

ORDINANCE NO.

FILE OF CITY COUNCIL

BILL NO. 32 - 2019

May 1, 2019

AN ORDINANCE

Amending the Property Rehabilitation and Maintenance Code, Article 1747, SAFE AND SANITARY MAINTENANCE, by requiring landlords to install Window Guards in all windows if a child 10 years or younger lives in the rental unit, or spends considerable time in the unit.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ALLENTOWN:

SECTION ONE: That the following be added to Article 1747 and read as follows:

ARTICLE 1747 SAFE AND SANITARY MAINTENANCE

- 1747.01 Minimum Standards Required
- 1747.02 Exterior Conditions
- 1747.03 Interior Conditions
- 1747.04 Windows and Doors
- 1747.05 Stairs, Porches, Balconies and Decks
- 1747.06 Plumbing
- 1747.07 Floors
- 1747.08 Supplied Equipment; Chimney
- 1747.09 Yard; Lot
- 1747.10 Basement or Cellar Window
- 1747.11 Accessory Structures
- 1747.12 Fences
- 1747.13 Sidewalks and Driveways
- 1747.14 Exterior Maintenance
- 1747.15 Rain Water Conductors
- 1747.16 Interior Doors
- 1747.17 Motor Vehicles
- 1747.18 Parking Lot Requirements
- 1747.19 Clearance

1747.04 Window Guards Required in Rental Units

Window Guards shall be required in all windows: (1) if a child 10 years or younger lives in the rental unit, or regularly spends considerable time in the unit; and (2) the tenant requests the landlord to install the window guards. A tenant must make this request in writing. The tenant's written request should be delivered to the landlord through the same means that rental payments are made. In making the written request, the tenant may request the installation on applicable windows within the unit itself and within any applicable windows that are in common areas that the unit has access to. Window guards are not required on windows that serve as fire exits or that are not designed to be opened. This shall apply to buildings which have 3 or more apartments, in a condominium, cooperative, or mutual housing. Once installed, a tenant shall not take down, change or remove any part of a window guard. Window guards shall meet the requirements of ASTM F2090-ASTM F2006. Window guards cannot be permanently fixed to the building and shall be able to be removed in an emergency for the safety of the building

occupants and firefighters. The Landlord is responsible to install such guards when requested by the tenant in writing as stated. Procedures for Requesting Variances for Window Guards shall be submitted in writing in accordance with the appeal Process of Section 1714.14 of the Allentown Property Maintenance Code. Request for variances will be entertained only If submitted by the owner or management of the property, or by his representative. Notices of violation of this Ordinance will be served in accordance with section 1741.10, and penalties in accordance with Section 1741.99 of the Allentown Property Maintenance Code.

SECTION TWO: That this Ordinance will take effect ten (10) days after final passage.

SECTION THREE: That all Ordinances inconsistent with the above provisions are repealed to the extent of their inconsistency.