

ORDINANCE NO.

FILE OF CITY COUNCIL

BILL NO. - 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.

LEGISLATIVE TEMPLATE

Instructions:

- E-mail the Bill to Barbara Wagenhurst at Barbara.Wagenhurst@Allentownpa.gov. Absolutely no proposed legislation should be forwarded directly to the City Clerk's Office by a bureau or department. The request will be sent back if the pertinent information is not supplied. Supporting Documents should be included in the e-mail and attached to the bill if necessary. Examples of supplemental information include petitions, maps, reports, rezoning petitions. We will track the bill and fill in the underlined sections.

Template for Bills and Resolutions:

- **What Department or bureau is Bill originating from? Where did the initiative for the bill originate?**

Building Standards & Safety - Code Enforcement

- **Summary and Facts of the Bill**

To amend the Property Rehabilitation and Maintenance Code to require that window guards are installed in building which have 3 or more rental units in which a child 10 years of age or younger lives in the unit, or spends a considerable amount of time within the unit.

- **Purpose – Please include the following in your explanation:**
 - **What does the Bill do – what are the specific goals/tasks the bill seek to accomplish**
 - **What are the Benefits of doing this/Down-side of doing this**
 - **How does this Bill related to the City's Vision/Mission/Priorities**

The goal and benefit of the bill is to provide an increased level of safety to Children in buildings over 3 units.

- **Financial Impact – Please include the following in your explanation:**
 - **Cost (Initial and ongoing)**
 - **Benefits (initial and ongoing)**

There will be no cost associated with this bill to the City. The benefit will be the Increased level of safety to children 10 years old and younger.

- **Funding Sources – Please include the following in your explanation:**
 - **If transferring funds, please make sure bill gives specific accounts; if appropriating funds from a grant list the agency awarding the grant.**

N/A

- **Priority status/Deadlines, if any**

The Bill will take effect 10 days after final passage.

- **Why should Council unanimously support the bill?**

To provide an increased level of safety for children 10 years old and younger in rental units in buildings over 3 units.