

ORDINANCE NO. 257

AN ORDINANCE OF THE TOWNSHIP OF AMITY, BERKS COUNTY, PENNSYLVANIA, AMENDING SECTION 103 ENTITLED "REVISIONS TO THE UNIFORM CONSTRUCTION CODE" OF PART 1 ENTITLED "UNIFORM CONSTRUCTION CODE" OF CHAPTER VI, ENTITLED "CODE ENFORCEMENT" OF THE CODE OF ORDINANCES OF THE TOWNSHIP OF AMITY BY ADOPTING ADDITIONAL APPENDICES FOR THE INTERNATIONAL EXISTING BUILDING CODE, THE INTERNATIONAL FIRE CODE, THE INTERNATIONAL MECHANICAL CODE, THE INTERNATIONAL PLUMBING CODE, THE INTERNATIONAL RESIDENTIAL CODE; BY INCLUDING STRUCTURES WITH A BUILDING AREA OF MORE THAN 500 SQUARE FEET; BY AMENDING WHICH ALTERATIONS TO RESIDENTIAL BUILDINGS ARE SUBJECT TO THE UNIFORM CONSTRUCTION CODE AND WHICH REPAIRS TO RESIDENTIAL BUILDINGS ARE EXEMPT; BY AMENDING WHICH REPAIRS ARE NOT CONSIDERED ORDINARY AND REQUIRE PERMITS; AND BY AMENDING THAT PERMITS ARE NOT REQUIRED FOR EQUIPMENT OWNED BY A PUBLIC UTILITY

WHEREAS, the purpose of this Ordinance is to promote the general health, safety and welfare of the citizens of the Township of Amity, Berks County, Pennsylvania and to conform to the requirements of the Pennsylvania Construction Code Act and regulations to the Act promulgated by the Pennsylvania Department of Labor and Industry (hereinafter sometimes collectively referred to as the "Code"); and

WHEREAS, the Pennsylvania Construction Code Act requires the enactment of an appropriate ordinance by municipalities electing to administer and enforce the building code provisions of the Code.

NOW, THEREFORE, BE IT ENACTED AND ORDAINED by the Board of Supervisors of the Township of Amity, Berks County, Pennsylvania, and it is hereby ENACTED AND ORDAINED by the authority of the same as follows:

SECTION 1. Section 103, entitled "Revisions to the Uniform Construction Code" of Part 1, entitled "Uniform Construction Code", of Chapter VI, entitled "Code Enforcement", of the Code of Ordinances of the Township of Amity, Berks County, Pennsylvania is hereby amended by adding thereto the following:

## **“Part 1**

### **Uniform Construction Code**

Section 103. Revisions to the Uniform Construction Code. The following additions, insertions, deletions and changes are hereby made to the Uniform Construction Code:

(d) The International Existing Building Code, 2006 edition, is hereby revised as follows:

(3) Inclusion - Appendix B entitled “Supplementary accessibility requirements for existing buildings and facilities” is hereby adopted.

(e) The International Fire Code, 2006 edition, is hereby revised as follows:

(4) Inclusion - Appendix B entitled “Fire Flow Requirements for Buildings” is hereby adopted.

(5) Inclusion - Appendix C entitled “Fire Hydrant Locations and Distribution” is hereby adopted.

(6) Inclusion - Appendix D entitled “Fire Apparatus Access Roads” is hereby adopted.

(7) Inclusion - Appendix F entitled “Hazard Ranking” is hereby adopted.

(g) The International Mechanical Code, 2006 edition, is hereby revised as follows:

(6) Inclusion - Appendix A entitled “Combustion Air Openings and Chimney Connector Pass-Through” is hereby adopted.

(i) The International Plumbing Code, 2006 edition, is hereby revised as follows:

(8) Inclusion - Appendix B entitled “Rates of rainfall for various cities” is hereby adopted.

(9) Inclusion - Appendix D entitled “Degree day and design temperatures” is hereby adopted.

(10) Inclusion - Appendix F entitled “Structural safety” is hereby adopted.

(j) The International Residential Code, 2006 edition, is hereby revised as follows:

(9) Inclusion - Appendix F entitled "Radon control methods" is hereby adopted.

(l) Section 403.1(a) of the Uniform Construction Code is hereby amended by adding the following subsection:

(1) The Uniform Construction Code shall also apply to all residential utility and miscellaneous use structures with a building area of more than 500 square feet.

(m) All alterations to residential buildings which do not make structural changes or changes to means of egress and repairs to residential buildings shall be subject to compliance and the Uniform Construction Code as contained in 34 Pa. Code, Chapters 401 through 405, and as amended from time to time; provided, however, that the following repairs and alterations shall be exempt from such compliance:

(1) Fences that are not 6' in height.

(2) Sidewalks and driveways that are 30 inches or less above adjacent grade, not placed over a basement or story below it and not located in pedestrian passageways.

(3) Exterior or interior painting, papering, tiling, carpeting, flooring, cabinets, countertops and similar finishing work.

(4) Retaining walls less than four feet in height, unless the wall supports a surcharge.

(5) Prefabricated swimming pools that are less than 24 inches deep.

(6) All exterior decks that are less than 30" or less above grade and not attached to any structure.

(7) Swings and other playground equipment accessory to a one-family or two-family dwelling.

(8) Window awnings supported by an exterior wall which do not project more than 54 inches from the exterior wall and do not require additional support.

(9) Replacement of glass in any window or door. However, the replacement glass shall comply with the minimum requirements of the International Residential Code.

(10) Replacement of a window, door, garage door, storm window and storm door in the same opening if the dimensions of framing of the original openings are not enlarged. The installation of means of egress and emergency escape windows must be made in the same opening without altering the dimensions of framing of the original opening to be exempt.

(11) Replacement of existing roof material.

(12) Replacement of existing siding or installation of siding over existing exterior wall covering.

(13) Repair or replacement of any part of a porch or stoop, which is not a structural element.

(14) Installation of additional roll, batt, or blown-in insulation.

(15) Replacement of exterior rainwater gutters and leaders.

(16) Installation or replacement of aluminum or vinyl soffit, fascia or other exterior trim.

(17) Minor electrical work for the following:

(a) Replacement of lamps or the connection of approved portable electrical equipment to approved permanently installed receptacles.

(b) Replacement of a receptacle, switch or lighting fixture rated at 20 amps or less and operating at less than 150 volts to ground with a like or similar item. This does not include replacement of receptacles in locations where ground-fault interrupter protection is required.

- (c) Replacement of installed electrically operated equipment such as doorbells, communication systems, security systems and any motor-operated device.
  - (d) Installation, alteration or rearrangement of communications wiring or security wiring.
  - (e) Replacement of dishwashers.
  - (f) Replacement of range hoods.
- (18) The following gas work:
- (a) Portable heating, cooking, or clothes-drying appliances.
  - (b) Replacement of a minor part that does not alter approval of equipment or make this equipment unsafe.
  - (c) A portable fuel cell appliance that is not connected to a fixed piping system and is not interconnected to a power grid.
- (19) The following mechanical work or equipment:
- (a) A portable heating appliance.
  - (b) Portable ventilation appliances.
  - (c) A portable cooling unit.
  - (d) Steam, hot or chilled water piping within any heating or cooling equipment governed under the Uniform Construction Code
  - (e) Replacement of any minor part that does not alter approval of equipment or make the equipment unsafe.
  - (f) Self-contained refrigeration systems containing 10 pounds or less of refrigerant or that are put into action by motors of one horsepower.
  - (g) Portable evaporative cooler.

(h) A portable fuel cell appliance that is not connected to a fixed piping system and is not interconnected to a power grid.

(20) The following plumbing work:

(a) Replacement of bib valves if replacement hose bib valves are provided with an approved atmospheric breaker.

(b) Replacement of ball cocks.

(c) Repair of leaks.

(d) Clearance of stoppages.

(e) Replacement of faucets or working parts of faucets.

(f) Replacement of valves other than shower or combination shower/bath valves.

(g) Replacement of traps, if not buried.

(h) Replacement of water closet, lavatory or kitchen sink.

(i) Replacement of domestic clothes washers and dishwashers.

(21) The following heating, ventilation and air-conditioner work:

(a) Replacement of motors, pumps and fans of the same capacity.

(b) Repair and replacement of heating, supply and return piping and radiation elements, which do not require rearrangement of the piping system.

(c) Repair of ductwork.

(d) Repair of air-conditioning equipment and systems.

- (e) Repair and replacement of control devices for heating and air-conditioning equipment.
  - (f) Replacement of kitchen range hoods.
  - (g) Replacement of clothes dryers if there is no change in fuel type, location or electrical requirements.
  - (h) Replacement of stoves and ovens if there is no change in the fuel type, location or electrical characteristics.
- (n) An ordinary repair does not require a permit. The following are not ordinary repairs.
- (1) Cutting away a wall, partition or portion of a wall.
  - (2) The removal of cutting and any structural beam or load-bearing support.
  - (3) The removal or change to any required means of egress or rearrangement of parts of a structure affecting the means of egress.
  - (4) The addition to, alteration of, replacement or relocation of any standpipe, water supply, sewer drainage, drain leader, gas, soil, waste, vent or similar piping, electric or mechanical.
- (o) A permit is not required for the installation, alteration, or repair of generation, transmission, distribution, metering, or other related equipment that is by established right, under ownership and control of a public utility as the term "public utility" is defined in 66 Pa. C.S.A. § 102 (relating to definitions).

SECTION 2 Severability. If any sentence, clause, section or part of this Part is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts of this Part. It is hereby declared as the intent of the Board of Supervisors of the Township that this Part would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein."

SECTION 3. All ordinances or parts of ordinances conflicting with the provisions of this Ordinance are hereby repealed insofar as they are inconsistent with this Ordinance.

SECTION 4. This Ordinance shall become effective thirty-five (35) days from the date of enactment.

SECTION 5. That nothing in this Ordinance, the Uniform Construction Code, or the Property Maintenance Code hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or cause of action acquired or existing, under any act or ordinance hereby repealed; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this Ordinance.

SECTION 6. The Code of Ordinances of the Township of Amity, Berks County, Pennsylvania, as amended, shall be and remain unchanged and in full force and effect except as amended, supplemented and modified by this Ordinance. This Ordinance shall become a part of the Code of Ordinances of the Township of Amity, Berks County, Pennsylvania, as amended, upon adoption.

DULY ENACTED AND ORDAINED this 1 day of April, 2009.

TOWNSHIP OF AMITY  
BOARD OF SUPERVISORS

Kim McGrath

Robert B. Yum

Paul R. Weller

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Attest: [Signature]  
Secretary