

**RADNOR TOWNSHIP, DELAWARE COUNTY, PA
ORDINANCE NO. 2022-21**

**AN ORDINANCE OF RADNOR TOWNSHIP, DELAWARE COUNTY,
PENNSYLVANIA, AMENDING CHAPTER 125 OF THE RADNOR
TOWNSHIP CODE TO INCORPORATE 2018 INTERNATIONAL
BUILDING CODE AND THE 2018 INTERNATIONAL RESIDENTIAL
CODE AND TO REPEAL CHAPTER 129 OF THE RADNOR TOWNSHIP
CODE IN ITS ENTIRETY.**

*Upon recommendation of the Radnor Township Staff, the Radnor Township Board of
Commissioners hereby ENACTS and ORDAINS the following:*

ARTICLE I ADOPTION OF CODE AMENDMENTS - IBC

Chapter 125 of the Radnor Township Code is hereby amended to read as follows:

Article I: Building Standards

§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 "2018 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 and for the protection of their occupants; and each and all of the provisions, penalties, conditions and terms of the 2018 International Building Code, as amended, 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 prescribed by this Article.

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

The following sections and subsections of the aforementioned 2018 International Building Code, as amended, are hereby added, amended, deleted, 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 101.4.3, Plumbing. Delete the following sentence: "The provisions of the International Private Sewage Disposal Code shall apply to private sewage disposal systems."
- (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. The Director of Community Development or a duly authorized representative, also referred to as the *building official*, is hereby authorized and directed to enforce the provisions of this code. The *building official* shall have the authority to render interpretations of this code and to adopt policies and procedures in order to clarify the application of its provisions. Such interpretations, policies and procedures shall be in conformance with the intent and purpose of this code. Such policies and procedures shall not have the effect of waiving requirements specifically provided for in this code.
- (4) Section 105, Permits.
 - (a) Delete Subsection 105.2, Work exempt from permit, and substitute with the following:

105.2 Work exempt from permit. Exemptions from *permit* requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this *jurisdiction*. In addition, a zoning/use permit shall be required for any of the exempt work listed in this section as determined by the *building official*. *Permits* shall not be required for the following:
 - (b) In the exemption list under Subsection 105.2, paragraph 4 under "Building" shall be amended 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 IIIA liquids.
- (5) Section 109, Fees.
 - (a) Delete Subsection 109.2, Schedule of permit fees, and substitute with the following:

109.2 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 Code of the Township of Radnor, as amended, 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 fees have been paid in accordance with Chapter 162 of the Code of the Township of Radnor, as amended.

- (b) Subsection 109.4, Work commencing before permit issuance. Delete the first "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 Township, 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

113.1 General. Whenever the owner or builder of any building about to be or in the course of being erected, altered, repaired, used, or occupied, or any other person takes exception to the decision of the *building 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 thirty (30) days after such decision, take an appeal to the Code Appeals Board. Such appeal shall be in writing, state the decision of the *building official* and the reason for taking exception thereto, and shall be filed with the Department. The appeal shall be heard pursuant to and consistent with the practices and procedures established for or by the Code Appeals Board, as well as, the Pennsylvania

Uniform Construction Code. A written decision to affirm, modify, or reverse the decision of the *building official* shall be issued by the Code Appeals Board and duly recorded, with such decision being final.

113.2 Limitations on authority. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply or an equally good or better form of construction is proposed. The Code Appeals Board shall not have authority to waive requirements of this code.

(8) Section 114, Violations.

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

114.3 Prosecution of violations. If the notice of violation is not complied with within the time specified in the notice, the *building 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.

114.4 Violation penalties. Any person who violates a provision of this code; fails to comply with any of the requirements thereof; or erects, constructs, alters, repairs, or does work on a building or structure in violation of the approved construction documents, any approved plan, *permit*, certificate, application for *permit*, or directive of the *building official* shall, upon conviction, be punishable by a fine of not more than \$1,000 per violation. Each day that each violation continues shall be deemed a separate offense, and each provision of the code violated shall be deemed a separate offense.

B. 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 a duly authorized representative.

- (b) Add the definition of "Code Appeals Board" to read as follows:

CODE APPEALS BOARD. The Radnor Township Code Appeals Board created, organized, and operated in accordance with Chapter 15, Code Appeals Board, of the Code of the Township of Radnor, as amended.
- (c) 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.
- (d) Change the definition of "Height, building" 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.
- (e) Add the definition of "Township" to read as follows:

TOWNSHIP. The Township of Radnor, Delaware County, Commonwealth of Pennsylvania.

C. Chapter 16, Structural Design.

- (1) Section 1612, Flood Loads.
 - (a) Subsection 1612.3, Establishment of flood hazard areas. Insert "Township of Radnor" as the name of the jurisdiction, and "November 18, 2009" as the date of issuance.

D. Chapter 33, Safeguards during construction.

- (1) Section 3303, Demolition.
 - (a) Insert a new Subsection 3303.8 to read as follows:

3303.8 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 3303.9 to read as follows:

3303.9 Shade Tree Ordinance. Prior to the issuance of a demolition permit, applicant shall demonstrate compliance with the demolition provisions of Chapter 263, Trees, of the Code of the Township of Radnor, as amended.

ARTICLE II ADOPTION OF CODE AMENDMENTS - IRC

Chapter 125 of the Radnor Township Code is hereby amended to read as follows:

Article II: One- and Two-Family Dwelling Standards

§125-3. 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 "International Residential Code, 2018 Edition," are hereby adopted as the One- and Two-Family Dwelling Code for the Township of Radnor, Delaware County, in the Commonwealth of Pennsylvania, for the purpose of establishing minimum standards to protect occupants of residential buildings covered by this Code, and each and all of the provisions, penalties, conditions, and terms of the International Residential Code, 2018 Edition, as amended, 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 prescribed by this Article.

§125-4. Additions, insertions, deletions and changes to code.

The following sections and subsections of the aforementioned 2018 International Residential Code, as amended, are hereby added, amended, deleted, changed, and clarified as set forth below.

A. Chapter 1, Administration.

(1) Section R101, General.

- (a) Subsection R101.1, Title. Insert "Township of Radnor" as the name of the jurisdiction.

(2) Section R103, Department of Building Safety.

- (a) Delete Subsections R103.1 through R103.3 and substitute with the following:

R103.1 General. The Director of Community Development or any authorized agent or employee thereof shall be designated as the *building official* for the purposes of this code.

R103.2 Appointment. The *building official* and employees of the Department of Community Development than be appointed in accordance with the personnel procedures and policies of the Township of Radnor.

(3) Section R104, Duties and Powers of the Building Official.

- (a) Delete Subsection R104.1, General, and substitute with the following:

R104.1 General. The Director of Community Development or a duly authorized representative, also referred to as the *building official*, is hereby authorized and directed to enforce the provisions of this code. The *building official* shall have the authority to render interpretations of this code and to adopt policies and procedures in order to clarify the application of its provisions. Such interpretations, policies and procedures shall be in conformance with the intent and purpose of this code. Such policies and procedures shall not have the effect of waiving requirements specifically provided for in this code.

(4) Section R105, Permits.

- (a) Delete the opening paragraph of Subsection R105.2, Work exempt from permit, and substitute with the following:

R105.2 Work exempt from permit. Exemptions from *permit* requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this *jurisdiction*. In addition, a zoning/use permit shall be required for any of the exempt work listed in this section as determined by the *building official*. *Permits* shall not be required for the following:

- (b) In the exemption list under Subsection R105.2, paragraph 1 under "Building" shall be amended to read:
1. One *story* detached structures with a building area less than 200 square feet if accessory to a detached one-family dwelling (e.g., private garages, greenhouses, sheds, and carports).
- (c) In the exemption list under Subsection R105.2, paragraph 3 under "Building" shall be amended to read:
3. 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.

(d) In the exemption list under Subsection R105.2, add the following paragraphs 11 through 18 under the "Building" heading:

11. Manufactured or industrialized housing shipped from the factory under Section 901(a) of the act [35 P.S. 7210.901(a)] as provided in 403.25 (relating to manufactured and industrialized housing).
12. Replacement of glass in any window or door. The replacement glass shall comply with the minimum requirements of this code.
13. Installation and replacement of a window, door, garage door, storm window and storm door in the same opening if the dimensions or framing of the original opening are not altered. The installation of means of egress and emergency escape windows may be made in the same opening, without altering the dimensions or framing of the original opening, if the required height, width, or net clear opening of the previous window or door assembly is not reduced.
14. Replacement of existing roof material that does not exceed 25% of the total roof area performed within any twelve-month period.
15. Replacement of existing siding.
16. Repair or replacement of any part of a porch or stoop which does not structurally support a roof located above the porch or stoop.
17. Installation of additional roll or batt insulation.
18. Replacement of exterior rain water gutters and leaders.

(5) Section R108, Fees.

(a) Delete Subsection R108.1, Payment of fees, and substitute with the following:

R108.1 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 Code of the Township of Radnor, as amended, 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 fees have been paid in accordance with Chapter 162 of the Code of the Township of Radnor, as amended.

(b) Delete Subsection 108.5, Refunds.

- (c) Subsection 108.6, Work commencing before permit issuance. Delete the first "shall" on line four and replace with "may."
- (6) Section R110, Certificate of Occupancy.
 - (a) Delete Subsection R110.3, Certificate issued, and substitute with the following:

R110.3 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 Township, the *building official* shall issue a certificate of occupancy.
- (7) Section R112, Board of Appeals.
 - (a) Delete the entire Section R112, Board of Appeals, and substitute with the following:

**SECTION R112
APPEALS**

R112.1 General. Whenever the owner or builder of any building about to be or in the course of being erected, altered, repaired, used, or occupied, or any other person takes exception to the decision of the *building 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 thirty (30) days after such decision, take an appeal to the Code Appeals Board. Such appeal shall be in writing, state the decision of the *building official* and the reason for taking exception thereto, and shall be filed with the Department. The appeal shall be heard pursuant to and consistent with the practices and procedures established for or by the Code Appeals Board, as well as, the Pennsylvania Uniform Construction Code. A written decision to affirm, modify, or reverse the decision of the *building official* shall be issued by the Code Appeals Board and duly recorded, with such decision being final.

R112.2 Limitations on authority. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply or an equally good or better form of construction is proposed. The Code Appeals Board shall not have authority to waive requirements of this code.

- (8) Section R113, Violations.

- (a) Delete Subsection R113.3, Prosecution of violation, and substitute with the following:

R113.3 Prosecution of violation. If the notice of violation is not complied with within the time specified in the notice, the *building 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 R113.4, Violation penalties, in its entirety and substitute with the following.

R113.4 Violation penalties. Any person who violates a provision of this code; fails to comply with any of the requirements thereof; or erects, constructs, alters, repairs, or does work on a building or structure in violation of the approved construction documents, any approved plan, *permit*, certificate, application for *permit*, or directive of the *building official* shall, upon conviction, be punishable by a fine of not more than \$1,000 per violation. Each day that each violation continues shall be deemed a separate offense.

B. Chapter 2, Definitions.

- (1) Section R202, 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 a duly authorized representative.

- (b) Add the definition of "Code Appeals Board" to read as follows:

CODE APPEALS BOARD. The Radnor Township Code Appeals Board created, organized, and operated in accordance with Chapter 15, Code Appeals Board, of the Code of the Township of Radnor, as amended.

- (c) 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.

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

TOWNSHIP. The Township of Radnor, Delaware County, Commonwealth of Pennsylvania.

C. Chapter 3, Building Planning.

(1) Section R301, Design Criteria.

- (a) The following information shall be inserted into the appropriate cell of Table R301.2(1) Climatic and Geographic Design Criteria:

GROUND SNOW LOAD: 25

WIND DESIGN - Speed (mph): 115

WIND DESIGN – Topographic effects: Reference Table 301.2.1.5.1

WIND DESIGN – Special wind region: N/A

WIND DESIGN – Wind-borne debris zone: Wind Zone 1

SEISMIC DESIGN CATEGORY: B

SUBJECT TO DAMAGE FROM - Weathering: Severe

SUBJECT TO DAMAGE FROM - Frost Line Depth: 36 inches

SUBJECT TO DAMAGE FROM - Termite: Moderate to heavy

WINTER DESIGN TEMP (F.): 10°

ICE BARRIER UNDERLAYMENT REQUIRED: Yes

FLOOD HAZARDS: FIRM

AIR FREEZING INDEX: 1500 or less

MEAN ANNUAL TEMP (F.): 54°

D. Chapter 26, General Plumbing Requirements.

(1) Section P2603, Structural Piping Protection.

- (a) P2603.5.1, Sewer depth. Insert “24” as the [NUMBER] in line three and line five and delete “(mm)” in line three and line five.

G. Appendices.

- (1) The following appendices shall be incorporated and adopted as part of this entire article:

- (a) Appendix A (IFGS), Sizing and Capacities of Gas Piping.

- (b) Appendix B (IFGS), Sizing of Venting Systems Serving Appliances Equipped with Draft Hoods, Category 1 Appliances, and Appliances Listed For Use and Type B Vents.
- (c) Appendix C (IFGS), Exit Terminals of Mechanical Draft and Direct - Vent Venting Systems.
- (d) Appendix E, Manufactured Housing Used as Dwellings.
- (e) Appendix F, Radon Control Methods.

ARTICLE III PA BUILDING ENERGY CONSERVATION ACT

Chapter 129 of the Radnor Township Code is hereby repealed in its entirety and shall be amended to read as follows:

Chapter 129 - RESERVED

ARTICLE IV REPEALER

All ordinance or parts of ordinances which are inconsistent herewith are hereby repealed. In particular, Radnor Township Ordinance Nos. 90-47, adopted October 22, 1990; 96-18, adopted July 15, 1996; 99-44, adopted December 13, 1999; 2007-06, adopted February 12, 2007; 2010-05, adopted February 22, 2010; and 2010-13, adopted February 22, 2010 are specifically repealed in full.

ARTICLE V SEVERABILITY

If any sentence, clause, section or part of this Ordinance 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 part of this Ordinance. It is hereby declared as the intent of the Board of Commissioners of Radnor Township, that this Ordinance would have been adopted had such unconstitutional, illegal, or invalid sentence, clause, section, or part thereof not been included therein.

ARTICLE VI EFFECTIVE DATE

This Ordinance shall become effective in accordance with the Home Rule Charter of Radnor Township.

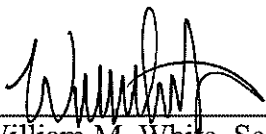
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[Signatures to follow]

**RADNOR TOWNSHIP, DELAWARE COUNTY, PA
ORDINANCE NO. 2022-21
IBC & IRC**

ENACTED and *ORDAINED* this 3rd day of January, 2023.

RADNOR TOWNSHIP

By: MORA MURPHY
Name: _____
Title: President

ATTEST: 
William M. White, Secretary