

CHAPTER 2

BUILDING CONSTRUCTION AND MAINTENANCE

ARTICLE I

BUILDING CODES

History - Adopted by the Board of Supervisors of Center Township as Ordinance No. 97-4-4, April 16, 1997, and amended by Ordinance No. 97-9-6, September 1997, Ordinance No. 97-9-7, September 1997, Ordinance No. 97-9-8, September 1997, Ordinance No. 97-9-9 September 1997, Ordinance No. 97-10-10, October 1997, Ordinance No. 98-4-6, April 1998, Ordinance No. 2002 05-05, May 2002, Ordinance No. 2007-02-04, February 14, 2007.

§2-101 General

The Township of Center elects to administer and enforce the provisions of the Pennsylvania Construction Code, Act 45 of 1999, 35 P.S. §§7210.101-7210.1103, as amended from time to time, and its regulations. 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 municipal building code of this Township.

§2-102 Administration/Enforcement

- A. The Township Supervisors shall, from time to time, by Resolution, administer this Article in any of the following ways.
 - 1. By designation of an employee of the Township to serve as the municipal code official to act on behalf of the Township.
 - 2. By the retention of one or more construction code officials or third-party agencies to act on behalf of the Township.
 - 3. By agreement with one or more other municipalities for the joint administration and enforcement of the Pennsylvania Construction Code Act, Act 45 of 1999, through an inter-municipal agreement.
 - 4. By entering into a contract with another municipality for the administration and enforcement of the Pennsylvania Construction Code Act, Act 45 of 1999, on behalf of this Municipality.

- 5. By entering into an agreement with the Pennsylvania Department of Labor and Industry for plan review, inspections and enforcement of structures other than one-family or two-family dwelling units and utility and miscellaneous use structures.

- B. All building code ordinances or portions of ordinances which were adopted by this Township on or before July 1, 1999, and which equal or exceed the requirements of the Code shall continue in full force and effect until such time as such provisions fail to equal or exceed the minimum requirements of the Code, as amended from time to time.
- C. All building code ordinances or portions of ordinances which are in effect as of the effective date of this Chapter and whose requirements are less than the minimum requirements of the Code are hereby amended to conform with the comparable provisions of the Code.

§2-103 Board of Appeals

The Center Township Board of Supervisors shall, from time to time, by resolution establish a Board of Appeals 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.

§2-104 Code Amendments

The Township of Center may from time to time, by resolution, adopt, change, alter, or amend this Article or Sections, as the Township Supervisors deems appropriate or necessary for the administration of this Article.

§2-105 Fees

The Township Supervisors may, from time to time, by resolution adopt, change, alter, or amend fees for any permits, services, certificates, or inspections authorized by this Article.

§2-106 Certificate of Occupancy

No structure, renovation to a structure, addition to a structure and/or change of occupancy to any part of

a structure, whether residential, commercial or industrial shall be occupied until a Certificate of Occupancy is issued by the Building Code Official designated by the Township Supervisors in accordance with this Article. No such Certificate of Occupancy shall be issued until all inspections as required by this Article have been completed, and all associated fees have been paid to the Township. The owner of any property for which a permit is required, along with the applicant and all associated contractors and design professionals, for said permit shall be liable to the Township for any such fees for permits and inspections.

Each day a violation continues shall be deemed to be a separate offense and shall be subject, in all respects, to the same penalties as the first offense, and separate proceedings may be instituted and separate penalties imposed for each day's offense.

§2-107 Violations and Penalties

- A. If at any time the Building Official or Code Enforcement Officer determines that a property owner, contractor, permit applicant, or any other person connected with the construction, installation, or renovation has violated any provision of this Article or any amendments thereto, the said Building Official or Code Enforcement Officer shall have the right to suspend any permit issued, issue a stop work order, deny any occupancy permit, and refuse to permit any further construction or installation.
- B. In the event of a violation of any provisions of this Article, no Certificate of Occupancy shall be issued for any such structure determined to be in violation by the Building Official or Code Enforcement Officer and no such structure shall be occupied by any person until such violation is abated.
- C. The Township may proceed with an action of law and/or in equity to enforce the provisions of this Article and the proceeding with such legal action shall not prohibit the Township from seeking to impose other penalties prescribed by this Article nor from suspending construction or issuing a stop work order as provided for in this Article.
- D. In addition to, or separate from, the actions set forth above any person violating this Article, or any part thereof, may be charged and shall upon conviction before a District Justice pay a fine of not more than one thousand dollars (\$1,000.00) and be subject to imprisonment of not more than ninety (90) days in the Butler County Prison.

§2-108 Exceptions to the International Residential Code

Table No. R-301.2(1)											
CLIMATIC AND GEOGRAPHIC DESIGN CRITERIA											
GROUND SNOW LOAD	WIND SPEED	SEISMIC DESIGN CATEGORY	SUBJECT TO DAMAGE FROM				WINTER DESIGN TEMP	ICE SHIELD UNDERLAYMENT REQUIRED	FLOOD HAZARDS	AIR FREEZING INDEX	MEAN ANNUAL TEMP
			WEATHERING ^A	FRONT LINE DEPTH ^B	TERMITE ^C	DECAY ^D					
25	90	A	Severe	36"	mod to heavy	slight to mod	0°	Yes	5-10-89 6-19-89	1,000	48°F

For SI: 1 pound per square foot = 0.0479 kN/m.02, 1 mile per hour = 1.609 km/h.

- a. Weathering may require a higher strength concrete or grade of masonry than necessary to satisfy the structural requirements of this code. The weathering column shall be filled in with the weathering index (i.e., "negligible," "moderate" or "severe") for concrete as determined from the Weathering Probability Map [Figure RR301.2(3)]. The grade of masonry units shall be determined from ASTM C 34, C 55, C 62, C 73, C 90, C 129, C 216 or C 652.
- b. The frost line depth may require deeper footings than indicated in Figure RR403.1(1). The jurisdiction shall fill in the frost line depth column with the minimum depth of footing below finish grade.
- c. The jurisdiction shall fill in this part of the table with "very heavy," "moderate to heavy," "slight to moderate," or "none to slight" in accordance with Figure RR301.2(6) depending on whether there has been a history of local damage.
- d. The jurisdiction shall fill in this part of the table with "moderate to severe," "slight to moderate," or "none to slight" in accordance with Figure RR301.2(7) depending on whether there has been a history of local damage.
- e. The jurisdiction shall fill in this part of the table with the wind speed from the basic wind speed map [Figure RR301.2(4)]. Wind exposure category shall be determined on a site-specific basis in accordance with §RR301.2.1.4.
- f. Refer to Table RN1101.2, "Winter Design Dry-bulb Temperature" column.
- g. The jurisdiction shall fill in this part of the table with the Seismic Design Category determined from §RR301.2.2.1.
- h. The jurisdiction shall fill in this part of the table with (a) the date of the jurisdiction's entry into the National Flood Insurance Program (date of adoption of the first code or ordinance for management of flood hazard areas), (b) the date(s) of the currently effective FIRM and FBFM, or other flood hazard map adopted by the community, as may be amended.
- i. In accordance with Sections R905.2.7.1, R905.4.3, R905.5.3, R905.6.3, R905.7.3 and R905.8.3, for areas where the average daily temperature in January is 25°F (-4°C) or less, or where there has been a history of local damage from the effects of ice damming, the jurisdiction shall fill in this part of the table with "YES." Otherwise, the jurisdiction shall fill in this part of the table with "NO."
- j. The jurisdiction shall fill in this part of the table with the 100-year return period air freezing index (BF-days) from Figure §403.3(2) or from the 100-year (99%) value on the National Climatic Data Center data table "Air Freezing Index - USA Method (Base 32° Fahrenheit)" at www.ncdc.noss.gov/fpsf.html.
- k. The jurisdiction shall fill in this part of the table with the mean annual temperature from the National Climatic Data Center data table "Air Freezing Index - USA Method (Base 32° Fahrenheit)" at www.ncdc.noss.gov/fpsf.html.