

**BOROUGH OF NEWBURG
CUMBERLAND COUNTY, PENNSYLVANIA**

RESOLUTION NO. 2016-007

**A RESOLUTION OF THE BOROUGH OF NEWBURG,
CUMBERLAND COUNTY, PENNSYLVANIA TO APPOINT
THE PENNSYLVANIA MUNICIPAL CODE ALLIANCE,
INC. AS THE CODE OFFICIAL TO ADMINISTER AND
ENFORCE THE RESIDENTIAL RENTAL DWELLING
UNIT CODE FOR THE BOROUGH OF NEWBURG AND
ANY REGULATIONS ADOPTED PURSUANT THERETO,
AND TO RATIFY AND APPROVE AN AGREEMENT WITH
THE PENNSYLVANIA MUNICIPAL CODE ALLIANCE,
INC. FOR SUCH APPOINTMENT**

WHEREAS, on August 1, 2016, by Ordinance No. 2016-1, the Borough Council for the Borough of Newburg, Pennsylvania (the "Borough") enacted the Residential Rental Dwelling Unit Code, which adopts the 2015 International Property Maintenance Code, as amended from time to time (the "Rental Unit Code"); and

WHEREAS, the Borough wishes to administer and enforce the Rental Unit Code and requires the services of a qualified code official and administrative staff to administer and enforce the Rental Unit Code; and

WHEREAS, the Rental Unit Code allows the Borough Council to appoint a third-party company to serve as the Borough's Code Official; and

WHEREAS, the Borough desires to retain the professional services of the Pennsylvania Municipal Code Alliance, Inc. (the "PMCA"), and the PMCA desires to perform services for the Borough that include providing a qualified code official to administer and enforce the Rental Unit Code; and

NOW THEREFORE, BE IT RESOLVED, by the Council for the Borough of Newburg as follows:

SECTION 1. The above recitals are incorporated herein by reference hereto.

SECTION 2. The Borough Council hereby appoints the PMCA as the Code Official for the Borough responsible for administering and enforcing the Rental Unit Code and any regulations adopted pursuant thereto.

SECTION 3. The Borough Council hereby ratifies and approves the Agreement between the Borough and the PMCA that defines the respective parties' rights and responsibilities for the before mentioned appointment. A copy of the Agreement is attached hereto and incorporated herein.

SECTION 4. Any fees, expenses and costs that the PMCA charges for rental dwelling unit inspections or other services related to the administration and enforcement of the Rental Unit Code shall be in accordance with the Borough's Master Fee Schedule, as amended from time to time.

SECTION 5. The PMCA shall at all times when providing services to the Borough maintain a valid certification with the Pennsylvania Department of Labor and maintain error and omissions insurance in an amount of at least One Million Dollars.

SECTION 6. Effective Date. This Resolution shall become effective immediately.

SECTION 7. Severability. In the event any provision, section, sentence, clause, or part of this Resolution shall be held invalid, such invalidity shall not affect or impair any remaining provision, section, sentence, clause, or part of this Resolution, it being the intent of Borough Council that such remainder shall be and shall remain in full force and effect.

SECTION 8. Repealer. All resolutions or parts of resolutions inconsistent herewith are expressly repealed.

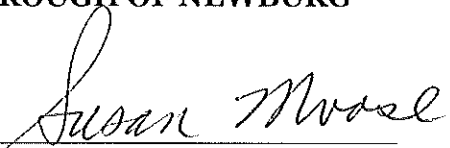
DULY ADOPTED this 19 day of September 2016 by the Borough Council for the Borough of Newburg, in lawful session duly assembled.

ATTEST:

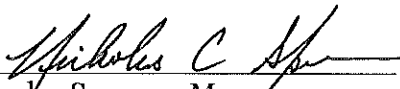


Sara Rhine, Borough Secretary

BOROUGH OF NEWBURG

By: 

Susan Moose, President
Borough Council

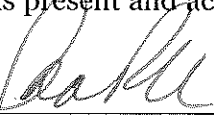
By: 

Nicholas Spencer, Mayor
Borough of Newburg

CERTIFICATION

The undersigned hereby certifies that she is the duly appointed Secretary for the Borough of Newburg, Cumberland County, Pennsylvania and that the foregoing Resolution was adopted by the Borough Council at its regularly scheduled meeting held on 19 day of September 2016, which meeting was duly called and at which time a quorum was present and acting throughout, and that said Resolution has not been revoked or amended.

Dated: 9/19/16

By: 

Sara Rhine, Borough Secretary