

**City of Duquesne
Workshop Agenda
Tuesday, May 28, 2024
6:30 pm**

Meeting being held in person and remotely using ZOOM:

<https://us02web.zoom.us/j/5251078707?pwd=Z01uVXlMMlZaYm5BazJnYmR4Mw51QT09#success>

**CALL TO ORDER (PLEASE MUTE YOUR PHONES)
MOMENT OF SILENCE AND PLEDGE OF ALLEGIANCE
ROLL CALL**

**Councilperson Elaine Washington
Councilperson Aaron Adams
Councilperson Derek Artim
Councilperson Denise Brownfield
Mayor R. Scott Adams**

PUBLIC COMMENTS ON AGENDA ITEMS

At this time, citizens may address the Council of Duquesne on any issue appearing on today's agenda. Only residents and taxpayers of the City of Duquesne will be permitted to address the Council. Comments on non-agenda items will be taken at the end of tonight's meeting. Speakers will be permitted to speak for a maximum of 5 minutes. Groups of people will be required to designate a spokesperson to represent them before the Council who may speak for a maximum of 10 minutes. Speakers are asked to use the microphone at the speaker's stand, clearly state their name and address for the record and keep comments brief and to the point. Please spell your name for the record and sign in on the sign in sheet.

CONSENT AGENDA

- a. Approval of Minutes – April 30th and May 7th, 2024 Council Meetings
- b. Bill List – May 28, 2024

MOTION: to approve the May 28, 2024 Consent Agenda

NEW BUSINESS

- 1. Public Safety – Report by Mayor Scott Adams**
 - a. No Parking Ordinance – Commercial and Recreational Vehicles and No Parking On Grant Avenue between 3rd and 4th Street during school drop off and pick up times.
- 2. Public Works – Report by Councilperson Elaine Washington**
- 3. Water Dept. – Report by Councilperson Aaron Adams**
- 4. Community & Economic Development – Report by Councilperson Denise Brownfield**

- a. Youth Recreational Survey
- b. Landlord and Tenant Registration Notification Letter
- c. Code Enforcement Issues – please report to City Hall at 412-466-4746 ext. 2113 or city_manager@duquesnepa.us

5. *Accounts & Finances. – Report by Councilperson Artim*

6. *Treasurer Dept. – Report by Maureen Strahl*

7. *Engineer – Report by Laura Branthoover*

8. *Solicitor – Report by Myron Sainovich*

9. *City Manager – Report by Douglas Sample*

a. Home Rule Charter

1. Potential candidates for Government Study Commission must obtain the Nomination Packet from the Department of Administrative Services – Division of Elections towards the end of July. The first day to circulate and file the nomination paper is Tuesday, August 6, 2024 and the last day to circulate and file is Tuesday, August 27, 2024 at 5 PM. Candidates must obtain at least 29 signatures to get onto the ballot. Instructions and copy of the petition are available to review at www.duquesnepa.us.
2. The GSC will either recommend no change to our current form of government after 9 months of study or must produce report to DCED with proposed changes after 18 months.
3. Following review by DCED, the Home Rule Charter Adoption will be on the next regularly scheduled election to either accept or reject the charter as a whole. The earliest a Home Rule Charter could be on the ballot for the voters to decide would be General Election in November 3, 2026.

10. *Police Dept. – Report by Chief William Shaw*

11. *Fire Dept. – Report by Chief Frank Cobb*

12. *Police Citizen Review Board – Report by Debra Chaffin*

OLD BUSINESS

COMMUNITY ANNOUNCEMENTS

1. **Upcoming Council Meeting** – Tuesday, June 4, 2024 at 6:30 PM. The July 23rd and August 6th, 2024 meetings are cancelled for summer recess.
2. **Gun Violence Prevention Day**– on June 15, 2024 from 1-4 pm at Grant Memorial Park (next to City Hall) Daevion's Place of Resilience will be hosting an event is a call to action for parents, guardians, men, women, children, churches, and organizations to join together for a day of fun and healing. The primary goal is to provide resources to families that will aid in ending community violence.
3. **Duquesne Children's Business Fair** – Acton Children's Business Fair and How to HR will be holding its 3rd annual Duquesne Children's Business Fair at Polish Hill Park on Saturday, July 27th from 11 AM to 4 PM.
4. **Community Day Parade** – plans are being finalized for the parade on August 3rd, 2024 starting at 10 AM on 4th and Grant and proceed upwards towards Polish Hill Park.

PUBLIC COMMENT

At this time, citizens may address the Council of Duquesne on any issue. Only residents and taxpayers of the City of Duquesne will be permitted to address the Council. Comments on non-agenda items will be taken at the end of tonight's meeting. Speakers will be permitted to speak for a maximum of 5 minutes. Groups of people will be required to designate a spokesperson to represent them before the Council who may speak for a maximum of 10 minutes. Speakers are asked to use the microphone at the speaker's stand, clearly state their name and address for the record and keep comments brief and to the point. Please spell your name for the record and sign in on the sign in sheet.

ADJOURNMENT

CITY OF DUQUESNE

ORDINANCE NUMBER: 2024-001

COUNTY OF ALLEGHENY

PRESENTED BY: City of Duquesne

COMMONWEALTH OF
PENNSYLVANIA

FIRST READING: May 7, 2024

SECOND/THIRD READING:

AN ORDINANCE OF THE CITY OF DUQUESNE, ALLEGHENY COUNTY, PENNSYLVANIA, REGULATING THE PARKING OF VEHICLES, PURSUANT TO TITLE 75 PA.C.S.A. §102, ET. SEQ., TITLE 67, DEPARTMENT OF TRANSPORTATION, VEHICLE CODE ENFORCEMENT CHAPTER 212.114, VEHICLE CODE TITLE 75 §3354, ET. SEQ., AND PRESCRIBING PENALTIES FOR VIOLATION THEREOF.

WHEREAS, the City of Duquesne is a Municipal Corporation organized and existing under the laws of the Commonwealth of Pennsylvania, including but not limited to the Third-Class City Code; and

WHEREAS, the Legislature of the Commonwealth of Pennsylvania has vested the City of Duquesne with the power and authority to make and adopt all such ordinances, bylaws, rules, and regulations which are consistent with or restrained by the Federal or Pennsylvania State Constitutions, as well as the laws of the Commonwealth of Pennsylvania; and,

WHEREAS, the Legislature of the Commonwealth of Pennsylvania vests the City of Duquesne with the power and authority to make laws as to be expedient or necessary for the proper management, care, and control inter alia, of the City, and the maintenance of peace, good government, safety and welfare of the City, its trade, commerce, and manufacturers; and,

WHEREAS, the City of Duquesne has the power to regulate the parking of vehicles within the boundaries of the City of Duquesne, pursuant to the laws of Commonwealth of Pennsylvania and the Third-Class City Code; and,

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Town Council of the City of Duquesne, that Ordinance No. _____ of 2024 is hereby adopted, and any ordinance inconsistent herewith is repealed, and it is hereby ordained and enacted by the authority of the same as follows:

I. PARKING OF TRAILERS, HOUSE TRAILERS, MOTOR HOMES, BOATS, AND BOAT TRAILERS.

It shall be unlawful to park any trailers, house trailers, and/or motor homes as defined by § 102 of the Vehicle Code of the Commonwealth of Pennsylvania (75 Pa.C.S.A. § 102) and/or boats or boat trailers within the limits of the public right-of-way of any highway, street road, alley, or cartway in the City, at any time unless specifically zoned for that purpose.

II. VEHICLES TO BE PARKED WITHIN MARKED SPACES.

Wherever a space shall be marked off on any highway, street road, alley, or cartway for the parking of an individual vehicle, every vehicle there parked shall be parked within the lines bounding such space.

III. STOPPING OR STANDING

No person shall stop or stand a vehicle at any time, except in accordance with official traffic control devices, upon any of the highways, streets, roads, alleys, or cartways, or parts thereof provided that vehicles licensed for public transportation shall be permitted to stop at authorized stations.

IV. ANGLE PARKING.

No person shall park a vehicle upon any of the highways, streets, roads, alleys, or cartways, or parts thereof except at the angle designated and only within the painted stall lines. On all highways, streets, roads, alley, or cartway or portions thereof where angle parking is now or shall hereafter be authorized, all vehicles parked thereon shall be parked with the front thereof nearest the curb.

V. PARKING OF COMMERCIAL VEHICLES PROHIBITED AT ALL TIMES IN RESIDENTIAL AREAS.

- A. No person shall park a truck, trailer, semitrailer, or other commercial vehicle at any time upon any of the highways, streets, roads, alleys, or cartways or parts thereof outside the commercial or industrial areas set forth in the Zoning Ordinance of the City of Duquesne.
- B. This prohibition shall not apply to vehicles of the Police Department or Fire Department, or commercial vehicles of any public utility company engaged in the performance of public utility work, or vehicles making local deliveries or rendering service to occupants of buildings upon the highways, streets, roads, alleys, or cartways so named.
- C. No person shall park a commercial vehicle, as hereinafter defined, at any time upon any highway, street alley or cartway, or part thereof in the City when so designated. A "commercial vehicle" is defined as any motor vehicle used in a commercial business or enterprise, any motor vehicle on which appears advertising or identification of a business or enterprise or any motor vehicle with more than two axles or exceeding two tons in gross weight.
- D. It shall be unlawful for anyone to store trucks, trailers or commercial vehicles, recreational vehicles, motor homes, travel trailers or campers as defined in this ordinance, on properties in residential zoning districts unless they comply with the following rules:
 - (1) Such storage shall not be located closer than three (3) feet to any side or rear lot line and ten (10) feet of any street line.
 - (2) Travel trailers or campers shall not exceed thirty-five (35) feet in length and eight (8) feet in width.

(3) Only one (1) travel trailer or camper shall be permitted to be stored outdoors in any required yard setback areas of a lot on any residential zoning district. A boat, camper, recreational vehicle (RV), or any other similar vehicle are permitted to be parked within any public street or public alley within this City for no longer than forty-eight consecutive hours.

(4) No travel trailer or camper stored in conformance with this subsection shall remain in such storage for longer than twelve (12) consecutive months.

(5) Any such vehicle stored in accordance with this subsection shall not be occupied and shall not be provided with utility connections other than required for vehicle maintenance and shall not be used for storage of any non-recreational material.

(6) The within section shall not apply to the storage of any construction vehicles engaged in construction for an active construction site.

(7) Only one (1) commercial vehicle of a rated capacity not exceeding two (2) tons with two (2) axles, owned, or used by a resident of the premises, shall be permitted to be regularly parked or garaged on a lot in any residential zoning district.

(8) No person shall park or leave standing any motor vehicle upon any residential lawn area. A lawn area is defined as the property from the front of a residential house, condominium, or cooperative to the street line other than a driveway, walkway, concrete or blacktopped surface parking space.

(9) Except for the purpose of loading or unloading, or providing a service to an abutting property, it shall be unlawful for a person to park on any public street or public alley within this City any vehicle which is classified as a Class 4 through Class 8 as defined by the Federal Highway Administration. Exceptions to this can be made to City Council and will be determined on a case-by-case basis.

(10) The parking or emplacement within any public street or public alley within this City of any storage trailer or container, cargo trailer or container, portable "pod" or any similar unit or object, whether or not equipped with wheels, is prohibited. Exceptions to this provision can be made to the City Council and will be determined on a case-by-case basis.

(11) This section does not apply to any commercial vehicle making pickups or deliveries of goods, wares, and merchandise from or to any building or structure located in a residential district, or when such vehicle is parked in connection with

and in aid of the performance of a service to property in the district, or for the purpose of delivering materials to be used in the actual and bona fide repair, alteration, remodeling, or construction of any structure for which a building permit has previously been obtained, when time in addition to the two-hour period is necessary to complete such work.

VI. REGISTRATION, CERTIFICATE OF INSPECTION, LICENSING, AND DEFECTIVE EQUIPMENT.

A. It is unlawful to park on any public street within this City a motor vehicle which does not display a currently valid registration plate issued by the Department of Transportation of the Commonwealth of Pennsylvania.

B. It is unlawful to park on any public street within this City a motor vehicle which does not display a currently valid certificate of inspection and license issued by an official inspection station duly appointed by the Department of Transportation of the Commonwealth of Pennsylvania.

C. It is unlawful to park on any public street within this City a motor vehicle which is not in condition for safe operation because of absent or defective equipment.

VII. LOADING AND UNLOADING OF GOODS.

The loading and unloading of goods, wares and merchandise is hereby restricted to such length of time as is absolutely necessary for the purpose of loading or unloading of such goods, wares, and merchandise. For the purpose of enforcement of this section, such loading or unloading of any vehicle shall not be considered as parking; provided that, without having first obtained permission from the Chief of Police to do so, no person shall load or unload a vehicle from any place upon any street or alley in the City of Duquesne where parking is prohibited; or shall allow a vehicle to remain, for loading or unloading, in any place upon any street or alley where parking is limited as to time, for longer than the time for which parking is permitted; or shall load or unload upon any street or alley in such a way that one lane for vehicular traffic shall not be kept open at all times. Where such permission is granted by the Chief of Police, he may, at his discretion, block off the portion of the street or alley affected by such loading or unloading.

VIII. PARKING ON PUBLIC PROPERTY

- A. It shall be unlawful for any unauthorized person to park any motor vehicle on any public property of the City of Duquesne in parking areas which are restricted or otherwise reserved for use by City officials and employees.
- B.
- C. It shall be unlawful for any person to park any motor vehicle on any public property of the City of Duquesne, except persons conducting City-related business, between 8:00 a.m. and 9:00 p.m., Monday through Sunday.
- D. For purposes of this section, City-related business includes the use of all City facilities at the Municipal Complex, including parks and fields.
- E. It shall be unlawful to park or otherwise leave unattended any motor vehicle on any grounds

or parking areas of the City of Duquesne for periods exceeding three hours, except people conducting City-related business.

- F. This section shall not apply to public parking areas designated as such with parking meters.
- G. Any motor vehicle found on public property of the City of Duquesne in violation of this section shall be removed and impounded.
- H. Regulations controlling and restricting the movement and parking of vehicles are hereby established upon all parking lots, parks, playgrounds and other municipally owned or leased properties in accordance with this chapter.
- I. For purposes of this section, an "electric vehicle charging station" means a public parking space that is served by charging equipment that has as its primary purpose the transfer of electric energy to a battery or other energy storage device in an electric vehicle.
- J. Any parking space with an electric charging station used for charging plug-in electric drive vehicles must have signage indicating that the space is for the exclusive use of plug-in electric drive vehicles. Only plug-in electric drive vehicles may park in such parking spaces, subject to the following limitations:
 - (1) The use of a charging station shall be available on a first-come first-serve basis.
 - (2) All vehicles parked in a space containing an electric vehicle charging station must be connected to and using the charging station equipment to charge the vehicle.
 - (3) Plug-in electric drive vehicles may be parked in electric vehicle charging station spaces, while charging, between the hours of 9:00 p.m. and 8:00 a.m.
 - (4) It shall be unlawful to park or otherwise leave unattended any motor vehicle at an electric vehicle charging station for periods exceeding three hours.

J. Every vehicle standing or parked upon a two-way highway, street, alley, or cartway shall be positioned parallel to and with the right-hand wheels within twelve inches of the right-hand curb or, in the absence of a curb, as close as practicable to the right edge of the right-hand shoulder.

K. Every vehicle standing or parked upon a one-way highway, street, alley or cartway, shall be positioned parallel to the curb or edge of the highway, street, alley, or cartway in the direction of authorized traffic movement with its right-hand wheels within 12 inches of the right-hand curb or, in the absence of a curb, as close as practicable to the right edge of the right-hand shoulder, or with its left-hand wheels within 12 inches of the left-hand curb or, in the absence of a curb, as close as practicable to the left edge of the left-hand shoulder.

IX. PARKING RESTRICTIONS AT INTERSECTIONS, PUBLIC OR PRIVATE DRIVEWAYS, FLASHING SIGNAL, STOP SIGN, YIELD SIGN, OR TRAFFIC CONTROL DEVICE AT THE SIDE OF A ROADWAY.

It shall be unlawful to park:

- A. Within fifteen (15) feet of a fire hydrant; and,

- B. within twenty (20) feet in front of a public or private driveway; and
- C. within thirty (30) feet of any flashing signal, stop sign, yield sign, or traffic control device located at the side of a roadway; and,
- D. within twenty (20) feet of a driveway of a fire station; and,
- E. within fifty (50) feet of the nearest rail of a railroad crossing;
- F. on a crosswalk or within an intersection; and,
- G. parking shall be prohibited alongside or opposite any excavation, or obstruction when stopping, standing, or parking, which in any way would obstruct traffic on any highway, street, road, alley, cartway or part thereof.
- H. No parking shall be permitted on Grant Avenue between 3rd and 4th Street between the hours of two (2) PM. To four (4) PM. On weekdays for the loading and unloading of school students.

X. VIOLATIONS AND PENALTIES.

Any person who violates one (1) or more sections of this ordinance shall be subject to a fine of not more than six hundred dollars (\$600.00) for each separate offense and/or confinement in the County Jail for a period of not more than ninety (90) days.

This Ordinance shall be effective immediately upon enactment by the Town Council of the City of Duquesne, and shall remain in effect until revised, amended or revoked and may be amended by the Town Council of the City of Duquesne.

ORDAINED AND ENACTED by the Council of the City of Duquesne, County of Allegheny and Commonwealth of Pennsylvania, in a regular meeting of Council and public session, this _____ day of _____, 2024.

ATTEST:

CITY OF DUQUESNE:

Douglas Sample, City Manager

R. Scott Adams, Mayor



May 21, 2024

City of Duquesne

12 South Second Street
Duquesne, PA 15110
Phone: (412) 469-0544
Fax: (412) 469-3795
www.duquesnepa.us

MAYOR

R. Scott Adams

COUNCIL

Elaine Washington
Aaron Adams
Derek Artim
Denise Brownfield

TREASURER

Maureen Strahl

CONTROLLER

SOLICITOR

Myron Sainovich, Esq.

CITY MANAGER

Douglas Sample

FINANCE DIRECTOR

MaryLouise Bittner

ADMINISTRATIVE

ASSISTANT

Christina Martin

CITY ENGINEER

Glenn Engineering & Associates
Laura R. Branthoover, P.E.

BUSINESS/PROPERTY OWNER
ADDRESS
CITY, STATE, ZIP

Dear Property and Business Owners or Managers:

This letter is to notify you that the City of Duquesne is beginning to implement the Landlord Tenant Inspection and Registration Ordinance No. 2019-04, which was passed by the City Council on June 25, 2019 (attached). The ordinance requires all Landlords to perform the following:

- Appointment of Agent/Manager (if Landlord does not reside within twenty (20) mile radius of the City)
- Secure and maintain fire, casualty, and general liability insurance with a minimum of \$50,000.00
- Annual Landlord Tenant Registration (attached)
- Certificate of Occupancy required for any change in tenant

The Annual Registration fee is \$100.00 per unit (i.e. duplex will cost \$200 per year, 8-unit apartment will cost \$800 per year). ***The annual Landlord Tenant fee will be waived for the first year (2024) if the requirements are satisfied.*** The Certificate of Occupancy will follow the current procedure requiring an inspection with a change in tenant or owner. These fees are \$75.00 per unit for Residential and \$150.00 per unit for Commercial.

We look forward to your cooperation in making the City of Duquesne a safer place to live and work. Please feel free to contact me with any questions or concerns at 412-466-4746 ext. 2113.

Sincerely,

Douglas Sample
City Manager

Enclosure(s)



City of Duquesne
 12 South Second St
 Duquesne, Pa. 15110 / 412-466-4746

2024 Landlord Tenant Registration

(Please Print clearly and legibly)

The annual registration fee is \$100.00 per unit (i.e. duplex will cost \$200.00 per year, 8- unit apartment will cost \$800.00 per year). **THE ANNUAL Landlord Tennant fee will be waived for the first year (2024) if the requirements are satisfied.** The Certificate of Occupancy will follow the current procedure requiring an inspection with a change in tenant or owner. These fees are \$75.00 per unit for Residential and \$150.00 per unit for Commercial

Required Attachments: Insurance Declaration Page, Annual Landlord Tennant Registration, Certificate of Occupancy (with **ANY** change of tenant)

(PROPERTY OWNER INFORMATION):

Property Owner's Name _____ Address _____

City _____ State _____ Zip _____ Cell _____

Alternate phone _____ Email _____

(AGENT/MANAGER): If landlord does not reside within (20) miles radius of the City

Property Owner's Name _____ Address _____

City _____ State _____ Zip _____ Cell _____

Alternate phone _____ Email _____

(INSURANCE PROVIDER FOR: FIRE, CASUALTY, AND GENERAL LIABILITY) Requirement of \$50,000.00 minimal. You must attach declaration page.

Insurance Provider Name _____ Address _____

Contact Number _____ Policy Number _____ Email _____

TENANT INFORMATION): the below information should list all rental properties that **YOU OWN** in the City of Duquesne, whether they are commercial or residential rentals: Below list the tenant(s) who reside at each rental next to their rental address. Also list your vacant properties.

<u>RENTAL ADDRESS INCLUDING APARTMENT NUMBERS:</u>	<u>TENANT(S) NAME:</u>	<u>CELL:</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

IF ADDITIONAL LINES ARE NEEDED, PLEASE PUT ON A SEPARATE PIECE OF PAPER

UNITS: _____ X \$ 100.00 = \$ _____ (Total Registration fee) **checks, cash or money order ONLY!**

I, _____, hereby declare that the facts set forth in this application are true to the best of my knowledge, information and belief, and that any false statements made herein are made subjects to the penalties of the Crimes Code, 18 PA C.S.4904, relating to unsworn falsification to authorities.

(Applicant Signature): _____ **(Date):** _____/_____/_____

CITY OF DUQUESNE

ORDINANCE NUMBER: 2019 - 4

COUNTY OF ALLEGHENY

PRESENTED BY: City of Duquesne

COMMONWEALTH OF
PENNSYLVANIA

FIRST READING: APRIL 23, 2019

SECOND AND THIRD
READING: JUNE 25, 2019

**AN ORDINANCE OF THE CITY OF DUQUESNE, COUNTY OF ALLEGHENY,
COMMONWEALTH OF PENNSYLVANIA, ADOPTING A LANDLORD TENANT
INSPECTION AND REGISTRATION ORDINANCE**

LANDLORD-TENANT REGISTRATIONS AND INSPECTIONS

§158-1. Title. This Ordinance shall be known as the "City of Duquesne Landlord-Tenant Registration and Inspection Ordinance".

§158-2. Definitions. The following words, terms, and phrases, when used in this Ordinance, shall be defined as follows, unless the context clearly indicates otherwise:

AGENT OR MANAGER – means a person or individual over the age of eighteen who has been designated under this Ordinance by the owner to perform duties related to a property within the City.

BOARD OF APPEALS – means for purposes of this Ordinance the City Council of the City of Duquesne.

CODE ENFORCEMENT OFFICER – means the person appointed by the City to enforce and administer the Code of Ordinances, including the provisions of this Ordinance.

CODE OF ORDINANCES – means the ordinances codified by City of Duquesne, which includes all ordinances of City of Duquesne such as the IPMC, Building Code, Uniform Construction Code, Quality of Life Ordinance and Zoning Ordinance.

DWELLING UNIT – means any building or portion of a building used as a residence or sleeping place for one or more persons. The term includes single-family dwelling units (when rented to someone by the owner), two-family dwelling units (when both units are rented to someone by the owner and neither unit is owner occupied), and multi-family dwelling units.

DWELLING UNIT, MULTI-FAMILY – means a building designed for occupancy of families living independently of each other, and containing three or more dwelling units per building. The term includes, but is not limited to, garden apartments, apartment buildings, row homes, townhouses, rooming and boarding houses.

DWELLING UNIT, SINGLE-FAMILY – means a detached building, designed for or occupied exclusively by one family.

DWELLING UNIT, TWO-FAMILY – means a detached or semi-detached building designed for or occupied by not more than two individual families or dwelling units.

FAMILY – includes one or more persons living in a single dwelling unit and functioning as a common household unit sharing household expenses and sharing joint use of the entire dwelling unit. If a dwelling is rented, in order to qualify as a family, there shall not be more than one lease agreement among the occupants. A family shall not include more than five (5) persons who are not “related” to each other.

INSPECTOR – means the Building Code Official or the Code Enforcement Officer.

INTERNATIONAL PROPERTY MAINTENANCE CODE (IPMC) – means the International Property Maintenance Code, 2009 edition, as adopted by the City of Duquesne City Council and or such other codes referenced in this Ordinance for the regulation of construction, alteration, addition, repair, removal, demolition, location, occupancy and maintenance of buildings and structures.

LANDLORD – includes any property owner who has a tenant occupying a rental unit within a dwelling unit or a dwelling unit regardless of whether such person has signed a written lease for occupancy of that rental or dwelling unit.

LEASE FOR OCCUPANCY – means to permit possession or occupancy of a building or dwelling unit by a person who is not the legal owner of record by a written or oral lease agreement.

OCCUPANT – means a person age 18 or older who resides in a dwelling unit, such as a tenant, or any other person (excluding visitors) who is allowed to reside in a dwelling unit by the resident or tenant.

OWNER - means one or more persons, jointly or separately, in who is vested all or part of the legal title to the dwelling unit, or all or part of the beneficial ownership and right to present use and enjoyment of the premises, including a mortgage holder in possession of a dwelling unit. For purposes of this Ordinance an owner also includes a landlord.

OWNER-OCCUPANT – means an owner who resides in a dwelling unit on a regular permanent basis.

PERSON – includes any person, partnership, firm, association, corporation, or other legal entity.

PREMISES – means any land in the City where a dwelling unit is located. The term includes the word property.

PROPERTY OWNER – includes any person, agent, or operator having a legal or equitable interest in a dwelling unit; or recorded in the official records of the Allegheny County Recorder of Deed's Office as holding title to the dwelling unit; or otherwise having control of the dwelling unit, including a mortgagor and mortgagee, the heir(s) to the dwelling unit when the deed to the dwelling unit is still in the name of the decedent, the guardian of the estate of any such person, and the executor or administrator of the estate of such person if ordered to take possession of the dwelling unit by a Court of competent jurisdiction.

RENTAL UNIT – means a dwelling unit occupied by one or more tenants. The term does not include for purposes of this Ordinance a dormitory room occupied by one or more students.

ROOMING OR BOARDING HOUSES – means a building containing more than one dwelling unit for the rooming or boarding of persons. This term includes tourist and lodging houses, but excludes hotels and motels.

TENANT – includes any person who occupies a rental unit within a dwelling unit regardless of whether such person has signed a written lease for occupancy of that dwelling unit.

CITY – means City of Duquesne, Allegheny County, Pennsylvania.

ZONING ORDINANCE – means the City of Duquesne Zoning Ordinance.

§158-3. Appointment of Agent or Manager. Every property owner who is a landlord and not an owner-occupant, and who does not reside within a twenty (20) mile radius of the City limits must appoint and designate an agent or manager who resides within a twenty (20) mile radius of the City limits to perform the duties set forth in Section 158-4 below.

§158-4. Duties of Property Owner, Agent, and Manager. The duties of a property owner, agent and manager shall be to:

(a) Accept service of notices issued by the City of Duquesne and the City of Duquesne Code Enforcement Officer;

(b) Permit inspections of dwelling and rental units;

(c) Maintain dwelling and rental units in accordance with the City of Duquesne Code of Ordinances;

(d) Report the name, address and telephone number of the owner, agent and manager to the Code Enforcement Office in writing upon registering the rental and dwelling units;

(e) Maintain the premises in good repair, clean and sanitary condition in compliance with the Code of Ordinances.

(f) Prohibit occupancy of a dwelling and rental unit by a number of persons that is in excess of the requirements outlined in the BOCA National Property Maintenance Code, Chapter 4,

Light, Ventilation, and Occupancy Limits, Section PM-405.5; Overcrowding, or any update thereof.

(g) Finding alternative housing for the occupants of a dwelling or rental unit, at the property owner's expense, when that dwelling or rental unit has been condemned by the Code Enforcement Officer due to the negligence of the property owner, agent or manager.

(h) Secure and maintain fire, casualty and general liability insurance for dwelling and rental units within the City with a minimum of fifty (\$50,000.00) dollars in general liability, and fire and casualty insurance in an amount sufficient to either restore or remove the dwelling unit. Further, in the event of any fire loss covered by such insurance, it shall be the obligation of the property owner to use such insurance proceeds to cause the restoration or demolition or repair of the dwelling in accordance with the Code of Ordinances. Proof of insurance must be provided to the City annually.

§158-5. Inspections and Access. The Code Enforcement Officer is authorized to make inspections to determine whether dwelling units or rental units are in compliance with this Ordinance. For the purpose of making such inspections, the Code Enforcement Officer is permitted to enter all dwelling and rental units, and shall be free to have access thereto upon notice and during all reasonable times for the purpose of such inspections. A new inspection is required upon the signing of any new rental lease agreement.

§158-6 Registrations.

(a) Initial Filing of Reports by Landlords. Within sixty (60) days from the effective date of this Ordinance, every landlord must submit to the Code Enforcement Officer, a report on a form provided by the City, which includes the following information:

- (1) Name, address and phone number of the landlord, and if the landlord is not a natural person, a description of the entity, including the name, address, phone number and title of the designated representative for that entity.
- (2) Name, address and phone number of the agent or manager of the landlord, if applicable.
- (3) List of the dwelling and rental units owned by the landlord.
- (4) A brief description of each unit, including the number of units, whether the unit is occupied or not occupied, and a determination of whether the unit is habitable.
- (5) Name, address and phone number of the tenant occupying the unit.
- (6) The name, address and phone number of the landlord's insurance carrier and agent, including the policy number, declaration page and policy expiration date. A copy of the Certificate of Insurance identifying the Township as a contact person in the event that the insurance is cancelled or non-renewed must accompany every report.

(b) Filing of Reports by New Landlords. After the effective date of this Ordinance, any person becoming a landlord by agreement, deed or other means, shall, within thirty (30) days thereafter provide a report to the Code Enforcement Officer in accordance with the reporting requirements for an initial registration as provided in Section 158-6(a) above.

(c) Filing of Reports by Landlords for Change in Tenants or Vacancy. After the period for reporting has expired under this section of the Ordinance, and the landlord has complied with the reporting requirements of this section, every landlord shall thereafter file a report with the Code Enforcement Officer within thirty (30) days thereafter, where the tenant of a unit has changed, or a unit has become vacant. The landlord must provide a report to the Code Enforcement Officer on a form supplied by the City, which includes the following information:

- (1) The date of the change; and
- (2) The forwarding address of the vacating tenant, if known, by the landlord.

§158-7. Certificate of Occupancy Required.

(a) Certificate Required. It shall be unlawful for any property owner, manager, or agent of a dwelling or rental unit to lease for occupancy that unit until a certificate of occupancy has been issued by the Code Enforcement Officer, which certificate may not be issued until it has been demonstrated to the satisfaction of the Code Enforcement Officer that the occupancy complies with all the provisions of this Ordinance.

(b) Change of Ownership or Occupancy. No change of occupancy or ownership of a rental dwelling unit shall be permitted until the property owner, manager, or agent first secures a certificate of occupancy from the Code Enforcement Officer.

(c) False Statements. It shall be unlawful for any person to knowingly make any false statement in an application for a certificate of occupancy.

(d) Inspections. In addition to complying with the Code of Ordinances and the IPMC, the following minimum standards shall be met for all rental and dwelling units:

(1) Each floor and every bedroom of a dwelling unit and each rental unit shall have functioning smoke detectors. Carbon monoxide detectors shall be placed outside the bedroom areas.

(2) All stairways having three or more steps shall have to have guard and handrails.

(3) All receptacles shall have no open grounds. In the event that a receptacle does have an open ground, then a ground fault protector device or circuit must be provided, or provided ground, or two prong, or unground receptacle must be provided. All bathrooms, kitchen countertops, exterior and basement receptacles shall be ground fault protected.

(4) Must have hot water and heat as provided under the IPMC. Furnaces and chimneys must be cleaned and inspected annually.

(5) No broken glass in windows, or broken balances on bedroom windows. All glass and windows shall be provided under the IPMC.

(6) Second means of egress on multi-family dwelling units where the building is two stories or higher.

(7) Fire extinguishers and emergency lighting shall be required in multi-family dwelling units where they have shared egress. A minimum of 5 lb. fire extinguisher in hallways, and they should be provided at each landing, and emergency lighting that is hard wired with emergency backup at all means of egress that doors and stairways.

(8) Occupancy loads shall be maintained in accordance with the requirements of the 2000 International Property Maintenance Code.

§158-8. Notice of Violation. If it appears to the Code Enforcement Officer that a violation of this Ordinance has occurred, the Code Enforcement Officer shall initiate enforcement proceedings by issuing an enforcement notice to the property owner, agent or manager for the premises. The enforcement notice shall state at least the following:

(a) The name of the owner of record and any other person against whom the Code Enforcement Officer intends to take action.

(b) The location and/or address of the premises in violation.

(c) The nature of the violation with a description of the requirements which have not been met.

(d) The date before which the steps for compliance must be commenced and the date before which the steps must be completed.

(e) That the recipient of the notice has the right to appeal within thirty (30) days from the date of the issuance of the notice.

(f) That failure to comply with the notice within the time specified, unless extended by appeal to the Board of Appeals, constitutes a violation, with a description of the sanctions that will result if the violation is not corrected.

§158-9. Service of Notices. All notices shall be sent to the property owner, or agent or manager, if applicable, by regular first class mail, postage prepaid, and the Code Enforcement Officer shall also post the notice at a conspicuous place on the premises. Notices may be sent to the property owner, agent, or manager, at the address stated on the most current registration application. For purpose of this Ordinance, any notice issued to the agent or manager shall be deemed given to the property owner.

§158-10. Jurisdiction and Enforcement Remedies.

(a) Civil Enforcement Remedies. Any person who has violated or permitted the violation of any of the provisions of this Ordinance shall, upon being found liable thereof in a civil enforcement proceedings commenced by the Code Enforcement Officer, pay a judgment of not more than one thousand (\$1,000.00) dollars, plus all court costs, including reasonable attorney-fees incurred by the City, and the City's Attorneys or Collection Agencies co as a result of the proceedings.

(b) The remedy provided for under this section of the Ordinance shall be in addition to any and all other remedies available to the Code Enforcement Officer or City for a violation of this Ordinance either in law or equity or under the Code of Ordinances.

§158-11. Transfer of ownership.

(a) It shall be unlawful for the property owner upon which a notice of violation has been served to sell or transfer, mortgage, lease or otherwise dispose of the dwelling unit to another person until the provisions of the notice of violation have been complied with.

(b) The person to whom the premises is to be transferred may consent to make repairs which have been required by a notice of violation from the Code Enforcement Officer, by entering into an agreement with the City to make the repairs required under the notice of violation on or before the date set forth in the notice. The Code Enforcement Officer may not issue an occupancy permit until such time as the repairs are completed by the new property owner.

§158-12. Fees.

(a) Annual Registration Fee. Fees for any registration required under this Ordinance shall be annual for \$100 per unit.

(b) Occupancy Fees. Fees for certificate of occupancies shall be as follows: Single-Family Dwelling Unit - \$35.00, Two-Family Dwelling Unit - \$50.00 and Multi-Family Dwellings \$75.00 per unit.

(c) Changing of Fees. The fees in this section may be changed by resolution of the City of Duquesne Board of Supervisors.

§158-13. Failure to Comply with Ordinance. If any person shall fail to comply with any of the provisions of this Ordinance, the Code Enforcement Officer may, in addition to the enforcement procedures of this Ordinance, order the closure of any rental or dwelling unit, until such time as the ordinance is complied with.

§158-14. Applicability. This Ordinance shall only apply to Landlords, Property Owners or Owners of property situated within the City where the Landlord, Property Owner or Owner resides more than twenty (20) miles from the City limits.

§158-15. Severability. If any section, clause, provisions or portion of this Ordinance shall be held invalid or unconstitutional by any court of competent jurisdiction such decision shall not affect any other section, clause, provision or portion of this Ordinance so long as it remains legally enforceable minus the invalid portion. The City reserves the right to amend this Ordinance or any portion thereof from time to time as it shall deem advisable in the best interest of the promotion of the purposes and intent of this Ordinance, and the effective administration thereof.

§158-16. Repealer. All ordinances or parts thereof which are inconsistent with this Ordinance are hereby repealed to the extent of their inconsistencies. This ordinance replaces and repeals any other similar or related ordinances.

§158-17. Effective Date. This ordinance shall become effective immediately following its adoption.

This Ordinance has been adopted by the Council of the City of Duquesne this ____ day of _____, 2019.

ATTEST:

CITY OF DUQUESNE:

~~Che A. Sayles, City Manager~~

~~Nickole Nesby, Mayor~~

Douglas Sample, City Manager
05/28/2024

R. Scott Adams, Mayor
05/28/2024