

ORDINANCE 2010 - 12

AN ORDINANCE OF THE TOWNSHIP OF RADNOR, DELAWARE COUNTY, PENNSYLVANIA,  
ADOPTING THE 2009 INTERNATIONAL EXISTING BUILDING CODE, WITH CERTAIN  
ADDITIONS, DELETIONS, AND AMENDMENTS.

The Board of Commissioners of the Township of Radnor does hereby ENACT and ORDAIN:

- Section 1. New Chapter updating standards to the 2009 International Existing Building Code is hereby enacted:
- Section 2. 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 Existing Building Code, is hereby adopted as the Existing Building Code of Radnor Township, Delaware County, in the Commonwealth of Pennsylvania, for the purpose of establishing minimum regulations governing the repair, alteration, change of occupancy, addition, and relocation of existing buildings as herein provided; and each and all of the provisions, penalties, conditions and terms of the 2009 International Existing Building Code are hereby referred to, adopted and made a part hereof as if fully set forth in this chapter with the additions, insertions, deletions and changes as prescribed by this chapter.
- Section 3. Additions, Insertions, Deletions, and Changes to the Code. The following sections and subsections of the 2009 International Existing Building Code, are hereby added, amended, changed, and clarified as set forth below:

A. Chapter 1. ADMINISTRATION

1. Section 101, General.

(a) In Subsection 101.1 Title, Insert "Township of Radnor" as the name of the jurisdiction.

(b) Insert a new Subsection 101.9 to read as follows:

101.9 Terms. Whenever in the Existing Building Code a municipality is mentioned and no name is given, said municipality shall be construed to mean the Township of Radnor; and when a state is mentioned, the same shall mean the Commonwealth of Pennsylvania; and when the Department of Building Safety is mentioned, the same shall mean the Department of Community Development.

2. Section 103, Department of Building Safety

(a) Delete subsections 103.1 through 103.3 and substitute with the following:

103.1 General. The Director of Community Development or any authorized agent or employee thereof shall be designated as the Code Official for the purposes of this code.

103.2 Appointment. The code official and employees of the Department of Community Development shall be appointed in accordance with the personnel procedures and policies of the Township of Radnor.

3. Section 104, Duties and Powers of Code 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 authorized representative to enforce the provisions of this code.

4. Section 108, Fees

- (a) Delete subsection 108.1 Payment of fees and substitute with the following:

108.1 Permit fees. No permit to begin work for additions, alterations, repair, removal or other building operations shall be issued until permit fees have been paid in accordance with Chapter 162 of the Township Code.

- (b) Subsection 108.4 Work commencing before permit issuance. Delete the word "shall" on line four (4) and replace with the word "may".

- (c) Delete subsection 108.6 Refunds.

5. Section 110, Certificate of Occupancy

- (a) Delete subsection 110.2 Certificate issued and replace with the following:

110.2 Certificate issued. After the code 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 code official shall issue a certificate of occupancy.

6. Section 112 Board of Appeals. Delete this entire section and substitute with the following:

- (a) Section 112 Appeals

112.1 General. Whenever the owner or contractor involved in the installation, repair or alteration of a plumbing system takes exception to the decision of the Code Official in refusing to issue a permit, or to approve plans as required by this code, such owner, contractor or duly authorized agent or attorney may within 10 days after such decision take an appeal there from to the Code Appeals Board. Such appeal shall be in writing, state the decision of the Code Official and the reasons for the exception taken thereto and filed with the Township Secretary. The Code Appeals Board shall within 30 days from receipt of such appeal fix a date, time and location to consider the appeal and to allow the person to be heard if he states his desire to do so in the written appeal. A prompt decision shall be rendered by the Code Appeals Board and duly recorded with such decision being final.

7 Section 113 VIOLATIONS

- (a) Delete subsection 113.3 Prosecution of violation and substitute with the following:

113.3 Prosecution of violation. 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 113.4 Violation penalties and substitute with the following:

113.4 Violation penalties. Any person who shall violate a provision of this code or shall fail to comply with the requirements thereof or who shall alter, repair a building or structure in violation of any approved plan, application for permit, or directive of the code official, or of a permit or certificate issued under this code 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.

8. Section 117 DEMOLITION

- (a) Insert a new subsection 117.5 to read as follows:

117.5 Certificate of Extermination. A certificate of extermination by a recognized 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 117.6 to read as follows:

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

B. Chapter 2. DEFINITIONS.

1. Section 202, General Definitions.

- (a) Add the definition of "Code Official" to read as follows:

CODE OFFICIAL. The Director of Community Development charged with the administration and enforcement of this code, or a 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) Add the definition of "township" to read as follows:

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

C. Chapter 13 PERFORMANCE COMPLIANCE METHODS

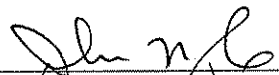
1. Section 1301 GENERAL

(a) In Subsection 1301.2 Applicability, add 1990 as the date on line two.

ENACTED and ORDAINED this 22<sup>nd</sup> day of February, 2010

TOWNSHIP OF RADNOR

By:

  
\_\_\_\_\_  
John Nagle, President  
Board of Commissioners

Attest:

  
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Matthew S. Baumann, Secretary