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Part 1

Building Code

§5-101. Adoption of Building Code.

The Buildings Officials and Code Administrators Basic/National Building Code of 1996, Thirteenth Edition, and all future editions as well as all supplements to and revisions of any edition, is hereby adopted as the building code of the Borough of Rutledge, and all of the terms and provisions of the BOCA Basic/National Building Code, 1996, and all future editions as well as all supplements to and revisions of any edition are hereby incorporated herein and adopted and made a part hereof, as if fully set out in this Part, with the additions, insertions, deletions and changes prescribed in this Part.

(Ord. 417, 6/1/1998, I)

§5-102. Additions, Insertions and Changes.

The following Sections are hereby revised as follows:

- A. **Section 101.1. Insert:** Rutledge Borough, Delaware County, PA.
- B. **Section 107.1.1. Addition of:** Building permits shall not be required for the installation of wood or vinyl siding, replacement of windows in existing openings, installation of storm windows and/or doors or replacement of kitchen cabinets and counters. Installation of new shingles on an existing roof does not require a building permit; however, in no case shall more than two layers of shingles be installed on any roof.
- C. **Section 111.5. Add the following Section:** Contractors registration will be included into the code and read: It shall be unlawful for any individual contractor, firm or corporation to commence with any form of improvement to any property within Rutledge Borough without acquiring a contractors registration. Contractors registrations are obtained at the office of the Borough Secretary and the fee for such registration will be established by Borough Council by resolution, and may be amended from time to time.
- D. **Section 112.3.1. Delete this Section and Insert:** Fees as determined by resolution by Borough Council, and which may be amended from time to time and listed on the "Schedule of Building Permit Fees."
- E. **Section 113.2.3. Add the following Section:** All electrical work must be inspected and approved by an approved Electrical Underwriter. Certification of the approval of the electrical work must be submitted to the Code Official prior to the issuance of certificate of use and occupancy.

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- F. **Section 114.1. General: Delete this Section and Insert:** The construction documents for new construction, alteration, repairs, expansion, addition or modification for buildings or structures shall be prepared by a registered design professional. The construction documents shall include the name and address of the registered design professional and shall be signed and sealed and dated by the registered design professional.
- G. **Section 116.4, "Violation Penalties," is amended to read:** Any person 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 a building or structure in violation of an approved plan or directive of the code official, or of a permit or certificate issued under the provisions of this code, shall be, upon conviction, sentenced to a fine of not more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 30 days. [*Ord. 428*]
- H. **Section 117.2, "Unlawful Continuance," is amended to read:** 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, upon conviction, sentenced to a fine of not more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 30 days. [*Ord. 428*]
- I. **Section 121.0 Entitled "Means of Appeal" is Amended to Read as Follows:**
- (1) **Section 121.1. Application for Appeal:** An owner or other person with a legal or equitable interest in the affected property may appeal to the Board of Appeals from an adverse decision of the Code Official. An application shall be based on a claim that the true intent of this code has been incorrectly interpreted, the provisions of this code do not fully apply or an alternative method or material can be used, consistent with the health, safety and welfare of the public. The appeal shall be in writing and served upon the Borough Secretary. The appeal shall cite the provision(s) of the code for which relief is requested and the reasons supporting the request for relief. The Code Official shall file a written response to the application for appeal with a copy to the appellant at least 7 days prior to the hearing.
 - (2) **Section 121.2. Membership of Board of Appeals:** The members of Borough Council shall constitute the Board of Appeals.
 - (3) **Section 121.3. Hearings:** Hearings on the appeals shall occur at the next regularly scheduled Borough Council meeting occurring at least 22 days from the date the application for appeal is filed or at such other time as the Board of Appeals establishes. The hearing procedures shall

be established by the Board of Appeals. The recording and transcribing of testimony shall not be required.

- (4) **Section 121.4. Decisions of the Board of Appeals:** The Board of Appeals shall make decisions upon the majority vote of a quorum of its members present and qualified to vote. The Board of Appeals may make its decisions based upon the written application for appeal with or without hearing.
- (5) **Section 121.5. Administration:** The Code Official shall comply with the decision of the Board of Appeals.

J. **Section 707.1. General, add the following paragraph at the end thereof:**

Fire walls and party walls separating residential dwelling units shall be of masonry construction a minimum of 8 inches in thickness. In the event that a dwelling unit projects further to the front or rear, or is taller than the adjacent unit, these portions of the wall shall also be a minimum of 8 inch thick masonry construction.

[Ord. 428]

K. **Section 709.1. General, add the following paragraph at the end thereof:**

Fire walls and party walls separating residential dwelling units shall be of masonry construction a minimum of 8 inches in thickness. In the event that a dwelling unit projects further to the front or rear, or is taller than the adjacent unit, these portions of the wall shall also be a minimum of 8 inch thick masonry construction.

[Ord. 428]

L. **Section 711.1. General, add the following paragraph at the end thereof:**

Fire walls and party walls separating residential dwelling units shall be of masonry construction a minimum of 8 inches in thickness. In the event that a dwelling unit projects further to the front or the rear, or is taller than the adjacent unit, these portions of the wall shall also be a minimum of 8 inch thick masonry construction.

[Ord. 428]

(Ord. 417, 6/1/1998, §§II and III; as amended by Ord. 428, 7/2/2001)

Part 2
Plumbing Code

§5-201. Adoption of Plumbing Code.

That a certain document, a copy of which is on file in the office of the Borough Secretary of Rutledge Borough, Delaware County, Pennsylvania, being marked and designated as the International Plumbing Code, including Appendix B through F of the 1995 International Plumbing Code published by the Building Officials and Code Administrators International and the International Conference of Building Officials, and all future editions as well as supplements to and revisions of any editions, be and is hereby adopted as the code of the Borough of Rutledge for regulating the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of plumbing systems in the Borough of Rutledge, providing for the issuance of permits and collection fees therefor, and each and all of the regulations, provisions, conditions and terms of such International Plumbing Code.

(Ord. 422, 8/3/1998, §1)

§5-202. Additions, Insertions and Changes.

The following Sections are hereby revised as follows:

- A. **Section 101.1. Insert:** Rutledge Borough, Delaware County, Pennsylvania.
- B. **Section 106.5.2. Insert:** Fees as determined by the Borough Council by resolution and which fees may be amended from time to time and listed on the "Plumbing Permit Fee Schedule."
- C. **Sections 106.5.3. Delete:** 106.5.3.2 and 106.5.3.3.
- D. **Section 108.4, "Violation Penalties," is amended to read:** Any person who shall violate any provision of this code or shall fail to comply with any of the requirements hereof or who shall erect, install, alter or repair plumbing work in violation of the approved construction documents or directive of the code official, or of a permit or certificate issued under the provisions of this code shall be, upon conviction thereof, sentenced to a fine of not more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 30 days. Each day that a violation continues after due notice has been served shall be deemed a separate offense. [*Ord. 428*]
- E. **Section 109. Delete this Section and Replace with the Following:**

Section 109, Means of Appeal

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- (1) **Section 109.1. Application for Appeal.** An owner or other person with a legal or equitable interest in the affected property may appeal to the Board of Appeals from an adverse decision of the Code Official. An application for appeal shall be based on a claim that the true intent of this code has been incorrectly interpreted, the provisions of this code do not fully apply or an alternative method or material can be used, consistent with the health, safety and welfare of the public. The appeal shall cite the provision(s) of the code for which relief is requested, the relief requested and the reasons supporting the request for relief. The Code Official shall file a written response to the application for appeal with a copy to the appellant at least 7 days prior to the hearing.
 - (2) **Section 109.2. Membership of Board of Appeals.** The members of Borough Council shall constitute the Board of Appeals.
 - (3) **Section 109.3. Hearings.** Hearings on the appeals are to be held within 30 days from the date the application for appeal is filed or at such time as the Board of Appeals establishes. The hearing procedures shall be established by the Board of Appeals. The recording and transcribing of testimony shall not be required.
 - (4) **Section 109.4. Decisions of the Board of Appeals.** The Board of Appeals shall make decisions upon the majority vote of a quorum of its members present and qualified to vote. The Board of Appeals may make its decisions based upon the written application for appeal with or without a hearing.
 - (5) **Section 109.5. Administration.** The Code Official shall comply with the decisions of the Board of Appeals.
- F. **Section 306.6. Amend the last sentence to read:** Water service pipe shall be installed not less than 36 inches deep.
- G. **Section 306.6.1. Insert:** 36 inches, 36 inches.
- H. **Section 418.5.2. Add the following:** All stall showers requiring a lead pan shall be a minimum of 4 pound lead pan.
- I. **Table 707.3. Add the following:** Note d. No quarter bend, short sweep or long sweep bend in a vertical to horizontal line shall be permitted above the last fixture connection.
- J. **Table 713.1(2). Add the following:** Note e. Only one fixture unit shall be allowed on each horizontal branch line on 1 ½ inch diameter pipe. The drain line shall enter the main line separately and be back vented with a minimum of 1 ½ inch diameter pipe if the total length of pipe from the main to the trap exceeds 8 feet.

K. **Table 904.6. Add the following:** Vent pipe sizing for all toilet vents shall be a minimum of 3 inches in diameter; branch lines shall be a minimum of 1 ½ inches in diameter.

L. **Chapter 14, Codes. Insert:**

1. BNBC-96 BOCA National Building Code/1996.
2. National Fuel Gas Code, NFPA 54 ANSI Z223.1.
3. IMC-96 International Mechanical Code/1996.

(Ord. 422, 5/3/1998, §3; as amended by Ord. 428, 7/2/2001)

§5-203. Saving Clause.

Nothing in this Part or in the Plumbing Code hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing under any act or ordinance hereby repealed as cited in this Part, nor shall any just or legal right or remedy of any character be lost, impaired or affected by this Part.

(Ord. 422, 5/3/1998, §4)

Part 3

Fire Prevention Code

§5-301. Adoption of Fire Prevention Code.

That a certain document, a copy of which is on file in the office of the Borough Secretary, being marked and designated as the "BOCA National Fire Prevention Code, Tenth Edition, 1996," as published by the Building Officials and Code Administrators International, Inc., and all future editions as well as supplements to and revisions of any editions, be and is hereby adopted as the Fire Prevention Code of the Borough of Rutledge, Delaware County, Pennsylvania; for the control of buildings, structures and premises as herein provided; and each and all of the regulations, provisions, penalties, conditions and terms of said BOCA National Fire Prevention Code, are hereby referred to, adopted and made a part hereof as if fully set out in this Part, with the additions, insertions, deletions and changes, if any, prescribed in §5-302 of this Part.

(Ord. 421, 8/3/1998, §1)

§5-302. Additions, Insertions and Changes.

That the following Sections are hereby revised as follows:

- A. **Section F-101.1. Insert:** Rutledge Borough, Delaware County, Pennsylvania.
- B. **Section F-107.2.3. and Table F-107.2.3 Are, Deleted and Replaced With:**
 - (1) **Section F-107.2.3:** Fees as determined by resolution by Borough Council, and which may be amended from time to time and listed on the "Schedule of Building Permit Fees."
- C. **Section F-113.0. Delete this Section and Replace with the Following:**

Section F-113.0, Means of Appeal

- (1) **Section F-113. Application for Appeal.** An owner or other person with a legal or equitable interest in the affected property may appeal to the Board of Appeals from an adverse decision of the Code Official. An application for appeal shall be based on a claim that the true intent of this code has been incorrectly interpreted, the provisions of this code do not fully apply or an alternative method or material can be used, consistent with the health, safety and welfare of the public. The appeal shall cite the provision(s) of the code for which relief is requested and the reasons supporting the request for relief. The Code Official shall file a written response to the application for appeal with a copy to the appellant at least 7 days prior to the hearing.

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- (2) **Section F-113.2. Membership of Board of Appeals.** The members of Borough Council shall constitute the Board of Appeals.
- (3) **Section F-113.3. Hearings.** Hearings on the appeals are to be held within 30 days from the date the application for appeal is filed or at such time as the Board of Appeals establishes. The hearing procedures shall be established by the Board of Appeals. The recording and transcribing of testimony shall not be required.
- (4) **Section F-113.4. Decisions of the Board of Appeals.** The Board of Appeals shall make decisions upon the majority vote of a quorum of its members present and qualified to vote. The Board of Appeals may make its decisions based upon the written application for appeal with or without a hearing.
- (5) **Section F-113.5. Administration.** The Code Official shall comply with the decisions of the Board of Appeals.

D. Add the Following Section:

- (1) **Section F-316.0. Propane Barbecue Grills.**
 - (a) **Section F-316.1. General.** This section shall apply to all R-2 use group multiple dwelling apartment houses, townhouses and condominiums where exit to the exterior or building passes through a common means of egress.
 - (b) **Section F-316.2. Prohibited Areas.** Propane cooking equipment such as barbecue grills shall not be stored or used on any porch, balcony or any other portion of a building, within any room or space of a building, within 5 feet of any combustible exterior wall, or within 5 feet vertically or horizontally of an opening in any wall.
 - (c) **Exception.** This shall not apply to any R-3 use group one and two family owner occupied houses, townhouses and condominiums where exit to the exterior of the building passes through a private means of egress.

- E. **Section F-403.0.** Existing Borough ordinances has authority in event of conflict.

(Ord. 421, 8/3/1998, §3)

§5-303. Establishment of Limits.

That the limits referred to in §F-3003.2 of the BOCA National Fire Prevention Code/1996 in which the storage of explosive materials is prohibited are hereby established as follows: the boundaries of the Borough of Rutledge.

(Ord. 421, 8/3/1998, §4)

§5-304. Saving Clause.

That nothing in this Part or in the Fire Prevention Code hereby adopted shall be construed to affect any lawsuit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in this Part; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this Part.

(Ord. 421, 8/3/1998, §5)

Part 4

Property Maintenance Code

§5-401. Adoption of Property Maintenance Code.

That a certain document, a copy of which is on file in the office of the Borough Secretary, being marked and designated as the "BOCA National Maintenance Code, Fifth Edition, 1996," as published by the Building Officials and Code Administrators International, Inc., and all future editions as well as supplements to and revisions of any editions, be and is hereby adopted as the Property Maintenance Code of Rutledge Borough, Delaware County, Pennsylvania; for the control of buildings and structures as herein provided; and each and all of the regulations, provisions, penalties, conditions and terms of said BOCA National Property Maintenance Code, are hereby referred to, adopted and made a part hereof as if fully set out in this Part, with the additions, insertions, deletions and changes, if any, prescribed in §5-402 of this Part.

(Ord. 420, 8/3/1998, §1)

§5-402. Additions, Insertions and Changes.

That the BOCA National Property Maintenance Code is amended and revised in the following respects:

- A. **Section PM-101.1 (page 1, second line). Inset.** Rutledge Borough, Delaware County, Pennsylvania.
- B. **Section PM-106.2, "Penalty," is amended to read:** Any person who shall violate a provision of this code shall be, upon conviction, sentenced to a fine of not more than \$1,000 plus costs and, in default of payment of said fine and cost, to a term of imprisonment not to exceed 30 days. Each day that a violation continues after due notice has been served shall be deemed a separate offense. [*Ord. 428*]
- C. **Section PM-111.0 is deleted in its entirety.**
- D. **Section PM-303.2 shall be amended by deleting the "Exception" provided therein.**
- E. **Section PM-304.15 (page 11, first and second lines) shall be amended** to require said screens for the entire year.
- F. **Section PM-602.2.1 (page 17, fifth line). Insert.** October 1 to April 30.
- G. **Section PM-602.3 (page 17, third line). Insert.** October 1 to April 30.

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(Ord. 420, 8/3/1998, §3; as amended by Ord. 428, 7/2/2001)

§5-403. Saving Clause.

That nothing in this Part or in the Property Maintenance Code hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in this Part; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this Part.

(Ord. 420, 8/3/1998, §4)

Part 5

Mechanical Code

§5-501. Adoption of Mechanical Code.

That a certain document, a copy of which is on file in the office of the Borough Secretary, being marked and designated as the International Mechanical Code, as published by the International Code Council, and all future editions as well as supplements to and revisions of any editions, be and is hereby adopted as the code of the Borough of Rutledge, Delaware County, Pennsylvania for regulating the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of mechanical systems in the Borough of Rutledge, Delaware County, Pennsylvania and providing for the issuance of permits and collection fees therefore, and each and all of the regulations, provisions, conditions and terms of such International Mechanical Code, 1996 edition, and all future editions, published by the International Code Council, on file in the office of the Borough Secretary are hereby referred to, adopted and made a part hereof as if fully set out in this Part.

(Ord. 419, 8/3/1998, §1)

§5-502. Additions, Insertions and Changes.

The following Sections are hereby revised:

- A. **Section 101.1. Insert.** Rutledge Borough, Delaware County, Pennsylvania.
- B. **Section 106.5.2. Insert.** Fees as determined by the Borough Council by resolution and which fees may be amended from time to time and listed on the "Building Permit Fee Schedule."
- C. **Sections 106.5.3.2. and 106.5.3.3 are deleted in their entirety.**
- D. **Section 108.4, "Violation Penalties," is amended to read:** Persons who shall violate a provision of this code or shall fail to comply with any of the requirements hereof or who shall erect, install, alter or repair mechanical work in violation of the approved construction documents or directive of the code official, or of a permit or certificate issued under the provisions of this code shall, upon conviction, be sentenced to a fine of not more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 30 days. Each day that a violation continues after due notice has been served shall be deemed a separate offense. [*Ord. 428*]
- E. **Section 108.5, "Stop Work Orders," is amended to read:** Upon notice from the code official that mechanical work is being done contrary to the provisions of this code or in a dangerous or unsafe manner, such work shall immediately

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cease. Such notice shall be in writing and shall be given to the owner of the property, or to the owner's agent, or to the person doing the work. The notice shall state the conditions under which work is authorized to resume. Where an emergency exists, the code official shall not be required to give a written notice prior to stopping the work. Any person who shall continue any work in the system 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, upon conviction thereof, be sentenced to a fine of not more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 30 days. [Ord. 428]

- F. **Section 109.** Delete this Section and replace with the following:

Section 109, Means of Appeal

- (1) **Section 109.1. Application for Appeal.** An owner or other person with a legal or equitable interest in the affected property may appeal to the Board of Appeals from an adverse decision of the Code Official. An application for appeal shall be based on a claim that the true intent of this code has been incorrectly interpreted, the provisions of this code do not fully apply or an alternative method or material can be used, consistent with the health, safety and welfare of the public. The appeal shall cite the provision(s) of the code for which relief is requested and the reasons supporting the request for relief. The Code Official shall file a written response to the application for appeal with a copy to the appellant at least 7 days prior to the hearing.
- (2) **Section 109.2. Membership of Board of Appeals.** The members of Borough Council shall constitute the Board of Appeals.
- (3) **Section 109.3. Hearings.** Hearings on the appeals shall occur at the next regularly scheduled Borough Building Committee meeting occurring at least 22 days from the date the application for appeal is filed or at such time as the Board of Appeals establishes. The hearing procedures shall be established by the Board of Appeals. The recording and transcribing of testimony shall not be required.
- (4) **Section 109.4. Decisions of the Board of Appeals.** The Board of Appeals shall make decisions upon the majority vote of a quorum of its members present and qualified to vote. The Board of Appeals may make its decisions based upon the written application for appeal with or without a hearing.
- (5) **Section 109.5. Administration.** The Code Official shall comply with the decisions of the Board of Appeals.
- (6) **Appendix B is deleted in its entirety.**

(Ord. 419, 8/3/1998, §3; as amended by Ord. 428, 7/2/2001)

§5-503. Saving Clause.

That nothing in this Part or in the Mechanical Code hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in this Part, nor shall any just or legal right or remedy of any character be lost, impaired or affected by this Part.

(Ord. 419, 8/3/1998, §4)

