

## CHAPTER 13

## PROPERTY MAINTENANCE

## ARTICLE I

## PROPERTY MAINTENANCE

*History: Adopted by the Board of Supervisors of Center Township as Ordinance No. 95-4-1, April 12, 1995, as amended by Ordinance No. 2004-12-11, December 8, 2004, Ordinance No. 2007-02-04, February 14, 2007, Ordinance No. 2008-06-02, June 11, 2008, Ordinance No. 2013-12-08, December 11, 2013, Ordinance No. 2022-04-03, April 13, 2022, and Ordinance No. 2023-07-03, July 12, 2023.*

**§13-101 Scope and Administration**

This section sets forth the scope and intent of the code as it applies to existing structures.

## A. General

1. **Title:** These regulations shall be known as the International Property Maintenance Code of Center Township, Butler County, Pennsylvania, hereinafter referred to "this Article".
2. **Scope:** The provisions of this code shall apply to all existing residential and nonresidential structures and all existing premises and constitute minimum requirements and standards for premises, structures, equipment and facilities for light, ventilation, space, heating, sanitation, protection from the elements, life safety, safety from fire and other hazards, and for safe and sanitary maintenance; the responsibility of owners, operators and occupants; the occupancy of existing structures and premises, and for administration, enforcement and penalties.
3. **Intent:** This code shall be construed to secure its expressed intent, which is to ensure public health, safety and welfare insofar as they are affected by the continued occupancy and maintenance of structures and premises. Existing structures and premises that do not comply with these provisions shall be altered or repaired to provide a minimum level of health and safety as required herein.
4. **Severability:** If a section, subsection, sentence, clause or phrase of this code is, for any reason, held to be unconstitutional, such decision shall not affect the validity of

the remaining portions of this code.

## B. Applicability

1. **General:** Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall govern. Where differences occur between provisions of this Article and the referenced standards, the provisions of this Article shall apply. Where, in a specific case, different sections of this Article specify different requirements, the most restrictive shall govern.
2. **Maintenance:** Equipment, systems, devices and safeguards required by this Article or a previous regulation or code under which the structure or premises was constructed, altered or repaired shall be maintained in good working order. No owner, operator or occupant shall cause any service, facility, equipment or utility which is required under this section to be removed from or shut off from or discontinued for any occupied building, except for such temporary interruption as necessary while repairs or alterations are in progress. The requirements of this Article are not intended to provide the basis for removal or abrogation of fire protection and safety systems and devices in existing structures. Except as otherwise specified herein, the owner or the owner's designated agent shall be responsible for the maintenance of buildings, structures and premises.
3. **Application of other codes:** Repairs, additions or alterations to a structure, or changes of occupancy, shall be done in accordance with the procedures and provisions of the International Building Code, International Energy Conservation Code, International Fire Code, International Fuel Gas Code, International Mechanical Code, International Residential Code, International Plumbing Code and NFPA 70. Nothing in this Article shall be construed to cancel, modify or set aside any provision of the Center Township Zoning Ordinance.
4. **Existing remedies:** The provisions in this Article shall not be construed to abolish or impair existing remedies of the jurisdiction or its officers or agencies relating to the

removal or demolition of any structure which is dangerous, unsafe and insanitary.

5. **Workmanship:** Repairs, maintenance work, alterations or installations which are caused directly or indirectly by the enforcement of this Article shall be executed and installed in a workmanlike manner and installed in accordance with the manufacturer's instructions.
6. **Historic buildings:** The provisions of this Article shall not be mandatory for existing buildings or structures designated as historic buildings when such buildings or structures are judged by the code official to be safe and in the public interest of health, safety and welfare.
7. **Referenced codes and standards:** The codes and standards referenced in this Article shall be those that are listed in Section 13-111 and considered part of the requirements of this Article to the prescribed extent of each such reference and as further regulated in Section 13-101.B7.a and Section 13-101.B7.b.
 

**Exception:** Where enforcement of a Code provision would violate the conditions of the listing of the equipment or appliance, the conditions of the listing shall apply.

  - a. **Conflicts:** Where conflicts occur between provisions of this Code and the referenced standards, the provisions of this Article shall apply.
  - b. **Provisions in referenced codes and standards:** Where the extent of the reference to a referenced code or standard includes subject matter that is within the scope of this Code, the provisions of this Article, as applicable, shall take precedence over the provisions in the referenced code or standard.
8. **Requirements not covered by code:** Requirements necessary for the strength, stability or proper operation of an existing fixture, structure or equipment, or for the public safety, health and general welfare, not specifically covered by this Code, shall be determined by the code official.

9. **Application of codes:** References to chapter or section numbers, or to provisions not specifically identified by number, shall be construed to refer to such chapter, section or provision of this Article.

10. **Other laws:** The provisions of this Article shall not be deemed to nullify any provisions of local, state or federal law.

C. Department of Property Maintenance Inspection

1. **General:** The Board of Supervisors shall have authority to determine whether to employ or retain an entity or one or more persons to administer and enforce the regulations of this Article. The entity retained or the person in charge of the office or shall be known as the Zoning Officer.

2. **Appointment:** The Zoning Officer shall be appointed by the Board of Supervisors or be that retained entity or person in charge of a retained entity as approved by the Board of Supervisors.

3. **Deputies:** In accordance with the prescribed procedures of the Township, the Board of Supervisors shall employ one or more deputies if this Article is enforced by an entity to enforce this Article, said entity shall appoint such deputy(ies) as are deemed appropriate. Deputies shall have such powers as are delegated by a retained Zoning Officer or, if none, as directed by the Board of Supervisors.

4. **Liability:** The Zoning Officer, member of the board of appeals and other persons employed or retained to enforce this Article, while acting for Center Township in good faith and without malice or recklessness in the discharge of the duties required by this Article or other pertinent law or ordinance, shall not thereby be rendered liable personally, and is hereby relieved from all personal liability for any damage accruing to persons or property as a result of an act or by reason of an act or omission in the discharge of official duties.

5. **Legal Defense:** Any suit or criminal complaint instituted against any officer or employee because of an act performed by

that officer or employee in the lawful discharge of duties and under the provisions of this code shall be defended by the legal representative of the jurisdiction until the final termination of the proceedings. The code official or any subordinate shall not be liable for costs in an action, suit, or proceeding that is instituted in pursuance of the provisions of this code.

6. **Fees:** The fees for activities and services performed by persons and/or entities in carrying out responsibilities under this Code shall be as set forth on such schedule as may be adopted by the Board of Supervisors and amended from time to time.

#### D. Duties and Powers of Code Official

1. **General:** The Zoning Officer is hereby authorized and directed to enforce the provisions of this Article. The Zoning Officer shall have the authority to render interpretations of this Article and to adopt policies and procedures in order to clarify the application of its provisions. Such interpretations, policies and procedures shall be in compliance with the intent and purpose of this Article. Such policies and procedures shall not have the effect of waiving requirements specifically provided for in this Article.
2. **Inspections:** The Zoning Officer shall make all of the required inspections, or shall accept reports of inspection by approved agencies or individuals. All reports of such inspections shall be in writing and be certified by a responsible officer of such approved agency or by the responsible individual. The Zoning Officer is authorized to engage such expert opinion as deemed necessary to report upon unusual technical issues that arise, subject to the approval of the appointing authority.
3. **Right of entry:** Where it is necessary to make an inspection to enforce the provisions of this Article, or whenever the Zoning Officer has reasonable cause to believe that there exists in a structure or upon a premises a condition in violation of this Article, the Zoning Officer is authorized

to enter the structure or premises at reasonable times to inspect or perform the duties imposed by this Article, provided that:

- a. If such structure or premises is occupied the Zoning Officer shall present credentials to the occupant and request entry.
  - b. If such structure or premises is unoccupied, the Zoning Officer shall first make a reasonable effort to locate the owner or other person having charge or control of the structure or premises and request entry.
  - c. If entry is refused, the Zoning Officer shall have recourse to the remedies provided by law to secure entry. Such recourse shall be pursued only with authorization by the Board of Supervisors and then only in cases posing a serious threat to fire or other safety or issues relating to number of residents in a dwelling.
4. **Identification:** The Zoning Officer shall carry proper identification when inspecting structures or premises in the performance of duties under this Article.
  5. **Notices and orders:** The Zoning Officer shall issue all necessary notices or orders to ensure compliance with this Article.
  6. **Department records:** The Zoning Officer shall keep official records of all business and activities of the department specified in the provisions of this Article. Such records shall be retained in the official records for the period required for retention of public records.

#### E. Approval

1. **Modifications:** Whenever there are practical difficulties involved in carrying out the provisions of this Article, the Zoning Officer shall have the authority to grant modifications for individual cases upon application of the owner or owner's representative, provided the Zoning Officer shall first find that special individual reason makes the strict letter of this Article impractical and the modification is in

compliance with the intent and purpose of this Article and that such modification does not lessen health, life and fire safety requirements. The details of action granting modifications shall be recorded and entered in the department files.

2. **Alternative materials, methods and equipment:** The provisions of this Article are not intended to prevent the installation of any material or to prohibit any design or method of construction not specifically prescribed by this Article, provided that any such alternative has been approved. An alternative material, design or method of construction shall be approved where the Center Township Zoning Officer finds that the proposed design is satisfactory and complies with the intent of the provisions of this Article, and that the material, method or work offered is, for the purpose intended, not less than the equivalent of that prescribed in this code in quality, strength, effectiveness, fire resistance, durability and safety. Where the alternative material, design or method of construction is not approved, the Center Township Zoning Officer shall respond in writing, stating the reasons why the alternative was not approved.
3. **Required testing:** Whenever there is insufficient evidence of compliance with the provisions of this Article, or evidence that a material or method does not conform to the requirements of this Article, or in order to substantiate claims for alternative materials or methods, the Zoning Officer shall have the authority to require tests to be made as evidence of compliance at no expense to the jurisdiction.
  - a. **Test methods:** Test methods shall be as specified in this Article or by other recognized test standards. In the absence of recognized and accepted test methods, the Zoning Officer shall be permitted to approve appropriate testing procedures performed by an approved agency.
  - b. **Test reports:** Reports of tests shall be retained by the Zoning Officer for the

period required for retention of public records.

4. **Used material and equipment:** The use of used materials which meet the requirements of this Article for new materials is permitted. Materials, equipment and devices shall not be reused unless such elements are in good repair or have been reconditioned and tested when necessary, placed in good and proper working condition and approved by the Zoning Officer.
  5. **Approved materials and equipment:** Materials, equipment and devices approved by the Zoning Officer shall be constructed and installed in accordance with such approval.
  6. **Research reports:** Supporting data, where necessary to assist in the approval of materials or assemblies not specifically provided for in this Article, shall consist of valid research reports from approved sources.
- F. Violations
1. **Unlawful acts:** It shall be unlawful for a person, firm or corporation to be in conflict with or in violation of any of the provisions of this Article.
  2. **Notice of violation:** The Zoning Officer shall serve a notice of violation or order in accordance with Section 13-101.G.
  3. **Prosecution of violation:** Any person failing to comply with a notice of violation or order served in accordance with Section 13-101.G shall be deemed guilty of a summary criminal offense as determined by Section 1601(c.1)(2) of the Second Class Township Code, and the violation shall be deemed a strict liability offense. If the notice of violation is not complied with, the Zoning Officer or the Township's code administrator 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 structure in violation of the provisions of this Article or of the order or direction made pursuant

thereto. All costs of any action taken by the Township on such premises and after notice shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate.

4. **Violation penalties:** Any person who shall violate a provision of this code, or fail to comply therewith, or with any of the requirements thereof, shall be prosecuted within the limits provided by state or local laws. Each day that a violation continues after due notice has been served shall be deemed a separate offense. A fine in an amount not less than \$250.00 and not more than \$1,000.00 shall be imposed upon any person or entity found by a District Justice having jurisdiction to have violated any provision of this Article. The fine for a third or greater violation shall be in an amount not less than \$500.00 and not more than \$1,000.00.
  5. **Abatement of violation:** The imposition of fines for violation shall not preclude the Township from instituting appropriate actions to restrain, correct or abate a violation, or to prevent illegal occupancy of a building, structure or premises, or to stop an illegal act, conduct, business or utilization of a building structure or premises. See Section 13-101.F.3 for costs incurred in abating a violation.
- G. Notices and Orders
1. **Notice to person responsible:** Whenever the Zoning Officer determines that there has been a violation of this Article or has grounds to believe that a violation has occurred, notice shall be given in the manner prescribed in Sections 101.G.2 and 101.G.3 to the person responsible for the violation as specified in this Article. Notices for condemnation procedures shall also comply with Section 101.H.3.
  2. **Form:** Such notice prescribed in Section 13-101.G.1 shall be in accordance with all of the following:
    - a. Be in writing.
    - b. Include a description of the real estate sufficient for identification.
    - c. Include a statement of the violation or violations and why the notice is being issued.
    - d. Include a correction order allowing a reasonable time to make the repairs and improvements required to bring the dwelling unit or structure into compliance with the provisions of this Article.
    - e. Inform the property owner of the right to appeal.
    - f. Include a statement of the right to file a lien in accordance with Section 13-101.F.3.
  3. **Method of service:** Such notice shall be deemed to be properly served if a copy thereof is
    - a. Delivered personally;
    - b. Sent by certified mail, return receipt requested, to the last known address;
    - c. If the notice is returned showing that the letter was not delivered, a copy thereof shall be posted in a conspicuous place in or about the structure affected by such notice and notice shall be sent to the last known address by U.S. first class mail; or
    - d. If the property owner or an encumbrance holder cannot be found, a notice or order shall be served by posting a copy thereof on the main entrance of the building.
  4. **Unauthorized tampering:** Signs, tags or seals posted or affixed by the Zoning Officer shall not be mutilated, destroyed or tampered with, or removed without authorization from the Zoning Officer.
  5. **Penalties:** Penalties for noncompliance with orders and notices shall be as set forth in Section 13-101.F.4.
  6. **Transfer of ownership:** It shall be unlawful for the owner of any dwelling unit or structure who has received a compliance order or upon whom a notice of violation has been served to sell, transfer, mortgage,

lease or otherwise dispose of such dwelling unit or structure to another until the provisions of the compliance order or notice of violation have been complied with, or until such owner shall first furnish the grantee, transferee, mortgagee or lessee a true copy of any compliance order or notice of violation issued by the Zoning Officer and shall furnish to the Zoning Officer a signed and notarized statement from the grantee, transferee, mortgagee or lessee, acknowledging the receipt of such compliance order or notice of violation and fully accepting the responsibility without condition for making the corrections or repairs required by such compliance order or notice of violation.

#### H. Unsafe Structures and Equipment

1. **General:** When a structure or equipment is found by the Zoning Officer to be unsafe, or when a structure is found unfit for human occupancy, or is found unlawful, such structure shall be condemned pursuant to the provisions of this Article.

a. **Unsafe structures:** An unsafe structure is one that is found to be dangerous to the life, health, property or safety of the public or the occupants of the structure by not providing minimum safeguards to protect or warn occupants in the event of fire, or because such structure contains unsafe equipment or is so damaged, decayed, dilapidated, structurally unsafe or of such faulty construction or unstable foundation, that partial or complete collapse is possible.

b. **Unsafe equipment:** Unsafe equipment includes any boiler, heating equipment, elevator, moving stairway, electrical wiring or device, flammable liquid containers or other equipment on the premises or within the structure which is in such disrepair or condition that such equipment is a hazard to life, health, property or safety of the public or occupants of the premises or structure.

c. **Structure unfit for human occupancy:** A structure is unfit for human

occupancy whenever the Zoning Officer finds that such structure is unsafe, unlawful or, because of the degree to which the structure is in disrepair or lacks maintenance, is insanitary, vermin or rat infested, contains filth and contamination, or lacks ventilation, illumination, sanitary or heating facilities or other essential equipment required by this Article, or because the location of the structure constitutes a hazard to the occupants of the structure or to the public.

d. **Unlawful structure:** An unlawful structure is one found in whole or in part to be occupied by more persons than permitted under this Article, or was erected, altered or occupied contrary to law.

e. **Dangerous structure or premises:** For the purpose of this Article, any structure or premises that has any or all of the conditions or defects described below shall be considered dangerous:

1) Any door, aisle, passageway, stairway, exit or other means of egress that does not conform to the approved building or fire code of the Township as related to requirements for existing buildings.

2) The walking surface of any aisle, passageway, stairway, exit or other means of egress is so warped, worn loose, torn or otherwise unsafe as to not provide safe and adequate means of egress.

3) Any portion of a building, structure or appurtenance that has been damaged by fire, earthquake, wind, flood, deterioration, neglect, abandonment, vandalism or by any other cause to such an extent that it is likely to partially or completely collapse, or to become detached or dislodged.

- 4) Any portion of a building, or any member, appurtenance or ornamentation on the exterior thereof that is not of sufficient strength or stability, or is not so anchored, attached or fastened in place such that it is capable of resisting natural or artificial loads of one and one-half the original designed value.
  - 5) The building or structure, or any part thereof, because of dilapidation, deterioration, decay, faulty construction, the removal or movement of some portion of the ground necessary for the support, or for any other reason, is likely to partially or completely collapse, or some portion of the foundation or underpinning of the building or structure is likely to fail or give way.
  - 6) The building or structure, or any portion thereof, is clearly unsafe for its use and occupancy.
  - 7) The building or structure is neglected, damaged, dilapidated, unsecured or abandoned so as to become an attractive nuisance to children who might play in the building or structure to their danger, becomes a harbor for vagrants, criminals or immoral persons or enables persons to resort to the building or structure for committing a nuisance or an unlawful act.
  - 8) Any building or structure has been constructed, exists or is maintained in violation of any specific requirement or prohibition applicable to such building or structure provided by the approved building or fire code of the Township, or of any law or ordinance to such an extent as to present either a substantial risk of fire, building collapse or any other threat to life and safety.
  - 9) A building or structure, used or intended to be used for dwelling purposes, because of inadequate maintenance, dilapidation, decay, damage, faulty construction or arrangement, inadequate light, ventilation, mechanical or plumbing system, or otherwise, is determined by the Zoning Officer to be unsanitary, unfit for human habitation or in such a condition that is likely to cause sickness or disease.
  - 10) Any building or structure, because of a lack of sufficient or proper fire-resistance-rated construction, fire protection systems, electrical system, fuel connections, mechanical system, plumbing system or other cause, is determined by the Zoning Officer to be a threat to life or health.
  - 11) Any portion of a building remains on a site after the demolition or destruction of the building or structure or whenever any building or structure is abandoned so as to constitute such building or portion thereof as an attractive nuisance or hazard to the public.
2. **Closing of vacant structures:** If the structure is vacant and unfit for human habitation and occupancy, and is not in danger of structural collapse, the Zoning Officer is authorized to post a placard of condemnation on the premises and order the structure closed up so as not to be an attractive nuisance. Upon failure of the owner to close up the premises within the time specified in the order, the Zoning Officer shall cause the premises to be closed and secured through any available public agency or by contract or arrangement by private persons and the cost thereof shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate and may be collected by any other legal resource.
- a. **Authority to disconnect service utilities:** The Zoning Officer shall have

the authority to authorize disconnection of utility service to the building, structure or system regulated by this Article and the referenced codes and standards set forth in Section 13-101.B.7 in case of emergency where necessary to eliminate an immediate hazard to life or property or when such utility connection has been made without approval. The Zoning Officer shall notify the serving utility and, whenever possible, the owner and occupant of the building, structure or service system of the decision to disconnect prior to taking such action. If not notified prior to disconnection the owner or occupant of the building structure or service system shall be notified in writing as soon as practical thereafter.

3. **Notice:** Whenever the Zoning Officer has condemned a structure or equipment under the provisions of this section, notice shall be posted in a conspicuous place in or about the structure affected by such notice and served on the owner or the person or persons responsible for the structure or equipment in accordance with Section 13-101.G. If the notice pertains to equipment, it shall also be placed on the condemned equipment. The notice shall be in the form prescribed in Section 13-101.G.2.
4. **Placarding:** Upon failure of the owner or person responsible to comply with the notice provisions within the time given, the Zoning Officer shall post on the premises or on defective equipment a placard bearing the word "Condemned" and a statement of the penalties provided for occupying the premises, operating the equipment or removing the placard.
  - a. **Placard removal:** The Zoning Officer shall remove the condemnation placard whenever the defect or defects upon which the condemnation and placarding action were based have been eliminated. Any person who defaces or removes a condemnation placard without the approval of the

Zoning Officer shall be subject to the penalties provided by this Article.

5. **Prohibited occupancy:** Any occupied structure condemned and placarded by the Zoning Officer shall be vacated as ordered by the Zoning Officer. Any person who shall occupy a placarded premises or shall operate placarded equipment, and any owner or any person responsible for the premises who shall let anyone occupy a placarded premises or operate placarded equipment shall be liable for the penalties provided by this Article.
  6. **Abatement methods:** The owner, operator or occupant of a building, premises or equipment deemed unsafe by the Zoning Officer shall abate or cause to be abated or corrected such unsafe conditions either by repair, rehabilitation, demolition or other approved corrective action.
  7. **Record:** The Zoning Officer shall cause a report to be filed on an unsafe condition. The report shall state the occupancy of the structure and the nature of the unsafe condition.
- I. Emergency Measures
1. **Imminent danger:** When, in the opinion of the Zoning Officer, there is imminent danger of failure or collapse of a building or structure which endangers life, or when any structure or part of a structure has fallen and life is endangered by the occupation of the structure, or when there is actual or potential danger to the building occupants or those in the proximity of any structure because of explosives, explosive fumes or vapors or the presence of toxic fumes, gases or materials, or operation of defective or dangerous equipment, the Zoning Officer is hereby authorized and empowered to order and require the occupants to vacate the premises forthwith. The Zoning Officer shall cause to be posted at each entrance to such structure a notice reading as follows: "This Structure Is Unsafe and Its Occupancy Has Been Prohibited by the Zoning Officer." It shall be unlawful



for any person to enter such structure except for the purpose of securing the structure, making the required repairs, removing the hazardous condition or of demolishing the same.

2. **Temporary safeguards:** Notwithstanding other provisions of this Article, whenever, in the opinion of the Zoning Officer, there is imminent danger due to an unsafe condition, the Zoning Officer shall order the necessary work to be done, including the boarding up of openings, to render such structure temporarily safe whether or not the legal procedure herein described has been instituted; and shall cause such other action to be taken as the Zoning Officer deems necessary to meet such emergency.
3. **Closing streets:** When necessary for public safety, the Zoning Officer shall temporarily close structures and close, or order the authority having jurisdiction to close, sidewalks, streets, public ways and places adjacent to unsafe structures, and prohibit the same from being utilized.
4. **Emergency repairs:** For the purposes of this section, the Zoning Officer shall employ the necessary labor and materials to perform the required work as expeditiously as possible.
5. **Costs of emergency repairs:** Costs incurred in the performance of emergency work shall be paid by the jurisdiction. The legal counsel of the jurisdiction shall institute appropriate action against the owner of the premises where the unsafe structure is or was located for the recovery of such costs.
6. **Hearing:** Any person ordered to take emergency measures shall comply with such order forthwith. Any affected person shall thereafter, upon petition directed to the appeals board, be afforded a hearing as described in this code.

#### J. Demolition

1. **General:** The Zoning Officer shall order the owner of any premises upon which is located any structure, which in the Zoning Officer's judgment after review is so deteriorated or dilapidated or has become so out of repair as to be dangerous, unsafe, insanitary or otherwise unfit for human habitation or occupancy, and such that it is unreasonable to repair the structure, to demolish and remove such structure; or if such structure is capable of being made safe by repairs, to repair and make safe and sanitary, or to board up and hold for future repair or to demolish and remove at the owner's option; or where there has been a cessation of normal construction of any structure for a period of more than two years, the Zoning Officer shall order the owner to demolish and remove such structure, or board up until future repair. Boarding the building up for future repair shall not extend beyond one year, unless approved by the building official.
2. **Notices and orders:** All notices and orders shall comply with Section 13-101.G.
3. **Failure to comply:** If the owner of a premises fails to comply with a demolition order within the time prescribed, the Zoning Officer shall cause the structure to be demolished and removed, either through an available public agency or by contract or arrangement with private persons, and the cost of such demolition and removal shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate.
4. **Salvage materials:** When any structure has been ordered demolished and removed, the governing body or other designated officer under said contract or arrangement aforesaid shall have the right to sell the salvage and valuable materials at the highest price obtainable. The net proceeds of such sale, after deducting the expenses of such demolition and removal, shall be promptly remitted with a report of such sale or transaction, including the items of expense and the amounts deducted, for

the person who is entitled thereto, subject to any order of a court. If such a surplus does not remain to be turned over, the report shall so state.

#### K. Means of Appeal

1. **Application for appeal:** Any person directly affected by a decision of the Zoning Officer, or a notice or order issued under this Article shall have the right to appeal to the Board of Supervisors, or the designated panel of the board, provided that a written application for appeal is filed within thirty (30) days after the day the decision, notice or order was served. An application for appeal shall be based on a claim that the true intent of this Article or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this Article do not fully apply, or the requirements of this Article are adequately satisfied by other means.
  - a. **Disqualification of member:** A member shall not hear an appeal in which that member has a personal, professional or financial interest.
2. **Notice of meeting:** The Board of Supervisors, or the designated panel of the board, shall meet upon notice from the Township Secretary, within thirty (30) days of the filing of an appeal, or at stated periodic meetings.
3. **Open hearing:** All hearings before the Board of Supervisors, or the designated panel of the board, shall be open to the public. The appellant, the appellant's representative, the Zoning Officer, and any person whose interests are affected shall be given an opportunity to be heard. A quorum shall consist of a minimum of two-thirds of the board's or panel's membership.
  - a. **Procedure:** The board shall adopt and make available to the public through the secretary procedures under which a hearing will be conducted. The procedures shall not require compliance with strict rules of evidence, but shall mandate that only relevant information be received.

4. **Postponed hearing:** When a quorum of the Board or, if applicable, the designated panel of the board is not present to hear an appeal, either the appellant or the appellant's representative shall have the right to request a postponement of the hearing.
5. **Board decision:** The board or a designated panel of the board shall modify or reverse the decision of the Zoning Officer only by a concurring vote of a majority of the total number of appointed board members.
  - a. **Records and copies:** The decision of the board shall be in writing. Copies shall be furnished to the appellant and to the Zoning Officer.
  - b. **Administration:** The Zoning Officer shall take immediate action in accordance with the decision of the board.
6. **Court review:** Any person, whether or not a previous party of the appeal, shall have the right to apply to the appropriate court for a writ of certiorari to correct errors of law. Application for review shall be made in the manner and time required by law following the filing of the decision in the office of the chief administrative officer.
7. **Stays of enforcement:** Appeals of notice and orders (other than Imminent Danger notices) shall stay the enforcement of the notice and order until the appeal is heard by the appeals board.

#### L. Stop Work Order

1. **Authority:** Whenever the Zoning Officer finds any work regulated by this Article being performed in a manner contrary to the provisions of this Article or in a dangerous or unsafe manner, the Zoning Officer is authorized to issue a stop work order.
2. **Issuance:** A stop work order shall be in writing and shall be given to the owner of the property, to the owner's agent, or to the person doing the work. Upon issuance of a stop work order, the cited work shall immediately cease. The stop work order

shall state the reason for the order and the conditions under which the cited work is authorized to resume.

3. **Emergencies:** Where an emergency exists, the Zoning Officer shall not be required to give a written notice prior to stopping the work.
4. **Failure to comply:** Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable to a fine of not less than \$750.00 or more than \$1,000.00.

### §13-102 Definitions

#### A. Definitions

1. **Scope:** Unless otherwise expressly stated, the following terms shall, for the purposes of this code, have the meanings shown in this chapter.
2. **Interchangeability:** Words stated in the present tense include the future; words stated in the masculine gender include the feminine and neuter; the singular number includes the plural and the plural, the singular.
3. **Terms defined in other codes:** Where terms are not defined in this Article and are defined in any International Code comprising the adopted Pennsylvania Construction Code or in applicable ordinances of the Township, including but not limited to the Zoning Ordinance, the Subdivision and Land Development Ordinance and the Municipal Waste and Recycling Ordinance, such terms shall have the meanings ascribed to them as stated in such codes or ordinances.
4. **Terms not defined:** Where terms are not defined through the methods authorized by this section, such terms shall have ordinarily accepted meanings such as the context implies.
5. **Parts:** Whenever the words "dwelling unit," "dwelling," "premises," "building," "rooming house," "rooming unit," "housekeeping unit" or "story" are stated in this code, they shall be construed as

though they were followed by the words "or any part thereof."

#### B. General Definitions

When used in this Article, the words set forth below in this section shall mean and be defined as follows:

**ANCHORED** - Secured in a manner that provides positive connection.

**APPROVED** - Approved by the Zoning Officer.

**BASEMENT** - That portion of a building which is partly or completely below grade.

**BATHROOM** - A room containing plumbing fixtures including a bathtub or shower.

**BEDROOM** - Any room or space used or intended to be used for sleeping purposes in either a dwelling or sleeping unit.

**CONDEMN** - To adjudge unfit for occupancy.

**COST OF SUCH DEMOLITION OR EMERGENCY REPAIRS** – The costs shall include the actual costs of the demolition or repair of the structure less revenues obtained if salvage was conducted prior to demolition or repair. Costs shall include, but no be limited to, expenses incurred or necessitated related to demolition or emergency repairs, such as asbestos survey and abatement if necessary; costs of inspectors, testing agencies or experts retained relative to the demolition or emergency repairs; costs of testing; surveys for other materials that are controlled or regulated from being dumped in a landfill; title searches; mailing(s); postings; recording; and attorney fees expended for recovering of the cost of emergency repairs or to obtain or enforce an order of demolition made by a Zoning Officer, the governing body or board of appeals.

**DETACHED** - When a structural element is physically disconnected from another and that connection is necessary to provide a positive connection.

**DETERIORATION** - To weaken, disintegrate, corrode, rust or decay and lose effectiveness.

**DWELLING UNIT** - A single unit providing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation.

**EASEMENT** - That portion of land or property reserved for present or future use by a person or

agency other than the legal fee owner(s) of the property. The easement shall be permitted to be for use under, on or above a said lot or lots.

**EQUIPMENT SUPPORT** - Those structural members or assemblies of members or manufactured elements, including braces, frames, lugs, snuggers, hangers or saddles, that transmit gravity load, lateral load and operating load between the equipment and the structure.

**EXTERIOR PROPERTY** - The open space on the premises and on adjoining property under the control of owners or operators of such premises.

**EXTERMINATION** - The control and elimination of insects, rats or other pests by eliminating their harborage places; by removing or making inaccessible materials that serve as their food; by poison spraying, fumigating, trapping or by any other approved pest elimination methods.

**FAULTY CONSTRUCTION** - The condition of a structure as a result of poor workmanship, use of unapproved building materials or inept design.

**GARBAGE** - The animal or vegetable waste resulting from the handling, preparation, cooking and consumption of food.

**GUARD** - A building component or a system of building components located at or near the open sides of elevated walking surfaces that minimizes the possibility of a fall from the walking surface to a lower level.

**HABITABLE SPACE** - Space in a structure for living, sleeping, eating or cooking. Bathrooms, toilet rooms, closets, halls, storage or utility spaces, and similar areas are not considered habitable spaces.

**HOUSEKEEPING UNIT** - A room or group of rooms forming a single habitable space equipped and intended to be used for living, sleeping, cooking and eating which does not contain, within such a unit, a toilet, lavatory and bathtub or shower.

**IMMINENT DANGER** - A condition which could cause serious or life-threatening injury or death at any time.

**INFESTATION** - The presence, within or contiguous to, a structure or premises of insects, rats, vermin or other pests.

**INOPERABLE MOTOR VEHICLE** - A vehicle which cannot be driven upon the public streets for reason including but not limited to being unlicensed,

uninspected, wrecked, abandoned, in a state of disrepair, or incapable of being moved under its own power.

**LABELED** - Equipment, materials or products to which have been affixed a label, seal, symbol or other identifying mark of a nationally recognized testing laboratory, approved agency or other organization concerned with product evaluation that maintains periodic inspection of the production of the above-labeled items and whose labeling indicates either that the equipment, material or product meets identified standards or has been tested and found suitable for a specified purpose.

**LEAF WASTE** - Includes leaves, garden residue, shrubbery, tree trimmings and similar material, but not including grass clippings.

**LET FOR OCCUPANCY or LET** - To permit, provide or offer possession or occupancy of a dwelling, dwelling unit, rooming unit, building, premise or structure by a person who is or is not the legal owner of record thereof, pursuant to a written or unwritten lease, agreement or license, or pursuant to a recorded or unrecorded agreement of contract for the sale of land.

**MUNICIPAL WASTE** - Materials including garbage, rubbish, solid waste and other materials but not including recyclable materials or leaf waste.

**NEGLECT** - The lack of proper maintenance for a building or structure.

**OCCUPANCY** - The purpose for which a building or portion thereof is utilized or occupied.

**OCCUPANT** - Any individual living or sleeping in a building, or having possession of a space within a building.

**OPENABLE AREA** - That part of a window, skylight or door which is available for unobstructed ventilation and which opens directly to the outdoors.

**OPERATOR** - Any person who has charge, care or control of a structure or premises which is let or offered for occupancy.

**OWNER** - Any person, agent, operator, firm or corporation having a legal or equitable interest in the property; or recorded in the official records of the state, county or municipality as holding title to the property; or otherwise having control of the property, including the guardian of the estate of any such person, and the executor or administrator of

the estate of such person if ordered to take possession of real property by a court.

**PERSON** - An individual, corporation, partnership or any other group acting as a unit.

**PEST ELIMINATION** - The control and elimination of insects, rodents or other pests by eliminating their harborage places; by removing or making inaccessible materials that serve as their food or water; by other approved pest elimination methods.

**PREMISES** - A lot, plot or parcel of land, easement or public way, including any structures thereon.

**PUBLIC NUISANCE** - Includes the following:

1. The physical condition, or use of any premises regarded as a public nuisance at common law; or
2. Any physical condition, use or occupancy of any premises or its appurtenances considered an attractive nuisance to children, including, but not limited to, abandoned wells, shafts, basements, excavations and unsafe fences or structures; or
3. Any premises which has unsanitary sewerage or plumbing facilities, or
4. Any premises designated as unsafe for human habitation or use; or
5. Any premises which is manifestly capable to being a fire hazard, or is manifestly unsafe or unsecured as to endanger life, limb or property; or
6. Any premises from which the plumbing, heating and/or facilities required by this Ordinance have been removed, or from which utilities have been disconnected, destroyed, removed or rendered ineffective, or the required precautions against trespassers have not been provided; or
7. Any premise which is unsanitary, or which is littered with rubbish or garbage, or which has an uncontrolled growth of weeds, grass or vegetation in a residentially zoned district; or
8. Any structure completed or in the process of being completed, or any portion thereof, that is in a dangerous condition as determined by the Zoning Officer after examination, as specified in Section 13-101, Paragraph H.

**PUBLIC WAY** - Any street, alley or other parcel of

land has been deeded, dedicated or otherwise permanently appropriated to the public for public use; and has a clear width and height of not less than ten (10) feet.

**RECYCLABLE MATERIALS** - Materials including glass, aluminum, steel and bi-metallic cans, recyclable plastics, newspapers, magazines, corrugated cardboard, mixed paper and cardboard and other materials designated by Millcreek as recyclable materials.

**REFUSE:** All discarded articles or materials, including but not limited to ashes, rubbish and combustible and noncombustible waste.

**ROOMING HOUSE** - A building arranged or occupied for lodging, with or without meals, for compensation and not occupied as a one- or two-family dwelling.

**ROOMING UNIT** - Any room or group of rooms forming a single habitable unit occupied or intended to be occupied for sleeping or living, but not for cooking purposes.

**RUBBISH** - Combustible and noncombustible waste materials, except garbage; the term shall include the residue from the burning of wood, coal, coke and other combustible materials, paper, rags, cartons, boxes, wood, excelsior, rubber, leather, tree branches, yard trimmings, tin cans, metals, mineral matter, glass, crockery and dust and other similar materials.

**SLEEPING UNIT** - A room or space in which people sleep, which can also include permanent provisions for living, eating and either sanitation or kitchen facilities, but not both. Such rooms and spaces that are also part of a dwelling unit are not sleeping units.

**STRICT LIABILITY OFFENSE** - An offense in which the prosecution in a legal proceeding is not required to prove criminal intent as a part of its case. It is enough to prove that the defendant either did an act which was prohibited, or failed to do an act which the defendant was legally required to do.

**STRUCTURE** - That which is built or constructed, including without limitation because of enumeration, buildings for any occupancy or use whatsoever, fences, signs, billboards, fire escapes, chute escapes, railings, water tanks, towers, open grade steps, sidewalks or stairways, tents or anything erected and framed of component parts

which is fastened, anchored or rests on a permanent foundation or the ground.

**TENANT** - A person, corporation, partnership or group, whether or not the legal *owner* of record, occupying a building or portion thereof as a unit.

**TOILET ROOM** - A room containing a water closet or urinal but not a bathtub or shower.

**ULTIMATE DEFORMATION** - The deformation at which failure occurs and which shall be deemed to occur if the sustainable load reduces to 80 percent or less of the maximum strength.

**UNOCCUPIED STRUCTURE/PROPERTY** - A physical condition in which where items and possessions remain; including but not limited to basic furniture, working appliances and cooking utensils.

**VACANT STRUCTURE/PROPERTY** - Substantially empty of personal property necessary to sustain normal occupancy; or generally devoid of personal items and property.

**VENTILATION** - The natural or mechanical process of supplying conditioned or unconditioned air to, or removing such air from, any space.

**WORKMANLIKE** - Executed in a skilled manner; e.g., generally plumb, level, square, in line, undamaged and without marring adjacent work.

**YARD** - An open space on the same lot with a structure.

**ZONING OFFICER** - The official who is charged with the administration and enforcement of this code, or any duly authorized representative.

### §13-103 General Requirements

#### A. General

1. **Scope:** The provisions of this chapter shall govern the minimum conditions and the responsibilities of persons for maintenance of structures, equipment and exterior property.
2. **Responsibility:** The owner of the premises shall maintain the structures and exterior property in compliance with these requirements, except as otherwise provided for in this code. A person shall not occupy as owner-occupant or permit another person to occupy premises which are not in a sanitary and safe condition and which do not comply with the

requirements of this chapter. Occupants of a dwelling unit, rooming unit or housekeeping unit are responsible for keeping in a clean, sanitary and safe condition that part of the dwelling unit, rooming unit, housekeeping unit or premises which they occupy and control.

3. **Vacant structures and land:** All vacant structures and premises thereof or vacant land shall be maintained in a clean, safe, secure and sanitary condition as provided herein so as not to cause a blighting problem or adversely affect the public health or safety.

#### B. Exterior Property Areas

1. **Sanitation:** All exterior property and premises shall be maintained clean, safe, sanitary and free from any accumulation of rubbish, garbage or refuse, or uncontrolled growth of grass, weeds or other vegetation.

**Exception:** Nothing contained herein, however, shall require the cutting of grass, weeds or other vegetation growing in areas which customarily and historically, have contained brush and dense foliage, or which remain undeveloped and are not proximate or contiguous to developed areas; nor shall any such grass, weeds or other vegetation be required to be cut or maintained where such cutting or maintaining would impose a hardship on the property owner because of the presence of extreme slope grades, crevasses, or the existence of areas which are unable to be reasonably cleared. This exemption does not apply to man-made water retention areas.

2. **Grading and drainage:** All premises shall be graded and maintained to prevent the erosion of soil and to prevent the accumulation of stagnant water thereon, or within any structure located thereon.

**Exception:** Water retention areas and/or reservoirs approved by the Zoning Officer and the Township Engineer, and ALL identified wetland areas located on the premises.

3. **Sidewalks and driveways:** All sidewalks,

walkways, stairs, driveways, parking spaces and similar areas within public rights-of-way shall be kept in a proper state of repair, and maintained free from hazardous conditions.

4. **Weeds:** All premises and exterior property shall be maintained free from weeds or plant growth in excess of eight inches (8"). All noxious weeds shall be prohibited. Weeds shall be defined as all grasses, annual plants and vegetation, other than trees or shrubs provided; however, this term shall not include cultivated flowers and gardens. Upon failure of the owner or agent having charge of a property to cut and destroy weeds after service of a notice of violation, said owner and/or agent shall be subject to prosecution in accordance with Chapter 20, Zoning, Section 20-2405, Enforcement Remedies, as may be amended. Upon failure to comply with the notice of violation, any duly authorized employee or contractor of the Township shall be authorized to enter upon the property in violation and cut and destroy the weeds growing thereon, and the costs of such removal shall be paid by the owner or agent responsible for the property. Only one enforcement notice will be issued to a violator per calendar year. Thereafter, a citation will be issued directly and without any warning being required. Any person or entity which shall violate this section, upon conviction thereof, shall be subject to a fine in an amount not less than \$300.00 nor more than \$1,000.00, the amount of the minimum fine to increase by \$100.00 for each second and subsequent offense in the same calendar year.
5. **Rodent harborage:** All structures and exterior property shall be kept free from rodent harborage and infestation. Where rodents are found, they shall be promptly exterminated by approved processes which will not be injurious to human health. After pest elimination, proper precautions shall be taken to eliminate rodent harborage and prevent reinfestation.
6. **Exhaust vents:** Pipes, ducts, conductors, fans or blowers shall not discharge gases, steam, vapor, hot air, grease, smoke, odors or other gaseous or particulate wastes directly upon abutting or adjacent public or private property or that of another tenant.
7. **Accessory structures:** All accessory structures, including detached garages, fences and walls, shall be maintained structurally sound and in good repair.
8. **Motor vehicles:** Except as provided for in other Township ordinances, no inoperative or non-operating motor vehicle shall be parked, kept or stored on any premises, and no vehicle shall at any time be in a state of major disassembly, disrepair or in the process of being stripped or dismantled. Painting of vehicles is prohibited unless conducted inside an approved spray booth. All vehicles within Residential zoning districts (or used for residential purposes) shall be parked and/or stored only in garages and/or driveways (or, where permitted, in parking lots) on the subject premises.
  - a. Parking or storage of vehicles on yards is prohibited; provided, that only on lots having no driveway or a single vehicle-wide driveway with no garage or a one-vehicle garage and/or having no other parking area, one vehicle otherwise authorized by zoning regulations may be parked on the lot, if it is parked off of the street's cartway and sidewalks and parallel to the street.
  - b. Parking or storage of vehicles on streets is prohibited where the owner or occupant has failed to ensure sufficient off-street parking for those vehicles used by owners and occupants of the premises.
  - c. This section is not intended to modify or revoke Township regulations governing weather events and other circumstances in which parking on streets is prohibited.
  - d. No off-street parking space or area shall be located and/or arranged so as to permit or cause any vehicle to be backed out onto any public street or highway, except in the case of single-

family or two-family detached dwelling units.

**Exception:** A vehicle of any type is permitted to undergo major overhaul, including body work so long as such work is permitted in the zoning district and the vehicle is at all times kept within a structure or similarly enclosed area designed and *approved* for such purposes.

9. **Defacement of property:** No person shall willfully or wantonly damage, mutilate or deface any exterior surface of any structure or building on any private or public property by placing thereon any marking, carving or graffiti. It shall be the responsibility of the owner to restore said surface to an approved state of maintenance and repair.

#### C. Swimming Pools, Spas and Hot Tubs

1. **Swimming pools:** Swimming pools shall be maintained in a clean and sanitary condition, and in good repair. All private swimming pools shall be located as required in Chapter 20, Sections 20-406.B.5 and 20-1913 of the Zoning Ordinance, as may be amended, as follows:
  - a. A pool may be located only in the rear yard or side yard of the property on which it is an accessory use.
  - b. The pool, including any above-ground decking, shall not be located closer than ten (10) feet from any property line of the property and not closer than ten (10) feet from the boundary of any public easement affecting the property.
2. **Enclosures:** Private swimming pools, hot tubs and spas, containing water more than twenty-four (24) inches (610 mm) in depth shall be completely surrounded by a fence or barrier at least forty-eight (48) inches (1219 mm) in height above the finished ground level measured on the side of the barrier away from the pool. Gates and doors in such barriers shall be self-closing and self-latching. Where the self-latching device is a minimum of fifty-four (54) inches (1372 mm) above the bottom of the gate, the release mechanism shall be

located on the pool side of the gate. Self-closing and self-latching gates shall be maintained such that the gate will positively close and latch when released from an open position of six (6) inches (152 mm) from the gatepost. No existing pool enclosure shall be removed, replaced or changed in a manner that reduces its effectiveness as a safety barrier.

**Exception:** Spas or hot tubs with a safety cover that complies with ASTM F 1346 shall be exempt from the provisions of this section.

#### D. Exterior Structure

1. **General:** The exterior of a structure shall be maintained in good repair, structurally sound and sanitary so as not to pose a threat to the public health, safety or welfare.
  - a. **Unsafe conditions:** The following conditions shall be determined as unsafe and shall be repaired or replaced to comply with the International Building Code or the International Existing Building Code as required for existing buildings:
    - 1) The nominal strength of any structural member is exceeded by nominal loads, the load effects or the required strength;
    - 2) The anchorage of the floor or roof to walls or columns, and of walls and columns to foundations is not capable of resisting all nominal loads or load effects;
    - 3) Structures or components thereof that have reached their limit state;
    - 4) Siding and masonry joints including joints between the building envelope and the perimeter of windows, doors and skylights are not maintained, weather resistant or water tight;
    - 5) Structural members that have evidence of deterioration or that are not capable of safely supporting all nominal loads and load effects;



- 6) Foundation systems that are not firmly supported by footings, are not plumb and free from open cracks and breaks, are not properly anchored or are not capable of supporting all nominal loads and resisting all load effects;
  - 7) Exterior walls that are not anchored to supporting and supported elements or are not plumb and free of holes, cracks or breaks and loose or rotting materials, are not properly anchored or are not capable of supporting all nominal loads and resisting all load effects;
  - 8) Roofing or roofing components that have defects which admit rain, roof surfaces with inadequate drainage or any portion of the roof framing that is not in good repair with signs of deterioration, fatigue or without proper anchorage and incapable of supporting all nominal loads and resisting all load effects;
  - 9) Flooring and flooring components with defects that affect serviceability or flooring components that show signs of deterioration or fatigue, are not properly anchored or are incapable of supporting all nominal loads and resisting all load effects;
  - 10) Veneer, cornices, belt courses, corbels, trim, wall facings and similar decorative features not properly anchored or that are anchored with connections not capable of supporting all nominal loads and resisting all load effects;
  - 11) Overhang extensions or projections including, but not limited to, trash chutes, canopies, marquees, signs, awnings, fire escapes, standpipes and exhaust ducts not properly anchored or which are anchored with connections not capable of supporting all nominal loads and resisting all load effects;
  - 12) Exterior stairs, decks, porches, balconies and all similar appurtenances attached thereto, including guards and handrails, are not structurally sound, not properly anchored or that are anchored with connections not capable of supporting all nominal loads and resisting all load effects; or
  - 13) Chimneys, cooling towers, smokestacks and similar appurtenances not structurally sound or not properly anchored, or that are anchored with connections not capable of supporting all nominal loads and resisting all load effects.
- b. Exceptions:**
- 1) When substantiated otherwise by an approved method.
  - 2) Demolition of unsafe conditions shall be permitted when approved by the Zoning Officer.
2. **Protective treatment:** All exterior surfaces, including but not limited to, doors, door and window frames, cornices, porches, trim, balconies, decks and fences, shall be maintained in good condition. Exterior wood surfaces, other than decay-resistant woods, shall be protected from the elements and decay by painting or other protective covering or treatment. Peeling, flaking and chipped paint shall be eliminated and surfaces repainted. All siding and masonry joints, as well as those between the building envelope and the perimeter of windows, doors and skylights, shall be maintained weather resistant and water tight. All metal surfaces subject to rust or corrosion shall be coated to inhibit such rust and corrosion, and all surfaces with rust or corrosion shall be stabilized and

- coated to inhibit future rust and corrosion. Oxidation stains shall be removed from exterior surfaces. Surfaces designed for stabilization by oxidation are exempt from this requirement.
3. **Premises identification:** Buildings shall have approved address numbers placed in a position to be plainly legible and visible from the street fronting the property and in accordance with standards set forth in the Center Township Codified Ordinances Chapter 2, Article IV, as may be amended. These numbers shall contrast with their background. Address numbers shall be Arabic numerals or alphabet letters, subject to these minimum size standards:
    - a. Four (4) inch high one-half inch stroke Arabic numerals on single-family and two-family residential dwellings; or
    - b. Six (6) inch high Arabic numerals on all buildings used for purposes other than as single-family or two-family residential dwellings.
  4. **Structural members:** All structural members shall be maintained free from deterioration, and shall be capable of safely supporting the imposed dead and live loads.
  5. **Foundation walls:** All foundation walls shall be maintained plumb and free from open cracks and breaks and shall be kept in such condition so as to prevent the entry of rodents and other pests.
  6. **Exterior walls:** All exterior walls shall be free from holes, breaks, and loose or rotting materials; and maintained weatherproof and properly surface coated where required to prevent deterioration.
  7. **Roofs and drainage:** The roof and flashing shall be sound, tight and not have defects that admit rain. Roof drainage shall be adequate to prevent dampness or deterioration in the walls or interior portion of the structure. Roof drains, gutters and downspouts shall be maintained in good repair and free from obstructions. Roof water shall not be discharged in a manner that creates a public nuisance.
  8. **Decorative features:** All cornices, belt courses, corbels, terra cotta trim, wall facings and similar decorative features shall be maintained in good repair with proper anchorage and in a safe condition.
  9. **Overhang extensions:** All overhang extensions including, but not limited to canopies, marquees, signs, metal awnings, fire escapes, standpipes and exhaust ducts shall be maintained in good repair and be properly anchored so as to be kept in a sound condition. When required, all exposed surfaces of metal or wood shall be protected from the elements and against decay or rust by periodic application of weather coating materials, such as paint or similar surface treatment.
  10. **Stairways, decks, porches and balconies:** Every exterior stairway, deck, porch and balcony, and all appurtenances attached thereto, shall be maintained structurally sound, in good repair, with proper anchorage and capable of supporting the imposed loads.
  11. **Chimneys and towers:** All chimneys, cooling towers, smoke stacks, and similar appurtenances shall be maintained structurally safe and sound, and in good repair. All exposed surfaces of metal or wood shall be protected from the elements and against decay or rust by periodic application of weather-coating materials, such as paint or similar surface treatment.
  12. **Handrails and guards:** Every handrail and guard shall be firmly fastened and capable of supporting normally imposed loads and shall be maintained in good condition.
  13. **Window, skylight and door frames:** Every window, skylight, door and frame shall be kept in sound condition, good repair and weather tight.
    - a. **Glazing:** All glazing materials shall be maintained free from cracks and holes.

- b. **Openable windows:** Every window, other than a fixed window, shall be easily openable and capable of being held in position by window hardware.
14. **Insect screens:** During the period from May 1 through September 30, every door, window and other outside opening required for ventilation of habitable rooms, food preparation areas, food service areas or any areas where products to be included or utilized in food for human consumption are processed, manufactured, packaged or stored shall be supplied with approved tightly fitting screens of minimum 16 mesh per inch (16 mesh per 25 mm), and every screen door used for insect control shall have a self-closing device in good working condition.
- Exception:** Screens shall not be required where other approved means, such as air curtains or insect repellent fans, are employed.
15. **Doors:** All exterior doors, door assemblies, operator systems if provided, and hardware shall be maintained in good condition. Locks at all entrances to dwelling units and sleeping units shall tightly secure the door. Locks on means of egress doors shall be in accordance with Section 702.3.
16. **Basement hatchways:** Every basement hatchway shall be maintained to prevent the entrance of rodents, rain and surface drainage water.
17. **Guards for basement window:** Every basement window that is openable shall be supplied with rodent shields, storm windows or other approved protection against the entry of rodents.
18. **Building security:** Doors, windows or hatchways for dwelling units, room units or housekeeping units shall be provided with devices designed to provide security for the occupants and property within.
- a. **Doors:** Doors providing access to a dwelling unit, rooming unit or housekeeping unit that is rented, leased or let shall be equipped with a deadbolt lock designed to be readily openable from the side from which egress is to be made without the need for keys, special knowledge or effort and shall have a minimum lock throw of 1 inch (25 mm). Such deadbolt locks shall be installed according to the manufacturer's specifications and maintained in good working order. For the purpose of this section, a sliding bolt shall not be considered an acceptable deadbolt lock.
- b. **Windows:** Operable windows located in whole or in part within 6 feet (1828 mm) above ground level or a walking surface below that provide access to a dwelling unit, rooming unit or housekeeping unit that is rented, leased or let shall be equipped with a window sash locking device.
- c. **Basement hatchways:** Basement hatchways that provide access to a dwelling unit, rooming unit or housekeeping unit that is rented, leased or let shall be equipped with devices that secure the units from unauthorized entry.
19. **Gates:** All exterior gates, gate assemblies, operator systems if provided, and hardware shall be maintained in good condition. Latches at all entrances shall tightly secure the gates.
- E. Interior Structure
1. **General:** The interior of a structure and equipment therein shall be maintained in good repair, structurally sound and in a sanitary condition. Occupants shall keep that part of the structure which they occupy or control in a clean and sanitary condition. Every owner of a structure containing a rooming house, housekeeping units, a hotel, a dormitory, two or more dwelling units or two or more nonresidential occupancies, shall maintain, in a clean and sanitary condition, the shared or public areas of the structure and exterior property.
- a. **Unsafe conditions:** The following conditions shall be determined as

unsafe and shall be repaired or replaced to comply with the International Building Code or the International Existing Building Code as required for existing buildings:

- 1) The nominal strength of any structural member is exceeded by nominal loads, the load effects or the required strength;
- 2) The anchorage of the floor or roof to walls or columns, and of walls and columns to foundations is not capable of resisting all nominal loads or load effects;
- 3) Structures or components thereof that have reached their limit state;
- 4) Structural members are incapable of supporting nominal loads and load effects;
- 5) Stairs, landings, balconies and all similar walking surfaces, including guards and handrails, are not structurally sound, not properly anchored or are anchored with connections that are not capable of supporting all nominal loads and resisting all load effects;
- 6) Foundation systems that are not firmly supported by footings are not plumb and free from open cracks and breaks, are not properly anchored or are not capable of supporting all nominal loads and resisting all load effects.

**Exceptions:**

- 1) When substantiated otherwise by an approved method.
- 2) Demolition of unsafe conditions shall be permitted when approved by the Zoning Officer.

2. **Structural members:** All structural

members shall be maintained structurally sound, and be capable of supporting the imposed loads.

3. **Interior surfaces:** All interior surfaces, including windows and doors, shall be maintained in good, clean and sanitary condition. Peeling, chipping, flaking or abraded paint shall be repaired, removed or covered. Cracked or loose plaster, decayed wood and other defective surface conditions shall be corrected.
  4. **Stairs and walking surfaces:** Every stair, ramp, landing, balcony, porch, deck or other walking surface shall be maintained in sound condition and good repair.
  5. **Handrails and guards:** Every handrail and guard shall be firmly fastened and capable of supporting normally imposed loads and shall be maintained in good condition.
  6. **Interior doors:** Every interior door shall fit reasonably well within its frame and shall be capable of being opened and closed by being properly and securely attached to jambs, headers or tracks as intended by the manufacturer of the attachment hardware.
- F. Component Serviceability
1. **General:** The components of a structure and equipment therein shall be maintained in good repair, structurally sound and in a sanitary condition.

a. **Unsafe conditions:** Where any of the following conditions cause the component or system to be beyond its limit state, the component or system shall be determined as unsafe and shall be repaired or replaced to comply with the International Building Code as required for existing buildings:

- 1) Soils that have been subjected to any of the following conditions:
  - a) Collapse of footing or foundation system;
  - b) Damage to footing, foundation, concrete or other structural element due to soil expansion;

- c) Adverse effects to the design strength of footing, foundation, concrete or other structural element due to a chemical reaction from the soil;
  - d) Inadequate soil as determined by a geotechnical investigation;
  - e) Where the allowable bearing capacity of the soil is in doubt; or
  - f) Adverse effects to the footing, foundation, concrete or other structural element due to the ground water table.
- 2) Concrete that has been subjected to any of the following conditions:
- a) Deterioration;
  - b) Ultimate deformation;
  - c) Fractures;
  - d) Fissures;
  - e) Spalling;
  - f) Exposed reinforcement; or
  - g) Detached, dislodged or failing connections.
- 3) Aluminum that has been subjected to any of the following conditions:
- a) Deterioration;
  - b) Corrosion;
  - c) Elastic deformation;
  - d) Ultimate deformation;
  - e) Stress or strain cracks;
  - f) Joint fatigue; or
  - g) Detached, dislodged or failing connections.
- 4) Masonry that has been subjected to any of the following conditions:
- a) Deterioration;
  - b) Ultimate deformation;
  - c) Fractures in masonry or mortar joints;
  - d) Fissures in masonry or mortar joints;
  - e) Spalling;
  - f) Exposed reinforcement; or
  - g) Detached, dislodged or failing connections.
- 5) Steel that has been subjected to any of the following conditions:
- a) Deterioration;
  - b) Elastic deformation;
  - c) Ultimate deformation;
  - d) Metal fatigue; or
  - e) Detached, dislodged or failing connections.
- 6) Wood that has been subjected to any of the following conditions:
- a) Ultimate deformation;
  - b) Deterioration;
  - c) Damage from insects, rodents and other vermin;
  - d) Fire damage beyond charring;
  - e) Significant splits and checks;
  - f) Horizontal shear cracks;
  - g) Vertical shear cracks;
  - h) Inadequate support;
  - i) Detached, dislodged or failing connections;
  - j) Excessive cutting and notching.
- Exceptions:**
- 1) When substantiated

otherwise by an approved method.

- 2) Demolition of unsafe conditions shall be permitted when approved by the Zoning Officer.

#### G. Handrails and Guardrails

1. **General:** Every exterior and interior flight of stairs having more than four risers shall have a handrail on one side of the stair and every open portion of a stair, landing, balcony, porch, deck, ramp or other walking surface which is more than 30 inches (762 mm) above the floor or grade below shall have guards. Handrails shall not be less than 30 inches (762 mm) in height or more than 42 inches (1067 mm) in height measured vertically above the nosing of the tread or above the finished floor of the landing or walking surfaces. Guards shall not be less than 30 inches (762 mm) in height above the floor of the landing, balcony, porch, deck, or ramp or other walking surface.

**Exception:** Guards shall not be required where exempted by the adopted building code.

#### H. Rubbish and Garbage

It shall be unlawful for any person to accumulate or store or permit the accumulation or storage of rubbish, garbage, construction debris or waste of any kind whatsoever on private or public property in Center Township, Butler County, Pennsylvania.

1. **Accumulation of municipal waste and recyclable materials:** All exterior property and premises, and the interior of every structure, shall be free from any accumulation of municipal waste and recyclable materials.
2. **Collection of municipal waste, recyclable materials and leaf waste:** Every occupant of a structure shall place municipal waste, recyclable materials and leaf waste for collection by the contracted hauler in a clean and sanitary manner in accordance with regulations in the Center Township Codified Ordinances Chapter 16, as may be

amended.

3. **Collection facilities/Placement for collection:** The owner of every occupied premises shall supply approved and leak-proof containers with close-fitting covers for storage and disposition of municipal waste and recyclable materials generated on the subject premises, and the owner or responsible occupant shall be responsible for ensuring proper placement of municipal waste, recyclable materials and leaf waste for collection in accordance with Township regulations.
  - a. **Refrigerators:** Refrigerators and similar equipment not in operation shall not be discarded, abandoned or stored on premises without first removing the doors.
4. **Arrangement for Collection:** The owner of every premises shall enter into such contract as is required under the Center Township Codified Ordinances Chapter 16 to ensure regular collection of municipal waste, recyclable materials and leaf waste generated on the subject premises in accordance with regulations of said Ordinance.

#### I. Pest Elimination

1. **Infestation:** In the event that a structure or premises are observed to have been infested by rodents, insects, vermin, or other pests, the Township Zoning Officer shall:
  - a. Notify the owner of said property or premises in writing of the determination of the findings of the Township Zoning Officer.
  - b. The owner of any property shall be responsible for eliminating infestation by approved processes that will not be injurious to human health. After extermination, proper precautions shall be taken to prevent reinfestation.
  - c. All remedies shall be applicable in order to abate said nuisance including the filing of liens against the property for the costs of

extermination borne by the Township.

2. **Owner:** The owner of any structure shall be responsible for pest elimination within the structure prior to renting or leasing the structure.
3. **Single occupant:** The occupant of a one-family dwelling or of a single-tenant nonresidential structure shall be responsible for pest elimination on the premises.
4. **Multiple occupancy:** The owner of a structure containing two or more dwelling units, a multiple occupancy, a rooming house or a nonresidential structure shall be responsible for pest elimination in the public or shared areas of the structure and exterior property. If infestation is caused by failure of an occupant to prevent such infestation in the area occupied, the occupant and owner shall be responsible for pest elimination.
5. **Occupant:** The occupant of any structure shall be responsible for the continued rodent and pest-free condition of the structure.

**Exception:** Where the infestations are caused by defects in the structure, the owner shall be responsible for pest elimination.

**§13-104 Commercial Performance Standards**

It is hereby provided that a manufacturer or business is offensive and is considered a public nuisance, if the manner in which the business or manufacturing is so operated or conducted, is determined to adversely affect the health, safety and welfare of citizens of Center Township.

- A. No waste product or byproduct resulting from a process application or activity on the premises of a commercial property shall be discharged into open streams or stormwater facilities unless such material is considered to be nontoxic and nonhazardous to health, and as approved by the Pennsylvania Department of Environmental Protection.
  1. In the event such material being discharged cannot be identified, the Pennsylvania Department of Environmental Protection

shall be notified.

2. Upon identification of said material being discharged as toxic or hazardous, such discharge shall cease immediately upon certified notification from the Township to the owner of the premises.
3. Failure to cease such discharge upon notification to do so shall make the owner of the subject premises liable for all civil and criminal penalties assessed as outlined in these regulations.
- B. No person, firm or corporation shall use, or permit to be used, any spot or place within the Township as a public or private dump for garbage, refuse or rubbish regulated by Chapter 16, Article I.

**§13-105 Light, Ventilation and Occupancy Limitations**

- A. General
  1. **Scope:** The provisions of this chapter shall govern the minimum conditions and standards for light, ventilation and space for occupying a structure.
  2. **Responsibility:** The owner of the structure shall provide and maintain light, ventilation and space conditions in compliance with these requirements. A person shall not occupy as owner-occupant, or permit another person to occupy, any premises that do not comply with the requirements of this chapter.
  3. **Alternative device:** In lieu of the means for natural light and ventilation herein prescribed, artificial light or mechanical ventilation complying with the International Building Code shall be permitted.
- B. Light
  1. **Habitable spaces:** Every habitable space shall have at least one window of approved size facing directly to the outdoors or to a court. The minimum total glazed area for every habitable space shall be eight (8) percent of the floor area of such room. Wherever walls or other portions of a structure

face a window of any room and such obstructions are located less than three (3) feet (914 mm) from the window and extend to a level above that of the ceiling of the room, such window shall not be deemed to face directly to the outdoors nor to a court and shall not be included as contributing to the required minimum total window area for the room.

**Exception:** Where natural light for rooms or spaces without exterior glazing areas is provided through an adjoining room, the unobstructed opening to the adjoining room shall be at least eight (8) percent of the floor area of the interior room or space, but a minimum of twenty-five (25) square feet (2.33 m<sup>2</sup>). The exterior glazing area shall be based on the total floor area being served.

2. **Common halls and stairways:** Every common hall and stairway in residential occupancies, other than in one and two-family dwellings, shall be lighted at all times with at least a sixty (60) watt standard incandescent light bulb for each two hundred (200) square feet (19 m<sup>2</sup>) of floor area or equivalent illumination, provided that the spacing between lights shall not be greater than thirty (30) feet (9144 mm). In other than residential occupancies, means of egress, including exterior means of egress, stairways shall be illuminated at all times the building space served by the means of egress is occupied with a minimum of one (1) foot-candle (11 lux) at floors, landings and treads.
3. **Other spaces:** All other spaces shall be provided with natural or artificial light sufficient to permit the maintenance of sanitary conditions, and the safe occupancy of the space and utilization of the appliances, equipment and fixtures.

#### C. Ventilation

1. **Habitable spaces:** Every habitable space

shall have not less than one openable window. The total openable area of the window in every room shall be equal to not less than 45 percent of the minimum glazed area required in Section 13-105.B.1

**Exception:** Where rooms and spaces without openings to the outdoors are ventilated through an adjoining room, the unobstructed opening to the adjoining room shall be at least eight (8) percent of the floor area of the interior room or space, but a minimum of twenty-five (25) square feet (2.33 m<sup>2</sup>). The ventilation openings to the outdoors shall be based on a total floor area being ventilated.

1. **Bathrooms and toilet rooms:** Every bathroom and toilet room shall comply with the ventilation requirements for habitable spaces as required by Section 13-105.C.1 except that a window shall not be required in such spaces equipped with a mechanical ventilation system. Air exhausted by a mechanical ventilation system from a bathroom or toilet room shall discharge to the outdoors and shall not be recirculated.
2. **Cooking facilities:** Unless approved through the certificate of occupancy, cooking shall not be permitted in any rooming unit or dormitory unit, and a cooking facility or appliance shall not be permitted to be present in the rooming unit or dormitory unit.

#### Exceptions:

- a. Where specifically approved in writing by the Zoning Officer.
  - b. Devices such as coffee pots and microwave ovens shall not be considered cooking appliances.
3. **Process ventilation:** Where injurious, toxic, irritating or noxious fumes, gases, dusts or mists are generated, a local exhaust ventilation system shall be provided to remove the contaminating agent at the source. Air shall be exhausted to the exterior and not be recirculated to any space.
  4. **Clothes dryer exhaust:** Clothes dryer



exhaust systems shall be independent of all other systems and shall be exhausted outside the structure in accordance with the manufacturer's instructions.

**Exception:** Listed and labeled condensing (ductless) clothes dryers.

D. Occupancy Limits

1. **Privacy:** Dwelling units, hotel units, housekeeping units, rooming units and dormitory units shall be arranged to provide privacy and be separate from other adjoining spaces.
2. **Minimum room widths:** A habitable room, other than a kitchen, shall be a minimum of seven (7) feet (2134 mm) in any plan dimension. Kitchens shall have a minimum clear passageway of three (3) feet (914 mm) between counter fronts and appliances or counter fronts and walls.
3. **Minimum ceiling:** Habitable spaces, hallways, corridors, laundry areas, bathrooms, toilet rooms and habitable basement areas shall have a minimum clear ceiling height of seven (7) feet (2134 mm).

Exceptions:

- a. In one- and two-family dwellings, beams or girders spaced a minimum of four (4) feet (1219 mm) on center and projecting a maximum of six (6) inches (152 mm) below the required ceiling height.
- b. Basement rooms in one- and two-family dwellings occupied exclusively for laundry, study or recreation purposes, having a minimum ceiling height of six (6) feet eight (8) inches (2033 mm) with a minimum clear height of six (6) feet four (4) inches (1932 mm) under beams, girders, ducts and similar obstructions.
- c. Rooms occupied exclusively for sleeping, study or similar purposes and having a sloped ceiling over all or part of the room, with a minimum clear ceiling height of seven (7) feet (2134 mm) over a minimum of

one-third of the required minimum floor area. In calculating the floor area of such rooms, only those portions of the floor area with a minimum clear ceiling height of five (5) feet (1524 mm) shall be included.

4. **Bedroom and living room requirements:** Every bedroom and living room shall comply with the following requirements:

- a. **Room area:** Every living room shall contain at least one hundred twenty (120) square feet (11.2 m<sup>2</sup>) and every bedroom shall contain a minimum of seventy (70) square feet (6.5 m<sup>2</sup>) and every bedroom occupied by more than one person shall contain a minimum of fifty (50) square feet (4.6 m<sup>2</sup>) of floor area for each occupant thereof.
- b. **Access from bedrooms:** Bedrooms shall not constitute the only means of access to other bedrooms or habitable spaces and shall not serve as the only means of egress from other habitable spaces.

**Exception:** Units that contain fewer than two (2) bedrooms.

- c. **Water closet accessibility:** Every bedroom shall have access to at least one water closet and one lavatory without passing through another bedroom. Every bedroom in a dwelling unit shall have access to at least one water closet and lavatory located in the same story as the bedroom or an adjacent story.
- d. **Prohibited occupancy:** Kitchens and non-habitable spaces shall not be used for sleeping purposes.
- e. **Other requirements:** Bedrooms shall comply with the applicable provisions of this code including, but not limited to, the light, ventilation, room area, ceiling height and room width requirements of this chapter; the plumbing facilities and water-heating facilities requirements of Section 13-106; the heating facilities and electrical receptacle requirements of Section 13-107; and the smoke

- detector and emergency escape requirements of Section 13-108.
5. **Overcrowding:** Dwelling units shall not be occupied by more occupants than permitted by the minimum area requirements of International Property Maintenance Code 404.5.
    - a. **Sleeping area:** The minimum occupancy area required by Table 404.4 shall not be included as a sleeping area in determining the minimum occupancy area for sleeping purposes. Sleeping areas shall comply with Section 13-105.D.
    - b. **Combined spaces:** Combined living room and dining room spaces shall comply with the requirements of Table 404.5 if the total area is equal to that required for separate rooms and if the space is located so as to function as a combination living room/dining room.
    - c. **Efficiency unit:** Nothing in this section shall prohibit an efficiency living unit from meeting the following requirements:
      - 1) A unit occupied by not more than one occupant shall have a minimum clear floor area of one hundred twenty (120) square feet (11.2 m<sup>2</sup>). A unit occupied by not more than two (2) occupants shall have a minimum clear floor area of two hundred twenty (220) square feet (20.4 m<sup>2</sup>). A unit occupied by three occupants shall have a minimum clear floor area of three hundred twenty (320) square feet (29.7 m<sup>2</sup>). These required areas shall be exclusive of the areas required by Items b and c.
      - 2) The unit shall be provided with a kitchen sink, cooking appliance and refrigeration facilities, each having a minimum clear working space of thirty (30) inches (762 mm) in front. Light and ventilation conforming to this code shall be provided.
      - 3) The unit shall be provided with a separate bathroom containing a water closet, lavatory and bathtub or shower.
      - 4) The maximum number of occupants shall be three (3).
  6. **Food preparation:** All spaces to be occupied for food preparation purposes shall contain suitable space and equipment to store, prepare and serve foods in a sanitary manner. There shall be adequate facilities and services for the sanitary disposal of food wastes and refuse, including facilities for temporary storage.

### §13-106 Plumbing Facilities and Fixture Requirements

#### A. General

1. **Scope:** The provisions of this chapter shall govern the minimum plumbing systems, facilities and plumbing fixtures to be provided.
2. **Responsibility:** The owner of the structure shall provide and maintain such plumbing facilities and plumbing fixtures in compliance with these requirements. A person shall not occupy as owner-occupant or permit another person to occupy any structure or premises which does not comply with the requirements of this chapter.

#### B. Required Facilities

1. **Dwelling units:** Every dwelling unit shall contain its own bathtub or shower, lavatory, water closet and kitchen sink which shall be maintained in a sanitary, safe working condition. The lavatory shall be placed in the same room as the water closet or located in close proximity to the door leading directly into the room in which such water closet is located. A kitchen sink shall not be used as a substitute for the required lavatory.
2. **Rooming houses:** At least one water closet, lavatory and bathtub or shower shall be supplied for each four rooming units.
3. **Hotels:** Where private lavatories and baths are not provided, one water closet, one

lavatory and one bathtub or shower having access from a public hallway shall be provided for each ten occupants.

4. **Employees' facilities:** A minimum of one water closet, one lavatory and one drinking facility shall be available to employees.

- a. **Drinking facilities:** Drinking facilities shall be a drinking fountain, water cooler, bottled water cooler or disposable cups next to a sink or water dispenser. Drinking facilities shall not be located in toilet rooms or bathrooms.

5. **Public toilet facilities:** Public toilet facilities shall be maintained in a safe sanitary and working condition in accordance with the International Plumbing Code. Except for periodic maintenance or cleaning, public access and use shall be provided to the toilet facilities at all times during occupancy

#### C. Toilet Rooms

1. **Privacy:** Toilet rooms and bathrooms shall provide privacy and shall not constitute the only passageway to a hall or other space, or to the exterior. A door and interior locking device shall be provided for all common or shared bathrooms and toilet rooms in a multiple dwelling.
2. **Location of employee toilet facilities:** Toilet facilities shall have access from within the employees' working area. The required toilet facilities shall be located a maximum of one story above or below the employees' working area and the path of travel to such facilities shall not exceed a distance of five hundred (500) feet (152 m). Employee facilities shall either be separate facilities or combined employee and public facilities.

**Exception:** Facilities that are required for employees in storage structures or kiosks, which are located in adjacent structures under the same ownership, lease or control, shall not exceed a travel distance of five hundred (500) feet (152 m) from the employees' regular working area to the facilities.

3. **Floor surface:** In other than dwelling units, every toilet room floor shall be maintained to be a smooth, hard, nonabsorbent surface to permit such floor to be easily kept in a clean and sanitary condition.

#### D. Plumbing Systems and Fixtures

1. **General:** All plumbing fixtures shall be properly installed and maintained in working order, and shall be kept free from obstructions, leaks and defects and be capable of performing the function for which such plumbing fixtures are designed. All plumbing fixtures shall be maintained in a safe, sanitary and functional condition.
2. **Fixture clearances:** Plumbing fixtures shall have adequate clearances for usage and cleaning.
3. **Plumbing system hazards:** Where it is found that a plumbing system in a structure constitutes a hazard to the occupants or the structure by reason of inadequate service, inadequate venting, cross connection, back-siphonage, improper installation, deterioration or damage or for similar reasons, the Zoning Officer shall require the defects to be corrected to eliminate the hazard.

#### E. Water System

1. **General:** Every sink, lavatory, bathtub or shower, drinking fountain, water closet or other plumbing fixture shall be properly connected to either a public water system or to an approved private water system. All kitchen sinks, lavatories, laundry facilities, bathtubs and showers shall be supplied with hot or tempered and cold running water in accordance with the International Plumbing Code.
2. **Contamination:** The water supply shall be maintained free from contamination, and all water inlets for plumbing fixtures shall be located above the flood-level rim of the fixture. Shampoo basin faucets, janitor sink faucets and other hose bibs or faucets to which hoses are attached and left in place, shall be protected by an approved atmospheric-type vacuum breaker or an

approved permanently attached hose connection vacuum breaker.

3. **Supply:** The water supply system shall be installed and maintained to provide a supply of water to plumbing fixtures, devices and appurtenances in sufficient volume and at pressures adequate to enable the fixtures to function properly, safely, and free from defects and leaks.
  4. **Water heating facilities:** Water heating facilities shall be properly installed, maintained and capable of providing an adequate amount of water to be drawn at every required sink, lavatory, bathtub, shower and laundry facility at a minimum temperature of 110°F (43°C). A gas-burning water heater shall not be located in any bathroom, toilet room, bedroom or other occupied room normally kept closed, unless adequate combustion air is provided. An approved combination temperature and pressure-relief valve and relief valve discharge pipe shall be properly installed and maintained on water heaters.
  5. **Nonpotable water reuse systems.** Nonpotable water reuse systems and rainwater collection and conveyance systems shall be maintained in a safe and sanitary condition. Where such systems are not properly maintained, the systems shall be repaired to provide for safe and sanitary conditions, or the system shall be abandoned in accordance with Section 13-106.E.1.
  6. **Abandonment of systems.** Where a nonpotable water reuse system or a rainwater collection and distribution system is not maintained or the owner ceases use of the system, the system shall be abandoned in accordance with Section 1301.10 of the International Plumbing Code.
- F. Sanitary Drainage System
1. **General:** All plumbing fixtures shall be properly connected to either a public sewer system or to an approved private sewage disposal system.
  2. **Maintenance:** Every plumbing stack, vent, waste and sewer line shall function

properly and be kept free from obstructions, leaks and defects.

3. **Grease interceptors:** Grease interceptors and automatic grease removal devices shall be maintained in accordance with this code and the manufacturer's installation instructions. Grease interceptors and automatic grease removal devices shall be regularly serviced and cleaned to prevent the discharge of oil, grease, and other substances harmful or hazardous to the building drainage system, the public sewer, the private sewage disposal system or the sewage treatment plant or processes. All records of maintenance, cleaning and repairs shall be available for inspection by the Zoning Officer.

G. Storm Drainage

1. **General:** Drainage of roofs and paved areas, yards and courts, and other open areas on the premises shall not be discharged in a manner which alters the natural flow of water or materially increases the volume of flows onto another's property or deviates from or alters an approved grading plan or an approved stormwater management plan.

**§13-107 Mechanical and Electrical Requirements**

A. General

1. **Scope:** The provisions of this chapter shall govern the minimum mechanical and electrical facilities and equipment to be provided.
2. **Responsibility:** The owner of the structure shall provide and maintain mechanical and electrical facilities and equipment in compliance with these requirements. A person shall not occupy as owner-occupant or permit another person to occupy any premises which does not comply with the requirements of this Article.

B. Heating Facilities

1. **Facilities required:** Heating facilities shall be provided in structures as required by this section.
2. **Residential occupancies:** Dwellings shall be provided with heating facilities capable of

maintaining a room temperature of 68°F (20°C) in all habitable rooms, bathrooms and toilet rooms based on the winter outdoor design temperature for the locality indicated in Appendix D of the International Plumbing Code. Cooking appliances shall not be used, nor shall portable unvented fuel-burning space heaters be used, as a means to provide required heating.

**Exception:** In areas where the average monthly temperature is above 30°F (-1°C), a minimum temperature of 65°F (18°C) shall be maintained.

3. **Heat supply:** Every owner and operator of any building who rents, leases or lets one or more dwelling units or sleeping units on term s, either expressed or implied, to furnish heat to the occupants thereof shall supply heat during the period from September 1 through April 30 to maintain a minimum temperature of 68°F (20°C) in all habitable rooms, bathrooms and toilet rooms.

**Exceptions:**

- a. When the outdoor temperature is below the winter outdoor design temperature for the locality, maintenance of the minimum room temperature shall not be required provided that the heating system is operating at its full design capacity. The winter outdoor design temperature for the locality shall be as indicated in Appendix D of the International Plumbing Code.
  - b. In areas where the average monthly temperature is above 30°F (-1°C) a minimum temperature of 65°F (18°C) shall be maintained.
4. **Occupiable work spaces:** Indoor occupiable work spaces shall be supplied with heat during the period from September 1 through April 30 to maintain a minimum temperature of 65°F (18°C) during the period the spaces are occupied.

**Exceptions:**

- a. Processing, storage and operation

areas that require cooling or special temperature conditions.

- b. Areas in which persons are primarily engaged in vigorous physical activities.

5. **Room temperature measurement:** The required room temperatures shall be measured three (3) feet (914 mm) above the floor near the center of the room and two (2) feet (610 mm) inward from the center of each exterior wall.

C. Mechanical Equipment

1. **Mechanical equipment and appliances:** Mechanical equipment, appliances, fireplaces, solid fuel-burning appliances, cooking appliances and water heating appliances shall be properly installed and maintained in a safe working condition and shall be capable of performing the intended function.

2. **Removal of combustion products:** All fuel-burning equipment and appliances shall be connected to an approved chimney or vent.

**Exception:** Fuel-burning equipment and appliances which are labeled for unvented operation.

3. **Clearances:** All required clearances to combustible materials shall be maintained.
4. **Safety controls:** All safety controls for fuel-burning equipment shall be maintained in effective operation.
5. **Combustion air:** A supply of air for complete combustion of the fuel and for ventilation of the space containing the fuel-burning equipment shall be provided for the fuel-burning equipment.

6. **Energy conservation devices:** Devices intended to reduce fuel consumption by attachment to a fuel- burning appliance, to the fuel supply line thereto, or to the vent outlet or vent piping therefrom, shall not be installed unless labeled for such purpose and the installation is specifically approved.

D. Electrical Facilities

1. **Facilities required:** Every occupied building shall be provided with an electrical system

in compliance with the requirements of this section and Section 13-106.E.

2. **Service:** The size and usage of appliances and equipment shall serve as a basis for determining the need for additional facilities in accordance with NFPA 70. Dwelling units shall be served by a three-wire, 120/240 volt, single-phase electrical service having a minimum rating of 60 amperes.

3. **Electrical system hazards:** Where it is found that the electrical system in a structure constitutes a hazard to the occupants or the structure by reason of inadequate service, improper fusing, insufficient receptacle and lighting outlets, improper wiring or installation, deterioration or damage, or for similar reasons, the Zoning Officer shall require the defects to be corrected to eliminate the hazard.

- a. **Abatement of electrical hazards associated with water exposure:** The provisions of this section shall govern the repair and replacement of electrical systems and equipment that have been exposed to water.

- 1) **Electrical equipment:** Electrical distribution equipment, motor circuits, power equipment, transformers, wire, cable, flexible cords, wiring devices, ground fault circuit interrupters, surge protectors, molded case circuit breakers, low-voltage fuses, luminaries, ballasts, motors and electronic control, signaling and communication equipment that have been exposed to water shall be replaced in accordance with the provisions of the International Building Code.

**Exception:** The following equipment shall be allowed to be repaired where an inspection report from the equipment manufacturer or approved manufacturer's representative indicates that the equipment has not sustained damage that

requires replacement:

- a) Enclosed switches, rated a maximum of 600 volts;
  - b) Busway, rated a maximum of 600 volts;
  - c) Panelboards, rated a maximum of 600 volts;
  - d) Switchboards, rated a maximum of 600 volts;
  - e) Fire pump controllers, rated a maximum of 600 volts;
  - f) Manual and magnetic motor controllers;
  - g) Motor control centers;
  - h) Alternating current high-voltage circuit breakers;
  - i) Low-voltage power circuit breakers;
  - j) Protective relays, meters and current transformers;
  - k) Low- and medium-voltage switchgear;
  - l) Liquid-filled transformers;
  - m) Cast-resin transformers;
  - n) Wire or cable that is suitable for wet locations and whose ends have not been exposed to water;
  - o) Wire or cable, not containing fillers, that is suitable for wet locations and whose ends have not been exposed to water;
  - p) Luminaries that are listed as submersible;
  - q) Motors;
  - r) Electronic control, signaling and communication equipment.
- b. **Abatement of electrical hazards associated with fire exposure:** The provisions of this section shall govern the repair and replacement of

electrical systems and equipment that have been exposed to fire.

- 1) **Electrical equipment:** Electrical switches, receptacles and fixtures, including furnace, water heating, security system and power distribution circuits, that have been exposed to fire, shall be replaced in accordance with the provisions of the International Building Code.

**Exception:** Electrical switches, receptacles and fixtures that shall be allowed to be repaired where an inspection report from the equipment manufacturer or approved manufacturer's representative indicates that the equipment has not sustained damage that requires replacement.

#### E. Electrical Equipment

1. **Installation:** All electrical equipment, wiring and appliances shall be properly installed and maintained in a safe and approved manner.
2. **Receptacles:** Every habitable space in a dwelling shall contain at least two separate and remote receptacle outlets. Every laundry area shall contain at least one grounded-type receptacle or a receptacle with a ground fault circuit interrupter. Every bathroom shall contain at least one receptacle. Any new bathroom receptacle outlet shall have ground fault circuit interrupter protection. All receptacle outlets shall have the appropriate faceplate cover for the location.
3. **Luminaries:** Every public hall, interior stairway, toilet room, kitchen, bathroom, laundry room, boiler room and furnace room shall contain at least one electric luminaries. Pool and spa luminaries over 15 V shall have ground fault circuit interrupter protection.
4. **Wiring:** Flexible cords shall not be used for permanent wiring, or for running through doors, windows, or cabinets, or

concealed within walls, floors, or ceilings.

#### F. Elevators, Escalators and Dumbwaiters

1. **General:** Elevators, dumbwaiters and escalators shall be maintained in compliance with ASME A17.1. The most current certificate of inspection shall be on display at all times within the elevator or attached to the escalator or dumbwaiter, be available for public inspection in the office of the building operator or be posted in a publicly conspicuous location approved by the Zoning Officer. The inspection and tests shall be performed at not less than the periodic intervals listed in ASME A17.1, Appendix N, except where otherwise specified by the authority having jurisdiction.
2. **Elevators:** In buildings equipped with passenger elevators, at least one elevator shall be maintained in operation at all times when the building is occupied.

**Exception:** Buildings equipped with only one elevator shall be permitted to have the elevator temporarily out of service for testing or servicing.

#### G. Duct Systems

1. **General:** Duct systems shall be maintained free of obstructions and shall be capable of performing the required function.

### §13-108 Fire Safety Requirements

The purpose of Section 13-108 is to address those fire hazards that arise as the result of a building's occupancy. It also provides minimum requirements for fire safety issues that are most likely to arise in older buildings.

#### A. General

1. **Scope:** The provisions of this chapter shall govern the minimum conditions and standards for fire safety relating to structures and exterior premises, including fire safety facilities and equipment to be provided.
2. **Responsibility:** The owner of the premises shall provide and maintain such fire safety facilities and equipment in compliance with these requirements. A

person shall not occupy as owner-occupant or permit another person to occupy any premises that do not comply with the requirements of this chapter.

B. Means of Egress

1. **General:** A safe, continuous and unobstructed path of travel shall be provided from any point in a building or structure to the public way. Means of egress shall comply with the International Fire Code.
2. **Aisles:** The required width of aisles in accordance with the International Fire Code shall be unobstructed.
3. **Locked doors:** All means of egress doors shall be readily openable from the side from which egress is to be made without the need for keys, special knowledge or effort, except where the door hardware conforms to that permitted by the International Building Code.
4. **Emergency escape openings:** Required emergency escape openings shall be maintained in accordance with the code in effect at the time of construction, and the following. Required emergency escape and rescue openings shall be operational from the inside of the room without the use of keys or tools. Bars, grilles, grates or similar devices are permitted to be placed over emergency escape and rescue openings provided the minimum net clear opening size complies with the code that was in effect at the time of construction and such devices shall be releasable or removable from the inside without the use of a key, tool or force greater than that which is required for normal operation of the escape and rescue opening.

C. Fire-Resistance Ratings

1. **Fire resistance-rated assemblies:** The provisions of this chapter shall govern maintenance of the materials, systems and assemblies used for structural fire resistance and fire-resistance-rated construction separation of adjacent spaces to safeguard against the spread of

fire and smoke within a building and the spread of fire to or from buildings.

2. **Unsafe conditions.** Where any components are not maintained and do not function as intended or do not have the fire resistance required by the code under which the building was constructed or altered, such components or portions thereof shall be deemed unsafe conditions in accordance with Section 111.1.1 of the International Fire Code. Components or portions thereof determined to be unsafe shall be repaired or replaced to conform to that code under which the building was constructed or altered. Where the condition of components is such that any building, structure or portion thereof presents an imminent danger to the occupants of the building, structure or portion thereof, the fire code official shall act in accordance with Section 111.2 of the International Fire Code.
3. **Maintenance.** The required fire-resistance rating of fire-resistance-rated construction, including walls, firestops, shaft enclosures, partitions, smoke barriers, floors, fire-resistive coatings and sprayed fire-resistant materials applied to structural members and joint systems, shall be maintained. Such elements shall be visually inspected annually by the owner and repaired, restored or replaced where damaged, altered, breached or penetrated. Records of inspections and repairs shall be maintained. Where concealed, such elements shall not be required to be visually inspected by the owner unless the concealed space is accessible by the removal or movement of a panel, access door, ceiling tile or entry to the space. Openings made therein for the passage of pipes, electrical conduit, wires, ducts, air transfer and any other reason shall be protected with approved methods capable of resisting the passage of smoke and fire. Openings through fire-resistance-rated assemblies shall be protected by self- or automatic-closing doors of approved construction meeting the fire protection requirements for the assembly.



- a. **Fire blocking and draft stopping.** Required fire blocking and draft stopping in combustibles concealed spaces shall be maintained to provide continuity and integrity of the construction.
- b. **Smoke barriers and smoke partitions.** Required smoke barriers and smoke partitions shall be maintained to prevent the passage of smoke. Openings protected with approved smoke barrier doors or smoke dampers shall be maintained in accordance with NFPA 105.
- c. **Fire walls, fire barriers, and fire partitions.** Required fire walls, fire barriers and fire partitions shall be maintained to prevent the passage of fire. Openings protected with approved doors or fire dampers shall be maintained in accordance with NFPA 80.
4. **Opening protectives.** Opening protectives shall be maintained in an operative condition in accordance with NFPA 80. The application of field-applied labels associated with the maintenance of opening protectives shall follow the requirements of the approved third-party certification organization accredited for listing the opening protective. Fire doors and smoke barrier doors shall not be blocked or obstructed, or otherwise made inoperable. Fusible links shall be replaced whenever fused or damaged. Fire door assemblies shall not be modified.
- a. **Signs.** Where required by the code official, a sign shall be permanently displayed on or near each fire door in letters not less than 1 inch (25 mm) high to read as follows:
- 1) For doors designed to be kept normally open: FIRE DOOR – DO NOT BLOCK.
  - 2) For doors designed to be kept normally closed:
- FIRE DOOR – KEEP CLOSED.
- b. **Hold-open devices and closers.** Hold-open devices and automatic door closers shall be maintained. During the period that such a device is out of service for repairs, the door it operates shall remain in the closed position.
- c. **Door operation.** Swinging fire doors shall close from the full-open position and latch automatically. The door closer shall exert enough force to close and latch the door from any partially open position.
5. **Ceilings.** The hanging and displaying of salable goods and other decorative materials from acoustical ceiling systems that are part of a fire-resistance-rated horizontal assembly shall be prohibited.
6. **Testing.** Horizontal and vertical sliding and rolling fire doors shall be inspected and tested annually to confirm operation and full closure. Records of inspections and testing shall be maintained.
7. **Vertical shafts.** Interior vertical shafts, including stairways, elevator hoistways and service and utility shafts, which connect two or more stories of a building shall be enclosed or protected as required in Chapter 11 of the International Fire Code. New floor openings in existing buildings shall comply with the International Building Code.
8. **Opening protective closers.** Where openings are required to be protected, opening protectives shall be maintained self-closing or automatic closing by smoke detection. Existing fusible-link-type automatic door-closing devices shall be replaced if the fusible link rating exceeds 135°F (57°C)
- D. Fire Protection Systems
1. **Inspection, testing and maintenance.** Fire detection, alarm and extinguishing systems, mechanical smoke exhaust systems, and smoke and heat vents shall be maintained in accordance with the International Fire Code in an operative

condition at all times and shall be replaced or repaired where defective.

a. **Installation.** Fire protection systems shall be maintained in accordance with the original installation standards for that system. Required systems shall be extended, altered or augmented as necessary to maintain and continue protection where the building is altered or enlarged. Alterations to fire protection systems shall be done in accordance with applicable standards.

b. **Required fire protection systems.** Fire protection systems required by this code, the International Fire Code or the International Building Code shall be installed, repaired, operated, tested and maintained in accordance with this code. A fire protection system for which a design option, exception or reduction to the provisions of this code, the International Fire Code or the International Building Code has been granted shall be considered to be a required system.

c. **Fire protection systems.** Fire protection systems shall be inspected, maintained and tested in accordance with the following International Fire Code requirements.

- 1) Automatic sprinkler systems, see Section 903.5.
- 2) Automatic fire-extinguishing systems protecting commercial cooking systems, see Section 904.12.5.
- 3) Automatic water mist extinguishing systems, see Section 904.11.

- 4) Carbon dioxide extinguishing systems, see Section 904.8.
- 5) Carbon monoxide alarms and carbon monoxide detection systems, see Section 915.6.
- 6) Clean agent extinguishing systems, see Section 904.10.
- 7) Dry-chemical extinguishing systems, see Section 904.6.
- 8) Fire alarm and fire detection systems, see Section 907.8.
- 9) Fire department connections, see Sections 912.4 and 912.7.
- 10) Fire pumps, see Section 913.5.
- 11) Foam extinguishing systems, see Section 904.7.
- 12) Halon extinguishing systems, see Section 904.9.
- 13) Single- and multiple-station smoke alarms, see Section 907.10.
- 14) Smoke and heat vents and mechanical smoke removal systems, see Section 910.5.
- 15) Smoke control systems, see Section 909.20.
- 16) Wet-chemical extinguishing systems, see Section 904.5.

2. **Standards.** Fire protection systems shall be inspected, tested and maintained in accordance with the referenced standards listed in Table 704.2 and as required in this section. (See International Property Maintenance Code 2018).

- a. **Records.** Records shall be maintained of all system inspections, tests and maintenance required by the referenced standards.
- b. **Records information.** Initial records shall include the: name of the installation contractor; type of components installed; manufacturer of the components; location and number of components installed per floor; and manufacturers' operation and maintenance instruction manuals. Such records shall be maintained for the life of the installation.
3. **Systems out of service.** Where a required fire protection system is out of service, the fire department and the fire code official shall be notified immediately and, where required by the fire code official, either the building shall be evacuated or an approved fire watch shall be provided for all occupants left unprotected by the shutdown until the fire protection system has been returned to service. Where utilized, fire watches shall be provided with not less than one approved means for notification of the fire department and shall not have duties beyond performing constant patrols of the protected premises and keeping watch for fires. Actions shall be taken in accordance with Section 901 of the International Fire Code to bring the systems back in service.
- a. **Emergency impairments.** Where unplanned impairments of fire protection systems occur, appropriate emergency action shall be taken to minimize potential injury and damage. The impairment coordinator shall implement the steps outlined in Section 901.7.4 of the International Fire Code.
4. **Removal of or tampering with equipment.** It shall be unlawful for any person to remove, tamper with or otherwise disturb any fire hydrant, fire detection and alarm system, fire suppression system or other fire appliance required by this code except for the purposes of extinguishing fire, training, recharging or making necessary repairs.
- a. **Removal of or tampering with appurtenances.** Locks, gates, doors, barricades, chains, enclosures, signs, tags and seals that have been installed by or at the direction of the fire code official shall not be removed, unlocked, destroyed or tampered with in any manner.
- b. **Removal of existing occupant-use hose lines.** The fire code official is authorized to permit the removal of existing occupant-use hose lines where all of the following apply:
- 1) The installation is not required by the International Fire Code or the International Building Code.
  - 2) The hose line would not be utilized by trained personnel or the fire department.
  - 3) The remaining outlets are compatible with local fire department fittings.
5. **Termination of monitoring service.** For fire alarm systems required to be monitored by the International Fire Code, notice shall be made to the fire code official whenever alarm monitoring services are terminated. Notice shall be made in writing by the provider of the monitoring service being terminated.
6. **Fire department Connection.** Where the fire department connection is not visible to approaching fire apparatus, the fire department connection shall be indicated by an approved sign mounted on the street front or on the side of the building. Such sign shall have the letters "FDC" not less than 6 inches (152 mm) high and words in letters not less than 2 inches (51 mm) high or an arrow to indicate the location. Such

signs shall be subject to the approval of the fire code official.

- a. **Fire department connection access.** Ready access to fire department connections shall always be maintained and without obstruction by fences, bushes, trees, walls or any other fixed or movable object. Access to fire department connections shall be approved by the fire chief.

**Exception:** Fences, where provided with an access gate equipped with a sign complying with the legend requirements of Section 912.5 of the *International Fire Code* and a means of emergency operation. The gate and the means of emergency operation shall be approved by the fire chief and always maintained operational.

- b. **Clear space around connections.** A working space of not less than thirty-six (36) inches (914 mm) in width, thirty-six (36) inches (914 mm) in depth and seventy-eight (78) inches (1981 mm) in height shall be provided and maintained in front of and to the sides of wall-mounted fire department connections and around the circumference of free-standing fire department connections.

7. **Single- and multiple-station smoke alarms.** Single- and multiple-station smoke alarms shall be installed in existing Group I-1 and R occupancies in accordance with Sections 704.6.1 through 704.6.3.

- a. **Where required.** Existing Group I-1 and R occupancies shall be provided with single-station smoke alarms in accordance with Sections 704.6.1.1 through 704.6.1.4. Interconnection and power sources shall be in accordance with Sections 704.6.2 and 704.6.3.

**Exceptions:**

- 1) Where the code that was in effect at the time of construction required smoke alarms and smoke alarms complying with those requirements are already provided.
  - 2) Where smoke alarms have been installed in occupancies and dwellings that were not required to have them at the time of construction, additional smoke alarms shall not be required provided that the existing smoke alarms comply with requirements that were in effect at the time of installation.
  - 3) Where smoke detectors connected to a fire alarm system have been installed as a substitute for smoke alarms.
- b. **Group R-1.** Single- or multiple-station smoke alarms shall be installed in all of the following locations in Group R-1:
- 1) In sleeping areas.
  - 2) In every room in the path of the means of egress from the sleeping area to the door leading from the sleeping unit.
  - 3) In each story within the sleeping unit, including basements. For sleeping units with split levels and without an intervening door between the adjacent levels, a smoke alarm installed on the upper level shall suffice for the adjacent lower level provided that the lower level is less than one full story below the upper level.

- c. **Groups R-2, R-3, R-4 and I-1.** Single or multiple-station smoke alarms shall be installed and maintained in Groups R-2, R-3, R-4 and I-1 regardless of occupant load at all of the following locations:
- 1) On the ceiling or wall outside of each separate sleeping area in the immediate vicinity of bedrooms.
  - 2) In each room used for sleeping purposes.
  - 3) In each story within a dwelling unit, including basements but not including crawl spaces and uninhabitable attics. In dwellings or dwelling units with split levels and without an intervening door between the adjacent levels, a smoke alarm installed on the upper level shall suffice for the adjacent lower level provided that the lower level is less than one full story below the upper level.
- d. **Installation near cooking appliances.** Smoke alarms shall not be installed in the following locations unless this prevents placement of a smoke alarm in a location required by Section 704.6.1.1 or 704.6.1.2.
- 1) Ionization smoke alarms shall not be installed less than 20 feet (6096 m) horizontally from a permanently installed cooking appliance.
  - 2) Ionization smoke alarms with an alarm-silencing switch shall not be installed less than 10 feet (3048 mm) horizontally from a permanently installed cooking appliance.
- e. **Installation near bathrooms.** Smoke alarms shall be installed not less than 3 feet (914 mm) horizontally from the door or opening of a bathroom that contains a bathtub or shower unless this would prevent placement of a smoke alarm required by Section 704.6.1.1 or 704.6.1.2.
8. **Interconnection.** Where more than one smoke alarm is required to be installed within an individual dwelling or sleeping unit, the smoke alarms shall be interconnected in such a manner that the activation of one alarm will activate all of the alarms in the individual unit. Physical interconnection of smoke alarms shall not be required where listed wireless alarms are installed and all alarms sound upon activation of one alarm. The alarm shall be clearly audible in all bedrooms over background noise levels with all intervening doors closed.
- Exceptions:**
- a. Interconnection is not required in buildings that are not undergoing *alterations*, repairs or construction of any kind.
  - b. Smoke alarms in existing areas are not required to be interconnected where alterations or repairs do not result in the removal of interior wall or ceiling finishes exposing the structure, unless there is an attic, crawl space or basement available that could provide access for

interconnection without the removal of interior finishes.

- 9. **Power source.** Single-station smoke alarms shall receive their primary power from the building wiring provided that such wiring is served from a commercial source and shall be equipped with a battery backup. Smoke alarms with integral strobes that are not equipped with battery backup shall be connected to an emergency electrical system. Smoke alarms shall emit a signal when the batteries are low. Wiring shall be permanent and without a disconnecting switch other than as required for overcurrent protection.

**Exceptions:**

- a. Smoke alarms are permitted to be battery operated solely in existing buildings where construction is not taking place.
- b. Smoke alarms are permitted to be solely battery operated in buildings that are not served from a commercial power source.
- c. Smoke alarms are permitted to be solely battery operated in existing areas of buildings undergoing alterations or repairs that do not result in the removal of interior walls or ceiling finishes exposing the structure unless there is an attic crawl space or basement available that could provide access for building wiring without the removal of interior finishes.

- 10. **Smoke detection system.** Smoke detectors listed in accordance with UL 268 and provided as part of the building’s fire alarm system shall be an acceptable alternative to single- and multiple-station smoke alarms and shall comply with the following:

- a. The fire alarm system shall comply with all applicable requirements in Section 907 of the International Fire Code.
- b. Activation of a smoke detector in a dwelling or sleeping unit shall initiate alarm notification in the

dwelling or sleeping unit in accordance with Section 907.5.2 of the International Fire Code.

- c. Activation of a smoke detector in a dwelling or sleeping unit shall not activate alarm notification appliances outside of the *dwelling* or sleeping unit, provided that a supervisory signal is generated and monitored in accordance with Section 907.6.6 of the International Fire Code.

- 11. **Single- and multiple-station smoke alarms.** Single- and multiple-station smoke alarms shall be tested and maintained in accordance with the manufacturer’s instructions. Smoke alarms that do not function shall be replaced. Smoke alarms installed in one- and two-family dwellings shall be replaced not more than 10 years from the date of manufacture marked on the unit or shall be replaced if the date of manufacture cannot be determined.

12. **CARBON MONOXIDE ALARMS AND DETECTION**

- a. **General.** Carbon monoxide alarms shall be installed in dwellings in accordance with Section 1103.9 of the International Fire Code, except that alarms in dwellings covered by the International Residential Code shall be installed in accordance with Section R315 of that code.
- b. **Carbon monoxide alarms and detectors.** Carbon monoxide alarms and carbon monoxide detection systems shall be maintained in accordance with NFPA 720. Carbon monoxide alarms and carbon monoxide detectors that become inoperable or begin producing end-of-life signals shall be replaced.

**§13-109 Fire Hydrants**

The property owner shall maintain the areas surrounding any and all fire hydrants found on that property to comply with this Article.

- A. No item, whether manmade or a plant, bush, shrub or tree, shall be permitted within three feet (3') of a fire hydrant, nor shall any fire hydrant be enclosed or obstructed by a fence, gate, shrubbery or other construction. This same area must be cleared of snow and/or ice within 24 hours of the end of significant accumulation.

EXCEPTION: Grassy ground cover no higher than four (4) inches from finished grade, or snow/ice accumulation no higher than four (4) inches from finished grade

- B. No item, whether manmade or a plant, bush, shrub or tree, shall be permitted within a three feet (3') wide area between the fire hydrant steamer fitting and the adjacent street, nor shall any part of this area be enclosed or obstructed by a fence, gate, shrubbery or other construction. This same area must be cleared of snow and/or ice within 24 hours of the end of significant accumulation.

EXCEPTION: Grassy ground cover no higher than four (4) inches from finished grade, or snow/ice accumulation no higher than four (4) inches from finished grade.

### §13-110 Sewage Discharge Unlawful

It shall be unlawful to maintain an open cistern, or cesspool or to permit the discharge of raw or untreated sewage onto private or public grounds. An existing on-lot septic system which is malfunctioning shall be repaired within a reasonable period of time following receipt of notice to do so from the Township Sewage Enforcement Officer.

### §13-111 Referenced Standards

#### A. General Comments

1. Section 13-111C contains a comprehensive list of all standards that are referenced in the code. It is organized in a manner that makes it easy to locate specific references. This chapter lists the standards that are referenced in various sections of this document. The standards are listed herein by the promulgating agency of the standard, the standard

identification, the effective date and title and the section or sections of this document that reference the standard. The application of the referenced standards shall be as specified in Section 13-101.B.7.

2. It is important to understand that not every document related to building design and construction is qualified to be a "referenced standard." The ICC has adopted a criterion that standards referenced in the International Codes® and standards intended for adoption into the International Codes must meet in order to qualify as a referenced standard. The policy is summarized as follows:
  - a. **Code references:** The scope and application of the standard must be clearly identified in the code text.
  - b. **Standard content:** The standard must be written in mandatory language and appropriate for the subject covered. The standard shall not have the effect of requiring proprietary materials or prescribing a proprietary testing agency.
  - c. **Standard promulgation:** The standard must be readily available and developed and maintained in a consensus process such as ASTM or ANSI.

#### B. Purpose

1. As a performance-oriented code, the code contains numerous references to documents that are used to regulate materials and methods of construction. The references to these documents within the code text consist of the promulgating agency's acronym, its publication designation (e.g., IBC) and a further indication that the document being referenced is the one that is listed in this Section. Section 13-111C contains all of the information that is necessary to identify the specific referenced document.
2. Included is the following information on a document's promulgating agency (see Section 13-111C):

- a. The promulgating agency (i.e., the agency's title);
- b. The promulgating agency's acronym;
- and
- c. The promulgating agency's address.

C. Referenced Standards

**ASME**

American Society of Mechanical Engineers  
Two Park Avenue  
New York, NY 10016-5990

ASME A17.1 – 2016/CSA B44-16: Safety Code for Elevators and Escalators

**ASTM**

ASTM International  
100 Bar Harbor Drive, P.O. Box C700  
West Conshohocken, PA 19428-2959

F1346—91 (2010): Performance Specifications for Safety Covers and Labeling Requirements for All Covers for Swimming Pools, Spas and Hot Tubs

**ICC**

International Code Council  
500 New Jersey Avenue, NW  
6<sup>th</sup> Floor  
Washington, DC 20001

**IBC – 18: International Building Code®**

102.3, 201.3, 304.1.1, 305.1.1, 306.1.1, 401.3, 604.3.1.1, 604.3.2.1, 702.3, 704.4.2

**IECC—18: International Energy Conservation Code®**

102.3

**IEBC—18: International Existing Building Code®**

102.3, 201.3, 304.1.1, 305.1.1, 306.1.1

**IFC—18: International Fire Code®**

102.3, 201.3, 604.3.1.1, 702.1, 702.2, 704.1, 704.1.2, 704.1.3, 704.3, 704.3.1, 704.4.2, 704.4.3, 704.5.1, 704.6.4, 705.1

**IFGC—18: International Fuel Gas Code®**

102.3, 201.3

**IMC—18: International Mechanical Code®**

102.3, 201.3

**IPC—18: International Plumbing Code**

102.3, 201.3, 502.5, 505.1, 505.5.1, 602.2, 602.3

**IRC—18: International Residential Code®**

102.3, 201.3

**IMPC-18: International Property Maintenance Code®**

102.A.3

**CTZ-Chapter 20: Center Township Zoning Ordinance**



101.B.3, 102.A.3

National Fire Protection Association  
 1 Batterymarch Park  
 Quincy, MA 02169-7471

**NFPA**

**10—17: Standard for Portable Fire Extinguishers**

Table 704.2

**12—15: Standard on Carbon Dioxide Extinguishing Systems**

Table 704.2

**12A—15: Standard on Halon 1301 Fire Extinguishing Systems**

Table 704.2

**17—17: Standard for Dry Chemical Extinguishing Systems**

Table 704.2

**17A—17: Standard for Wet Chemical Extinguishing Systems**

Table 704.2

**25—17: Standard for the Inspection, Testing and Maintenance of Water-Based Fire Protection Systems**

Table 704.2

**70—17: National Electrical Code**

101.B.3, 102.A.3, 107.D.2

**72—16: National Fire Alarm and Signaling Code**

Table 704.2

**80—16: Standard for Fire Doors and Other Opening Protectives**

108.C.3.b

**105—16: Standard for Smoke Door Assemblies and Other Opening Protectives**

108.C.3.c, 108.C.4

**204—15: Standard for Smoke and Heat Venting**

Table 704.2

<b>720—15: Standard for the Installation of Carbon Monoxide (CO) Detection and Warning Equipment</b>				
108.D.12.b				
<b>750—14: Standard on Water Mist Fire Protection Systems</b>				
Table 704.2				
<b>2001—15: Standard on Clean Agent Fire Extinguishing Systems</b>				
Table 704.2				
<b>268—09: Smoke Detectors for Fire Alarm Systems</b>				

704.6.4

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