

**RADNOR TOWNSHIP, DELAWARE COUNTY, PA  
ORDINANCE NO. 2022-22**

**AN ORDINANCE OF RADNOR TOWNSHIP, DELAWARE COUNTY,  
PENNSYLVANIA, AMENDING CHAPTER 132 OF THE RADNOR  
TOWNSHIP CODE TO INCORPORATE THE 2018 INTERNATIONAL  
EXISTING BUILDING CODE.**

*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 - IEBC**

Chapter 132 of the Radnor Township Code is hereby amended to read as follows:

**§132-1 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 Existing Building Code, are 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 2018 International Existing Building Code, as amended, 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 prescribed by this chapter.

**§132-2 Additions, insertions, deletions, and changes to code.**

The following sections and subsections of the aforementioned 2018 International Existing 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) In Subsection 101.1, Title, insert "Township of Radnor" as the name of the jurisdiction.
- (b) Insert a new Subsection 101.8 to read as follows:

**101.8 Default Municipality.** 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 *building official* for the purposes of this code.

**103.2 Appointment.** The *building 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 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 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 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 108.4, Work commencing before permit issuance. Delete the first "shall" on line three and replace with "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 *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.
- (6) Section 112, Board of Appeals.
- (a) Delete the entire Section 112, Board of Appeals, and substitute with the following:

**SECTION 112  
APPEALS**

**112.1 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.

**112.2 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.

(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 *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 113.4, Violation penalties, and substitute with the following:

**113.4 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.

(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 demolition provisions of Chapter 263, Trees, of the Code of the Township of Radnor, as amended.

B. Chapter 2, Definitions.

(1) Section 202, General Definitions.

- (a) 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.

- (b) Amend 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.

- (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.

## **ARTICLE II REPEALER**

All ordinance or parts of ordinances which are inconsistent herewith are hereby repealed. In particular, Radnor Township Ordinance No. 2010-12, adopted February 22, 2010, is specifically repealed in full.

## **ARTICLE III 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 IV 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. 2022-22  
IEBC

ENACTED and ORDAINED this 3 day of January, 2023.

RADNOR TOWNSHIP

By: MORA MURKOVY  
Name: \_\_\_\_\_  
Title: President

ATTEST: William M. White  
William M. White, Secretary