

**COMMONWEALTH OF PENNSYLVANIA
COUNTY OF MONTGOMERY
TOWNSHIP OF EAST NORRITON**

ORDINANCE 464

CODIFICATION CODE NUMBER CHAPTER 74

AN ORDINANCE AMENDING THE OF EAST NORRITON TOWNSHIP BY CREATING A CHAPTER 74, ADOPTING THE UNIFORM CONSTRUCTION CODE, CONTAINED IN 34 PA CODE, CHAPTERS 401-405 AND ELECTING TO ADMINISTER AND ENFORCE THE PENNSYLVANIA CONSTRUCTION CODE ACT, ACT 45 OF 1999, 35 P.S. §§7210.101 – 7210.1103 AS AMENDED FROM TIME TO TIME.

WHEREAS, the purpose of this ordinance is to promote the general health, safety and welfare of the citizens of East Norriton Township, Montgomery County, Pennsylvania (“Municipality”) and to conform to the requirements of the Pennsylvania Construction Code Act, Act 45 of 1999, 35 P.S. §§7210.101 - 7210.1103 (the “Act”), as amended from time to time, and regulations to the Act promulgated by the Pennsylvania Department of Labor and Industry (hereinafter sometimes collectively referred to as the “Code”); and

WHEREAS, the Pennsylvania Construction Code Act requires the enactment of an appropriate ordinance by municipalities electing to administer and enforce the building code provisions of the Code.

THE BOARD OF SUPERVISORS OF EAST NORRITON TOWNSHIP, MONTGOMERY COUNTY, PENNSYLVANIA, UNDER AND BY VIRTUE OF AUTHORITY GRANTED BY THE SECOND CLASS TOWNSHIP CODE DOES HEREBY ENACT AND ORDAIN:

SECTION I

The Code of East Norriton Township, Chapter 74, being the East Norriton Township Uniform Construction Code Ordinance is hereby created as follows:

§ 74.1 ADOPTION OF STATE MANDATED CONSTRUCTION STANDARDS

The Municipality 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.

Section is hereby amended to include the following additional provisions:

- A. **Uniform Construction Code.** 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 building code of East Norriton Township.

- B. **International Fuel Gas Code.** The International Fuel Gas Code is contained in the Uniform Construction Code, pursuant to 34 Pa. Code §403.21(a)(4), and is, therefore, adopted and incorporated herein by reference.

- C. **Codes and Appendices Adopted.** This adoption shall include all of the codes specifically incorporated by reference in the Code under, *inter alia*, Section 403.21 of the Code, as provided for under the Act, and all subsequent additions or successor codes. In addition, the following appendices to the International Residential Code 2003 are hereby adopted: A, B, C, F, G and H. The following appendices of the International Fire Code are hereby adopted: B, C, D, E, F and G. Upon adoption by the Commonwealth of Pennsylvania of successor codes, those codes and the appendices corresponding to those listed are hereby adopted.

§ 74.2 **INSERTIONS TO CODES**

The following are insertions for the codes incorporated by reference in the Uniform Construction Code.

International Building Code -

Section 1612.3 insert "East Norriton Township"

Section 1612.3 insert date "October 19, 2001" of FEMA Flood Study

ICC Electrical Code

Section 404.2 insert "Fee Schedule Adopted by East Norriton Township which can be amended from time to time by Resolution"

International Fuel Gas Code

Section 106.5.2 insert "Fee Schedule Adopted by East Norriton Township which can be amended from time to time by Resolution"

International Mechanical Code

Section 1060.5.2 insert "Fee Schedule Adopted by East Norriton Township which can be amended from time to time by Resolution"

International Plumbing Code

Section 106.6.2 insert "Fee Schedule Adopted by East Norriton Township which can be amended from time to time by Resolution"

Section 305.6.1 insert “thirty-six (36) inches”

Section 904.1 insert “twelve (12) inches”

International Residential Code

Section R301.2(1) insert “information available from building code official”

Section P2603.6.1 insert “thirty-six (36) inches”

Section P3103.1 insert “twelve (12) inches”

§ 74.3 ADMINISTRATION

Administration and enforcement of the Code within this Municipality shall be undertaken in any of the following ways as determined by the governing body of this Municipality from time to time by resolution:

- (a) By the designation of an employee of the Municipality to serve as the municipal code official to act on behalf of the Municipality;
- (b) By the retention of one or more construction code officials or third-party agencies to act on behalf of the Municipality;
- (c) By entering into an intermunicipal agreement with one or more other municipalities for the joint administration and enforcement of this Act;
- (d) By entering into a contract with another municipality for the administration and enforcement of this Act on behalf of this Municipality;
- (e) By entering into an agreement with the Pennsylvania Department of Labor and Industry for plan reviews, inspections, and enforcement of structures other than one-family or two-family dwelling units and utility and miscellaneous use structures.

§ 74.4 MEANS OF APPEAL

A Board of Appeals shall be established by resolution of the Board of Supervisors of East Norriton Township in conformity with 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 enforcement and administration is undertaken jointly with one or more other municipalities, the Board of Appeals shall be established by joint action of the participating municipalities.

SECTION II ORDINANCE RETENTION

All building code ordinances or portions of ordinances which were adopted by this Municipality on or before July 1, 1999 which equal or exceed the requirements of the Code, including but not limited to Ordinances No. 352, 387, 388 and 389 shall continue in full force and effect until such time as such provisions fail to equal or exceed the minimum requirement of the Code, as amended from time to time.

- (a) 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 requirement of the Code are hereby amended to conform with the comparable provisions of the Code.
- (b) All relevant ordinances, regulations and policies of East Norriton Township not governed by the Code shall remain in full force and effect.

SECTION III FEES

Fees assessable by the Municipality for the administration and enforcement undertaken pursuant to this Chapter 74 shall be established by the governing body by resolution from time to time.

SECTION IV EFFECTIVE DATE

This ordinance shall be effective five (5) days after the date of passage of this ordinance.

SECTION V SEVERABILITY

If any section, subsection, sentence clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such provision shall be separate, distinct and independent, and such holdings shall not effect the validity of the remaining portions of this ordinance.

SECTION VI RATIFICATION

This ordinance shall in no other way affect, amend or modify Chapter 74 of the Code of East Norriton Township except as specified by Act 45 of 1999, as amended from time to time.

ENACTED AND ORDAINED by the Board of Supervisors of East Norriton Township,
Montgomery County, Pennsylvania this 25th day of May, 2004.

BOARD OF SUPERVISORS
EAST NORRITON TOWNSHIP

BY: *Francis E. Denner*
Francis E. Denner, Chairman

ATTEST:

Helmuth J. H. Baerwald
Helmuth J. H. Baerwald, Secretary

