designed, and intended to provide two or more dwelling units. Individual dwelling units may share party walls with other units and either have common outside access areas or have individual outside access areas. Types of such buildings shall include, but shall not be limited to, townhouses, apartments, and/or condominiums.

NOTICE OF VIOLATION - a written notice issued by the Property Maintenance Division directing any repair or remediation, corrective or other action relating to any deficiencies as set forth in a report that may include a time frame within which any such action must be taken.

OWNER - entity or individual(s) that have an enforceable claim or title to an asset or property, and is recognized as such by law. For example, a lender is the legal owner of a property.

PROPERTY - all residential, ~~and~~ mixed residential/commercial buildings, structures or ~~property~~ *real estate* within the City of Reading, any and all building(s) or other improvement(s) and the land on which the buildings and improvements are situated.

PROPERTY MAINTENANCE CODE - for the purpose of establishing rules and regulations for the maintenance of all structures, including administration, enforcement and penalties, the property maintenance code known as the International Property Maintenance Code, 2012 Edition, as published by the International Code Council, and adopted by the City of Reading City Council as deleted, modified or amended. From the date on which this Part shall take effect, the provisions thereof shall be controlling in the maintenance of all structures, and in all other subjects therein contained, within the corporate limits of the City of Reading, Pennsylvania, as per Codified Ordinances Chapter 5, Part 6.

PROPERTY MAINTENANCE DIVISION - The City of Reading Property Maintenance Division.

RENTAL COMPLIANCE LETTER - a letter or document issued by the City of Reading Property Maintenance Division upon finding and stating compliance with the applicable City of Reading Codified Ordinances following performance of a rental inspection.

ROOM or ROOMING UNIT - any room, area or group of rooms forming a single habitable unit occupied or intended to be occupied for sleeping or living, but not for cooking purposes or independent living.

ROOMING HOUSE - a building arranged or occupied for lodging, with or without meals, for compensation and not occupied as a one- or two-family dwelling, excluding hotels and motels.

SALE - the transfer of any legal or equitable interest in or title to property, including exchanges of properties with or without monetary consideration.

SELLER - the owner or his authorized agent or appointee of the property that will be transferred or sold.

SETTLEMENT - the culmination of a particular transaction involving real property that results in the transfer or conveyance of a property from one party to another.

SINGLE-FAMILY DWELLING - a single unit providing complete independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation. A single unit may be incorporated within a series of row homes sharing a common firewall. Types of such buildings shall also include mobile and modular units.

STRUCTURE(S) - any manmade object, including a building, radio or television tower, fences, walls, carports, porches and decks, and permanent signs, constructed or erected on or in the ground or water or upon another structure or building and having an ascertainable stationary location. The term "structure" shall not include walks, sidewalks or driveways.

VACANT PROPERTY - a residential or mixed use (residential and other permitted use) property shall be deemed to be a "vacant property" if it is

continuously unoccupied by the same individual or basic family unit as a residence and/or it is unoccupied. A vacant property can include a vacant property for sale, a vacant property for rehabilitation, a code compliant vacant property and a vacation/second residence.