

TOWNSHIP OF BETHEL, BERKS COUNTY, PENNSYLVANIA

ORDINANCE NO. 2022-02

AN ORDINANCE OF THE TOWNSHIP OF BETHEL, BERKS COUNTY, PENNSYLVANIA, AMENDING BETHEL TOWNSHIP ORDINANCE NO. 2004-1 ENTITLED “AN ORDINANCE OF THE TOWNSHIP OF BETHEL, BERKS COUNTY, PENNSYLVANIA, ADOPTING AND ADMINISTERING THE UNIFORM CONSTRUCTION CODE AS THE BUILDING CODE OF THE TOWNSHIP OF BETHEL” TO REQUIRE NEW NON-RESIDENTIAL BUILDINGS, NON-RESIDENTIAL BUILDINGS WHERE NEW CONSTRUCTION RESULTS IN A PHYSICAL CHANGE, AND NON-RESIDENTIAL BUILDINGS WHERE A CHANGE OF USE OR OCCUPANCY CLASSIFICATION OCCURS TO INSTALL KEY BOXES

WHEREAS, by enacting Ordinance Number 2004-01 on June 21, 2004 the Township of Bethel elected to be an opt-in municipality in the Commonwealth of Pennsylvania selecting to enforce the Pennsylvania Construction Code Act, Act 45 of 1999, 35 P.S. §7210.101-7210.1103, as amended (“Act”) and the Uniform Construction Code, 34 Pa. Code, Chapters 401-405, as amended (“Code”) through the means set forth therein; and

WHEREAS, Ordinance Number 2004-1 has been amended from time to time; and

WHEREAS, effective February 14, 2022 the Commonwealth of Pennsylvania has elected to enforce the 2018 versions of the International Codes as part of the Uniform Construction Code; and

WHEREAS, the Uniform Construction Code is interpreted to adopt the International Fire Code only as referenced in the International Building Code; and

WHEREAS, Section 506 of the 2018 version of the International Fire Code set forth requirements for the installation of key boxes in certain structures for use by the code official; and

WHEREAS, the International Building Code and thus the Uniform Construction Code does not adopt Section 506 of the 2018 International Fire Code; and

WHEREAS, Section 503(c) of the Act, 35 P.S. §7210.503, allows opt in municipalities to enact an ordinance to equal or exceed the minimum requirements of the Code upon compliance with the procedures set forth in Section 503(d) through (i) of the Act, 35 P.S. §7210.503(d)-(i); and

WHEREAS, the Board of Supervisors for the Township of Bethel desires to amend its adoption of the Uniform Construction Code to require the installation of key boxes in new non-residential buildings for use by the code official.

NOW THEREFORE BE IT ENACTED and ORDAINED by the Board of Supervisors of the Township of Bethel, Berks County, Pennsylvania by the authority of the same as follows:

SECTION 1. The Bethel Township Uniform Construction Code Ordinance, Ordinance No. 2004-

1, Section 2 entitled "Individual Code Completion", letter (i) is hereby amended to add a new subsection 4 which shall read in its entirety as follows:

4. In addition to all types of construction, placement of structures, repairs, and alterations for which the Uniform Construction Code requires a permit, the Township pursuant to the authorization of Section 503 of the Pennsylvania Construction Code Act, 35 Pa. Stat. § 7210.503, shall require the following:

(a) Key Boxes:

1. **Where required.** Where access to or within a structure or an area is restricted because of secured openings or where immediate access is necessary for life-saving or fire-fighting purposes, the code official and the EMA coordinator is authorized to require a key box to be installed in an approved location. The key box shall be of an approved type listed in accordance with UL 1037, and shall contain labeled keys, easily identified in the field, to gain necessary access as required by the code official and the EMA coordinator.

2. **Applicable Structures.** This section applies to the following structures:

- a. new non-residential buildings;
- b. existing non-residential structures where new construction resulting in a physical change to the structure occurs; and
- c. existing non-residential structures where a change of use or occupancy classification occurs.

3. **Key box maintenance.** The operator of the building shall immediately notify the code official and the EMA coordinator and provide the new key where a lock is changed or rekeyed. The key to such lock shall be secured in the key box.

SECTION 2. Other UCC Modifications.

Any other modification to the UCC that equals or exceeds the UCC requirements for buildings adopted on or before July 1, 1999 shall remain in full force and effect.

SECTION 3. Repeal of Ordinances.

Any ordinance or part of ordinances conflicting with the provisions of this Ordinance are hereby repealed insofar as they are inconsistent with this Ordinance's provision.

SECTION 4. Severability.

If any article, section, subsection, provision, regulation, limitation, restriction, sentence, clause, phrase or word in this Ordinance, is, for any reason declared to be illegal, unconstitutional or


invalid, by any Court of competent jurisdiction, this decision shall not affect or impair the validity of the Ordinance as a whole, or any other article, section, subsection, provision, regulation, limitation, restriction, sentence, clause, phrase, word, or remaining portion of the within Ordinance. The Board of Supervisors of the Township of Bethel, Pennsylvania, hereby declares that it would have adopted the within Ordinance and each article, section, subsection, provision, regulation, limitation, restriction, sentence, clause, phrase and word thereof, irrespective of the limitations, restrictions, sentences, clauses, phrases, or word that may be declared illegal, unconstitutional or invalid.

SECTION 5. Effective Date.

The effective date of the within amendments, except where longer period is otherwise provided for, shall be thirty-five (35) days after its enactment.

ENACTED AND ORDAINED as an Ordinance of Bethel Township, Berks County, Pennsylvania, this 8th day of December, 2022.

BOARD OF SUPERVISORS OF
BETHEL TOWNSHIP,
BERKS COUNTY, PENNSYLVANIA

By: 
Chair


Vice Chair


Member

Attest: 
Secretary

CERTIFICATE OF ENACTMENT

I hereby certify that the foregoing is a true and accurate copy of Ordinance No. 2022-02 enacted by the Board of Supervisors of Bethel Township, Berks County, Pennsylvania at a public meeting held on December 8, 2022, pursuant to notice as required by law.

Dated: December 8, 2022



Township Secretary