

ORDINANCE

**ORDINANCE AMENDING CHAPTER 214 – USE REGISTRATION, SECTION 241-8
OF THE CODE OF THE CITY OF COATESVILLE, CHESTER COUNTY,
PENNSYLVANIA TO ELIMINATE PROPERTY INSPECTIONS AS PART OF THE
USE REGISTRATION PROCESS UNDER CHAPTER 214**

WHEREAS, the City of Coatesville is a Third Class City governed by a Home Rule Charter and the Third Class City Code with a business address of 1 City Hall Place, Coatesville, Chester County, Pennsylvania (hereinafter the “City”);

WHEREAS, the City of Coatesville is a chartered third class city in the Commonwealth of Pennsylvania, located in Chester County, Pennsylvania;

WHEREAS, based on analysis and a sampling of ordinances in other jurisdictions, it appears that inspections of property for sale often bears little relationship to the purposes of the Use Registration ordinance and of other state and local laws;

WHEREAS, the scope of pre sale inspections varies widely from jurisdiction to jurisdiction;

WHEREAS, this often frustrates property owners and purchasers, as well as realtors who often work in multiple jurisdictions;

WHEREAS, the City of Coatesville seeks to work toward a common and efficient process of use registration;

WHEREAS, the cost to perform a file review of the property to indicate the zoning district classification, the legality of the existing use of the property to be sold and whether there exists any violation or any notice of an uncorrected violation of the housing, building, safety or fire ordinances can be undertaken effectively with minimum staff.

NOW, THEREFORE, in consideration of the foregoing, it is hereby enacted and ordained by the City Council of the City of Coatesville, pursuant to its authority under the Third Class City Code and the Home Rule Charter, as follows:

SECTION 1:

Section 214-4C is amended to read as follows:

It shall be unlawful for an owner to sell or transfer his property or any interest therein unless the owner shall first deliver to the purchaser at or prior to the time for settlement a certificate for all gas/oil/electric heating equipment.

Section 214-8A is amended to read as follows:

"A. A fee as provided in Chapter 108, Fees, is hereby established for the initial inspection under this chapter and one subsequent inspection for certification for certification by the appropriate municipal officer indicating the zoning district classification, the legality of the existing use of the property to be sold and whether there exists any violation or any notice of an uncorrected violation of the housing, building, safety or fire ordinances." For each follow-up inspection or visit after the first two inspections or visits, an additional fee as provided in Chapter 108, Fees, per inspection or visit shall be imposed on the owner.

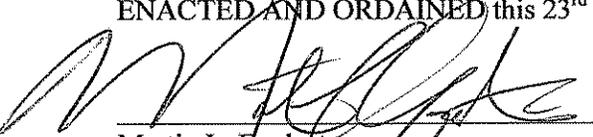
SECTION 2:

If any provision of this ordinance or the application thereof to any person or circumstance is held invalid, the remainder of this ordinance, including the application of such part or provision to other persons or circumstances shall not be affected thereby and shall continue in full force and effect. To this end, provisions of this ordinance are severable. The City Council of the City of Coatesville hereby declares that it would have passed each section, subsection, subdivision, paragraph, Sentence, clause, or phrase hereof irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses, or phrases be held unconstitutional, invalid, or unenforceable.

SECTION 3:

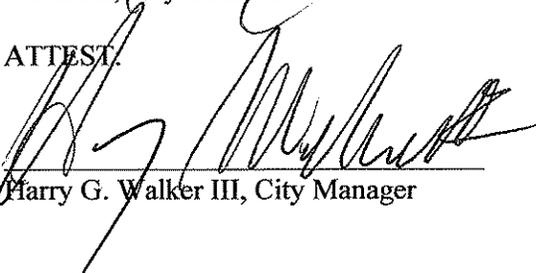
This Ordinance shall be effective thirty (30) days after publication following final adoption in accordance with the City Charter and the Third-Class City Code.

ENACTED AND ORDAINED this 23rd day of February 2009.



Martin L. Eggleston
President, City Council

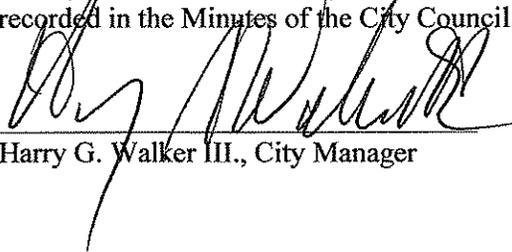
ATTEST:



Harry G. Walker III, City Manager

CERTIFICATION

I HEREBY CERTIFY that the foregoing Ordinance was introduced on the 9th day of February, 2009 and was duly enacted by the Council of the City of Coatesville, Chester County, Pennsylvania, on the 23rd day of February, 2009, that the vote upon the said Ordinance has been recorded in the Minutes of the City Council and that the Ordinance has been fully recorded.



Harry G. Walker III., City Manager