

ORDINANCE 2010 - 05

AN ORDINANCE OF THE TOWNSHIP OF RADNOR, DELAWARE COUNTY, PENNSYLVANIA, UPDATING CHAPTER 125 (BUILDING CODE) OF THE CODE OF THE TOWNSHIP OF RADNOR TO THE 2009 INTERNATIONAL BUILDING CODE, WITH CERTAIN ADDITIONS, DELETIONS, AND AMENDMENTS.

AN ORDINANCE OF THE TOWNSHIP OF RADNOR, DELAWARE COUNTY, PENNSYLVANIA, ELECTING TO ADMINISTER AND ENFORCE THE PROVISIONS OF THE PENNSYLVANIA CONSTRUCTION CODE, ACT 45 OF 1999, AS AMENDED, AND DO HEREBY ADOPT AND INCORPORATE THE UNIFORM CONSTRUCTION CODE, CONTAINED IN 34 PA. CODE, CHAPTERS 401-405, BY REFERENCE, AS THE BUILDING CODE OF THE TOWNSHIP OF RADNOR.

§ 125-1. Adoption of code by reference.

Certain documents on file in the office of the Secretary of the Township of Radnor, being marked, and designated as the "2009 INTERNATIONAL BUILDING CODE" as published by the International Code Council, Inc., are hereby adopted as the Building Code of Radnor Township, Delaware County, in the Commonwealth of Pennsylvania, for the control of buildings and structures as herein provided; and each and all of the provisions, penalties, conditions and terms of the 2009 INTERNATIONAL BUILDING CODE are hereby referred to, adopted and made a part hereof as if fully set forth in this article, with the additions, insertions, deletions and changes as set forth in this article.

§ 125-2. Additions, insertions, deletions and changes to code.

The following sections and subsections of the aforementioned 2009 INTERNATIONAL BUILDING CODE, are hereby added, amended, changed and clarified as set forth below:

A. Chapter 1 ADMINISTRATION

1. Section 101 General

- (a) Subsection 101.1, Title. Insert "Township of Radnor" as the name of the jurisdiction.
- (b) Subsection 101.4.4.3 Plumbing. Delete the last three lines beginning with the words "The provisions of".

2. Section 103 Department of Building Safety

- (a) Delete section 103 entirely.

3. Section 104 Duties and Powers of Building Official

- (a) Delete subsection 104.1 General and substitute with the following:

104.1 General. It shall be the responsibility of the Director of Community Development or his duly authorized representative to enforce the provisions of this code.

4. Section 105 Permits

- (a) Subsection 105.2 Work exempt from permit. Add the following to line five(5): A Zoning / Use permit shall be required for any of the exempt work listed in this ordinance as determined by the Building Official.

- (b) Amend #4. Under "Building" to read:
 - 4. Retaining walls that are not over four(4) feet in height measured from the lowest level of grade to the top of the wall, unless the wall supports a surcharge or impounding Class I, II or III-A liquids.

5. Section 109 Fees

- (a) Delete subsection 109.2 Schedule of permit fees and substitute with the following:

108.2 Fees. No permit to begin work for new construction, alterations, repair, removal or other building operations shall be issued until the fees established by the Board of Commissioners have been paid in accordance with Chapter 162 of the Township Code and a permit issued by the Department of Community Development, nor shall an amendment to a permit necessitating an additional fee, because of an increase in the estimated cost involved, be approved until the additional fee shall have been paid and a permit approved and issued by the Department of Community Development.

- (b) Subsection 109.4 Work commencing before permit issuance. Delete the word "shall" on line four and replace with "may".
- (c) Delete subsection 109.6 Refunds

6. Section 111 Certificate of Occupancy

- (a) Delete subsection 111.2 Certificate issued and substitute with the following:

111.2 Certificate issued. After the building official inspects the building or structure and finds no violations of the provisions of this code or other laws that are enforced by the Department, the building official shall issue a certificate of occupancy.

7. Section 113 Board of Appeals

- (a) Delete the entire section 113, Board of Appeals, and substitute with the following:

Section 113 Appeals

Subsection 113.1 General: Whenever the owner or builder of any building about to be or in the course of being erected, altered or repaired, or any other person takes exception to the decision of the code official in refusing to approve the manner of construction or the type of materials to be used in the erection, alteration or repair of any building or structure, or to his decision as to the occupation or use of any building or structure, or as to its safety or compliance with the provisions of this code, such owner or builder or duly authorized agent may, within 10 days after such decision, take an appeal to the Code Appeals Board. Such appeal shall be in writing, state the decision of the code official and the reason for taking exception thereto and shall be filed with the Township Secretary. The Code Appeals Board shall, within 30 days from the date of filing, fix a date, time and location to consider the appeal and to allow the person to be heard if so desired. A prompt decision shall be heard by the Code Appeals Board and duly recorded, with such decision being final.

8. Section 114 Violations

- (a) Delete subsection 114.3 Prosecution of violation, and substitute with the following:

Subsection 114.3 Prosecution of Violations. If the notice of violation is not complied with within the time specified in the notice, the code official shall institute the appropriate proceeding at law or in equity to restrain, correct, or abate such violation, or to require the removal or termination of the unlawful occupancy of the building or structure in violation of the provisions of this code or of the order or direction made pursuant thereto.

- (b) Delete subsection 114.4, Violation penalties, in its entirety and substitute with the following:

Subsection 114.4 Violation penalties. Any person who shall violate a provision of this code or shall fail to comply with the requirements thereof or who shall erect, construct, alter or repair a building or structure in violation of any approved plan, application for permit or directive of the code official shall, upon conviction, be punishable by a fine of not more than one thousand dollars (\$1,000.). Each day that a violation continues shall be deemed a separate offense.

Chapter 2, DEFINITIONS

- (1) Section 202, Definitions.

- (a) Amend the definition of "BUILDING OFFICIAL" to read as follows:

BUILDING OFFICIAL: The Director of Community Development charged with the administration and enforcement of this code, or his duly authorized representative.

- (b) Add the definition of "Department" to read as follows:

DEPARTMENT: The Department of Community Development of Radnor Township or any authorized agent or employee thereof.

- (c) Change the definition of "Height, building" (see Chapter 5 section 502) to read as follows:

HEIGHT, BUILDING: The vertical distance from the average grade (the average of the grades taken at twenty-foot intervals around the building perimeter) to the top of the highest roof beams of a flat roof or to the mean level of a sloped roof, provided that chimneys and spires shall not be included in measuring the height. Elevator, stair and equipment penthouses, tanks and air-conditioning towers shall not be included. The height shall be measured from finished grade, but such measurement shall not be made from a point higher than eight feet above original grade.

- (d) Add the definition of "township" to read as follows:

TOWNSHIP: The Township of Radnor in the Commonwealth of Pennsylvania.

C. Chapter 9, FIRE PROTECTION SYSTEMS

1. Section 903, Automatic Sprinkler Systems

- (a) Delete subsections 903.2.1 through 903.2.10 and substitute the following:

903.2.1 Use Groups A, B, E, M, S and U: In all buildings or structures exceeding 1,000 square feet in gross floor area.

Exception : S-2 Open Parking Garages

903.2.2 Use Groups R, F, H, I: In all buildings or structures or portions thereof.

D. Chapter 16, STRUCTURAL DESIGN

1. Section 1612 Flood Loads

- (a) Subsection 1612.3 Establishment of flood hazard areas. Insert the following on line seven (7):

“Township of Radnor” as name of jurisdiction, and “May 2,1995” as date of issuance.

E. Chapter 33, SAFEGUARDS DURING CONSTRUCTION

1. Section 3303 Demolition

- (a) Insert a new subsection 3303.7 to read as follows:

3303.7 Certificate of Extermination: A certificate of extermination by a recognizes exterminating / termite control company addressing the existence of any wood destroying insects, rodents, or other harmful insects or pest life shall be received prior to the issuance of a demolition permit.

- (b) Insert a new subsection 3303.8 to read as follows:

3303.8 Shade Tree Ordinance: Prior to the issuance of a demolition permit, applicant shall demonstrate compliance with the demolition provisions of Ordinance NO. 2003-21 Shade Tree Ordinance.

F. Chapter 34, EXISTING STRUCTURES

1. (EB) Section 3403 Additions, Alterations, or Repairs

- (a) Insert a new subsection 3403.5 to read as follows:

3403.5 Fire Suppression Systems. The requirements of Sections 903 Automatic Sprinkler Systems, as amended by this ordinance, shall apply to any existing buildings or structures exceeding one thousand (1000) square feet in gross floor area where substantial alteration or repair occurs under a valid building permit.

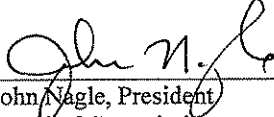
2. (EB) Section 3412 Compliance Alternatives.

- (a) Subsection 3412.2 Applicability. Insert the following on line one: "thirty (30) days following the adoption of this ordinance."
- (b) Subsection 3412.4 Investigation and Evaluation. Insert the words "when required by the code official" at the end of the sentence on line four (4).

ENACTED and ORDAINED THIS 22nd day of February, 2010

TOWNSHIP OF RADNOR

By:



John Nagle, President
Board of Commissioners

Attest:



Matthew S. Baumann, Secretary