

ORDINANCE NO. 2004-01
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.

WHEREAS the purpose of this Ordinance is to promote the general health, safety and welfare of the citizens of the Township of Bethel (Township) and to conform with the requirements of the Pennsylvania Construction Code Act and Regulations promulgated pursuant thereto by the Pennsylvania Department of Labor and Industry (hereinafter sometimes referred to as the "Uniform Construction Code" and/or "CODE"); and,

WHEREAS the Pennsylvania Construction Code Act requires the enactment of an ordinance by Townships electing to administer and enforce the Uniform Construction Code; and,

WHEREAS the Pennsylvania Uniform Construction Code contains individual codes as amended from time to time including but not limited to the International Building Code, International Residential Code, the ICC Electrical Code, the International Existing Building Code, the International Energy Conservation Code, the International Fuel Cell Code, the International Mechanical Code, the International Performance Code for Buildings and Facilities, the International Plumbing Code, the International Fire Code, and the International Urban-Wildland Interface Code, each of which may require completion of certain sections;

NOW THEREFORE pursuant to the authority of the Pennsylvania Second Class Township Code as amended and the Pennsylvania Construction Code Act, the following is hereby ENACTED and ORDAINED:

Section 1. Adoption and Administration

(a) The Township hereby elects to administer and enforce the provisions of the Pennsylvania Construction Code Act, Act 45 of 1999, 35 P.S. §7210.101-7210.1103, as amended from time to time and its' regulations.

(b) The Uniform Construction Code, contained in 34 PA CODE Chapters 401-405, as amended from time to time, is hereby adopted and incorporated herein by reference as the Municipal Building Code of the Township of Bethel, Berks County, Pennsylvania.

Section 2. Individual Code Completion

To the extent but only to the extent that the Uniform Construction Code, contains provisions that require information to be added and/or completed by the Township as part of the CODE adoption, the Township hereby adopts the following to the extent necessary to complete the CODE:

(a) With regard to the International Building Code, the following additions and/or changes shall be made:

1. Section 101.1 thereof and Section 1612.3 thereof shall be completed by inserting the name: "Township of Bethel, Berks County, Pennsylvania."

2. Section 1612.3 shall be completed by inserting the date of the Flood Insurance Study for the Township of Bethel, which is 1997.

3. Section 3410.2 shall be completed by inserting the date of July 1, 1999.

(b) With regard to the International Residential Code, the following additions and/or changes shall be made:

1. Section R101-1 shall be completed by adding the words: "Township of Bethel, Berks County, PA."

2. Table R301.2(1) shall be completed by stating that: "The Township of Bethel has no additional criteria beyond that specified in the Code."

3. Section P2603.6.1 shall be completed by adding "48 inches" as the minimum number of inches below finished grade for sewer depths.

4. Section P3103.1 shall be completed by adding "18 inches" to the roof extension specifications.

(c) With regard to the International Code Counsel Electrical Code, the following additions and/or changes shall be made:

1. Section 101.1 shall be completed by adding the words: "Township of Bethel, Berks County, Pennsylvania."

2. Section 404.2 shall be completed by adding the following: "Fees shall be paid in accordance with the schedule of fees established from time to time by Resolution of the Board of Supervisors of the Township of Bethel."

(d) With regard to the International Existing Building Code, the following additions and/or changes shall be made:

1. Section 101.1 shall be completed by inserting: "Township of Bethel, Berks County, PA."

2. Section 1201.2 shall be completed by inserting the date July 1, 1999.

(e) With regard to the International Energy Conservation Code, the following additions and/or changes shall be made:

1. Section 101.1 shall be completed by adding: "Township of Bethel, Berks County, PA" as the name of jurisdiction.

(f) With regard to the International Fuel Gas Code, the following additions and/or changes shall be made:

1. Section 101.1 shall be amended by adding: "Township of Bethel, Berks County, PA" as the name of jurisdiction.

2. Section 106.5.2 shall be amended by adding the following: "Fees shall be paid in accordance with the schedule of fees established from time to time by Resolution of the Board of Supervisors of the Township of Bethel."

3. Section 106.5.3 shall be completed by adding the words "Fifty Percent" in subparagraphs 2 and 3 thereof.

4. Section 108.4 shall be completed by adding the words "summary offense," "One Thousand Dollars" and "Ninety days" respectively in the portions thereof to be completed.

5. Section 108.5 shall be completed by inserting "Six Hundred dollars" and "One Thousand dollars" respectively to complete the last line of said Section.

(g) With regard to the International Mechanical Code, the following additions and/or changes shall be made as follows:

1. Section 101.1 shall be completed by adding: "Township of Bethel, Berks County, PA" as the name of jurisdiction.

2. Section 106.5.2 shall be completed by adding the following: "Fees shall be paid in accordance with the schedule of fees established from time to time by Resolution of the Board of Supervisors of the Township of Bethel, Berks County, PA."

3. Section 106.5.3 shall be completed by adding: "Fifty Percent" in both subparagraphs 2 and 3.

4. Section 108.4 shall be completed by adding: "summary offense" punishable by a fine of not more than "One Thousand Dollars" or by imprisonment not exceeding "Ninety days."

5. Section 108.5 shall be completed by inserting "Six Hundred Dollars" and "One Thousand Dollars" respectively in the last line of said Section.

(h) With regard to the International Plumbing Code, the following additions and/or changes shall be made in order to complete the same as follows:

1. Section 101.1 shall be completed by inserting: "Township of Bethel, Berks County, PA" as the name of jurisdiction.

2. Section 106.6.2 shall be completed by adding the following: "Fees shall be paid in accordance with the schedule of fees established from time to time by Resolution of the Board of Supervisors of the Township of Bethel, Berks County, PA."

3. Section 106.6.3 shall be completed by adding "Fifty Percent" in both subparagraphs 2 and 3.

4. Section 108.4 shall be completed by specifying: "summary offense" punishable by a fine of not more than "One Thousand Dollars" or by imprisonment not exceeding "Ninety days."

5. Section 108.5 shall be completed by inserting "Six Hundred Dollars" and "One Thousand Dollars" in that order to complete those Sections.

6. Section 305.6.1 shall be completed by adding "24 inches"

7. Section 904.1 shall be completed by adding "18 inches" as the length of vent pipes above the roof.

(i) With regard to the International Fire Code, the following additions and/or changes shall be made as follows:

1. Section 101.1 shall be completed by adding: "Township of Bethel, Berks County, PA" as the name of the jurisdiction.

2. Section 109.3 shall be completed by adding: "summary offense" punishable by a fine of not more than "One Thousand Dollars" or by imprisonment not exceeding "Ninety days."

3. Section 111.4 shall be completed by adding "Six Hundred Dollars and "One Thousand Dollars" respectively and in that order.

(j) With regard to the International Urban-Wildland Interface Code, the following additions and/or changes shall be made as follows:

1. Section 101.1 shall be completed by adding: "Township of Bethel, Berks County, PA."

Section 3. Administration and Enforcement

Administration and Enforcement of the CODE shall be undertaken by any of the following ways as determined by the Board of Supervisors from time to time by Resolution:

(a) By the designation of an employee of the Township of Bethel to serve as the Municipal Code Official to act on behalf of the Township;

(b) By the retention of one or more construction code officials or third party agencies to act on behalf of the Township;

(c) By agreement with one or more other municipalities for the joint administration and enforcement of this act through an inter-municipal agreement;

(d) By entering into a contract with another municipality for the administration and enforcement of this Ordinance on behalf of the Township;

(e) By entering into an agreement with the Pennsylvania Department of Labor & Industry for plan review, inspections and enforcement of structures other than one family or two family dwelling units and utility and miscellaneous use structures.

Section 4. Board of Appeals

A Board of Appeals shall be established by Resolution of the Board of Supervisors of the Township of Bethel in conformity of the requirements of the relevant provisions of the CODE as amended from time to time, and for the purposes set forth therein. If at any time an enforcement and administration is undertaken jointly with one or more other municipalities, said Board of Appeals shall be established by joint action of the participating municipalities.

Section 5. Prior Ordinances

(a) All Building Code Ordinances or portions of Ordinances which were adopted by the Township on or before July 1, 1999, which equal or exceed the requirements of the CODE shall continue in full force and effect until such time as such provisions fail to equal or exceed the minimum requirements of the CODE as amended from time to time.

(b) All Building Code Ordinances or portions of Ordinances which are in effect as of the effective date of this Ordinance and whose requirements are less than the minimum requirements of the CODE are hereby amended to conform with the comparable provisions of the CODE.

(c) All relevant ordinances, regulations, and policies of the Township not governed by the CODE shall remain in full force and effect.

Section 6. Fees

Fees assessable by the Township for the administration and enforcement undertaken pursuant to this Ordinance and the CODE shall be established by the Board of Supervisors by Resolution from time to time.

Section 7. 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 effect 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 this Ordinance. The Board of Supervisors of the Township hereby declares that it would have adopted this 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 words that may be declared illegal, unconstitutional and/or invalid.

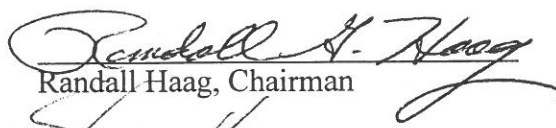
Section 8. Effective Date

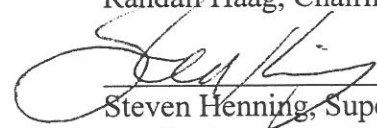
This Ordinance shall become effective on July 8, 2004.

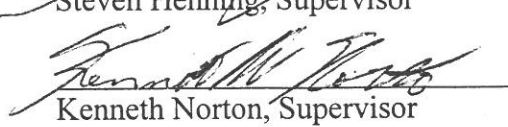
ENACTED and ORDAINED by the Board of Supervisors of the Township of Bethel, Berks County, Pennsylvania, in public session duly convened, this 21ST day of JUNE, 2004.

TOWNSHIP OF BETHEL
Berks County, Pennsylvania

By:


Randall Haag, Chairman


Steven Henning, Supervisor


Kenneth Norton, Supervisor

Attest:


Jayne Seifrit, Township Secretary

CERTIFICATE OF ENACTMENT

I hereby certify that the foregoing is a true and accurate copy of Ordinance No. 2004-01 which was adopted by the Board of Supervisors of Bethel Township, Berks County, Pennsylvania at a public meeting held on June 21, 2004 pursuant to notice as required by law.

Date June 21, 2004


Township Secretary

