

1203
ORDINANCE 2003-A
(1 of 1983)

AN ORDINANCE ADOPTING CERTAIN CODES OF THE BUILDING OFFICIALS AND
CODE ADMINISTRATORS INTERNATIONAL, INC., HEREIN KNOWN AS BOCA AND THE NATIONAL
FIRE PROTECTION ASSOCIATION.

WHEREAS, Ordinance 1174 established and adopted the BOCA Basic Plumbing Code of 1978 as the Plumbing Code of the Borough of Donora; the BOCA Basic Building Code of 1978 as the Building Code; the BOCA Basic Property Maintenance Code of 1978 as the Property Maintenance Code; and the National Electrical Code of 1978 of the National Fire Protection Association as the Electrical Code; and

WHEREAS, Ordinance 1175 established and adopted the BOCA Basic Energy Conservation Code of 1978 as the Energy Conservation Code of the Borough of Donora; and

WHEREAS, these model codes have been revised and republished with certain supplements and modifications;

NOW THEREFORE, BE IT ORDAINED AND ENACTED by the Council of the Borough of Donora as follows:

Section One: That the BOCA Basic Plumbing Code of 1981 is hereby established and adopted as the Plumbing Code of the Borough of Donora as if all the terms and provisions of this model code but for Sections Two, Three, Four and Five of this Ordinance were set forth in this section.

Section Two: §P-114.2 of the Plumbing Code shall read as follows: The permit fees for all plumbing work shall be those enumerated in Ordinance 1168.

Section Three: §P-117.4 of the Plumbing Code shall read as follows: A violation of the provisions of the Plumbing Code shall constitute a Summary Offense and any person found guilty after hearing before the District Justice, shall be fined not less than \$100.00 nor more than \$300.00 and/or sentenced to the Washington County Jail for a period not exceeding 10 days. Each day that a violation continues shall be a separate offense.

Section Four: §P-303.2 of the Plumbing Code shall read as follows: A public water supply system or public sewer system shall be deemed available to premises used for human occupancy if such premises are within 300 feet, measured along a street, alley, or easement, of the public water supply or sewer system, and a connection conforming with the standards set forth in this code may be made thereto.

Section Five: §P-308.3 of the Plumbing Code shall read as follows: Water service piping and sewers shall be installed below recorded frost penetration but not less than 36 inches below grade for water piping and 36 inches below grade for sewers. Plumbing piping in exterior building walls or areas subjected to freezing temperatures shall be adequately protected against freezing by insulation or heat or both.

Section Six: That the BOCA Basic Building Code of 1981 is hereby established, adopted and promulgated as the Building Code of the Borough of Donora as if all the terms and provisions of this model code but for Sections Seven, Eight, Nine, Ten, Eleven and Twelve of this Ordinance were set forth in this section.

Section Seven: §114.3.1 of the Building Code shall read as follows: The fees for each plan examination, building permit and inspection shall be those enumerated in Ordinance 1168.

Section Eight: §117.4 of the Building Code shall read as follows: A violation of the provisions of the Building Code shall constitute a Summary Offense and any person found guilty, after hearing before the District Justice, shall be fined not less than \$100.00 nor more than \$300.00 and/or sentenced to the Washington County Jail for a period not exceeding 10 days. Each day that a violation continues shall be deemed a separate offense.

Section Nine: §118.2 of the Building Code shall read as follows: Any person who shall continue any work in or about the structure 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 conditions, shall be liable to a fine of not less than \$100.00 nor more than \$300.00.

Section Ten: §123.3 of the Building Code shall read as follows: The third member of the board shall receive for services a fee of \$150 to be paid by the Appellant.

Section Eleven: §501.2 of the Building Code shall read as follows: The fire limits shall comprise the areas containing congested business, commercial, manufacturing and industrial uses or in which such uses are developing. The limits of such areas are bounded by Meldon Avenue on the East, First Street on the South, Thompson Avenue on the West and Tenth Street on the North.

Section Twelve: §1906.1 of the Building Code shall read as follows: A person shall not erect, install, remove, rehang or maintain over public property any sign for which a permit is required under the provisions of this code until an approved bond shall have been filed in the sum of \$30,000.00 as herein

required or until an insurance policy shall have been filed for public liability in the amount of \$15,000.00 per accident and for property damage in the amount of \$30,000.00 as herein required.

Section Thirteen: That the BOCA Basic Property Maintenance Code of 1981 is established, adopted and promulgated as the Property Maintenance Code of this Municipality as if all the terms and provisions of this model code but for Sections Fourteen and Fifteen of this Ordinance were set forth in this section.

Section Fourteen: §109.2 of the Property Maintenance Code shall read as follows: Any person, firm or corporation, who shall violate any provision of this code shall, upon conviction thereof, be subject to a fine of not less than \$100.00 nor more than \$300.00 or imprisonment for a term not to exceed 10 days, or both, at the discretion of the court. Each day that a violation continues after due notice has been served, in accordance with the terms and provisions hereof, shall be deemed a separate offense.

Section Fifteen: §111.4 of the Property Maintenance Code shall read as follows: Anyone affected by any such order shall within 30 days after service of such order apply to a court of record for an order restraining the code official from razing and removing such structure or parts thereof. The court shall determine whether the order of the code official is reasonable, and if found reasonable, the court shall dissolve the restraining order, and if found not reasonable, the court shall continue the restraining order or modify it as the circumstances may require.

SECTION Sixteen: That the National Electrical Code of 1981 of the National Fire Protection Association is established, adopted and promulgated as the Electrical Code of the Borough of Donora as if all the terms and provisions of this model code were set forth in this section.

Section Seventeen: The Middle Department Inspection Agency shall have the exclusive right to inspect and control all existing and future electrical wiring and apparatus in buildings and one and two family dwellings.

Section Eighteen: That the BOCA Basic Energy Conservation Code of 1981 is established, adopted and promulgated as the Energy Conservation Code of the Borough of Donora as if all the terms and provisions of this model code were set forth in this section.

Section Nineteen: That the BOCA Basic Mechanical Code of 1981, never heretofore adopted, is established, adopted and promulgated as the Mechanical Code of the Borough of Donora as if all the terms and provisions of this model code but for Sections Twenty, Twenty-one, Twenty-two, Twenty-three and Twenty-four of this Ordinance were set forth in this section.

Section Twenty: §114.2 of the Mechanical Code shall read as follows: The fee for all periodic inspections shall be \$50.00.

Section Twenty-one: §114.3 of the Mechanical Code shall read as follows: The fees for all mechanical work shall be those set forth and enumerated in Ordinance 1168.

Section Twenty-two: §117.4 of the Mechanical Code shall read as follows: Any person, firm or corporation who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, construct, alter or repair mechanical equipment or systems in violation of an approved plan or directive of the Code Enforcement Officer, or of a permit or certificate issued under the provisions of this code, shall be guilty of a summary offense, punishable by a fine of not less than \$100.00 nor more than \$300.00, or by incarceration in the Washington County Jail for a period not to exceed 10 days or both fine and imprisonment. Each day that a violation continues shall be deemed a separate offense.

Section Twenty-three: §118.2 of the Mechanical Code shall read as follows: Any person who shall continue any work in or about the structure 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 \$100.00 nor more than \$300.00.

Section Twenty-four: §117.1 of the Mechanical Code shall read as follows: Any person, found guilty of violating any provisions of these regulations or any lawful order or notice from the Code Enforcement Officer pertaining to these regulations, shall be subject to the fines or penalties as prescribed by this section. Whenever, in any section of this code, or any section, rule or regulation promulgated hereunder, the performances of any act is required, prohibited, or declared to be unlawful, and a definite fine or penalty is not provided for a violation thereof, any person, firm or corporation, who shall be convicted of a violation of any such section shall, for each offense, be fined the sum of not more than \$300.00 or shall be both so fined and so imprisoned. Each day's violation shall constitute a separate offense. The suspension or revocation of any license, certificate, permit or other privilege, conferred by this jurisdiction, shall not be regarded as a penalty for the purpose of this code.

Section Twenty-five: That the BOCA One and Two Family Dwelling Code of 1979, never heretofore adopted as the law of this Municipality, is established, adopted and promulgated as the Borough's One and Two Family Dwelling Code as if all the terms and provisions of this model code were set forth in this section.

ORDAINED AND ENACTED this 13 day of JANUARY, 1983.

Anthony A. Massafra
President of Council

EXAMINED AND APPROVED this 13 day of Jan., 1983.

George Saxon
Mayor

ATTEST:

Robert H. Samochak