

ORDINANCE NO. 5-01-87

AN ORDINANCE OF THE TOWNSHIP OF CENTRE, BERKS COUNTY, PENNSYLVANIA TO PROMOTE THE PUBLIC HEALTH, SAFETY AND GENERAL WELFARE BY ESTABLISHING REGULATIONS AND RESTRICTIONS GOVERNING THE DESIGN, CONSTRUCTION, ALTERATION, ENLARGEMENT, EQUIPMENT, REPAIR, DEMOLITION, REMOVAL, CONVERSION, USE AND MAINTENANCE OF ALL BUILDINGS AND STRUCTURES IN THE TOWNSHIP OF CENTRE, BERKS COUNTY, PENNSYLVANIA, AND PROVIDING FOR THE ADMINISTRATION AND ENFORCEMENT OF ITS PROVISIONS IN ACCORDANCE WITH THE SECOND CLASS TOWNSHIP CODE OF THE COMMONWEALTH OF PENNSYLVANIA, AND THE REPEAL OF ALL ORDINANCES INCONSISTENT HERewith.

BE IT ENACTED AND ORDAINED by the Township Supervisors of the Township of Centre, Berks County, Pennsylvania, and it is hereby ENACTED and ORDAINED by the authority of the same, pursuant to the provisions of the Second Class Township Code as amended and supplemented, as follows:

ARTICLE I
TITLE AND APPLICATION

Section 10. Short Title - This Ordinance shall be known as, and may be cited as, the Township of Centre Building Code.

Section 11. Application and Effective Date - There is hereby adopted by the Supervisors of the Township of Centre, Berks County, Pennsylvania "The BOCA National Building Code/1987", Tenth Edition, as published by the Building Officials and Code Administrators International, Inc., and any amendments or supplements thereto (hereafter referred to as "the Building Code"), and the said Code is hereby adopted, referred to and made a part hereof as if fully set out in this Ordinance, except as modified or amended specifically hereinafter in this Ordinance. From the date on which this Ordinance shall take effect the provisions of the Building Code shall be controlling within the limits of the Township of Centre, Berks County, Pennsylvania; provided, however, that the "Building Regulations for Protection from Fire and Panic" and all other pertinent regulations of the Department of Labor and Industry of the Commonwealth of Pennsylvania shall take precedence where applicable, or where more restrictive.

ARTICLE II
ADMINISTRATION

Section 20. Administration and Inspection - The administration and inspection requirements of this Ordinance shall be as set forth in the Building Code and as amended herein, and shall be the responsibility of the Ordinance Enforcement Officer of the Township of Centre, except in regard to Sections 120, Unsafe Structures, and each subpart thereof, and Section 121, Emergency Measures, and each subpart thereof in which instances a qualified member of the firm of Blue Marsh Engineering, Professional Engineers, shall act as the Building Official.

ARTICLE III
DEFINITIONS

Section 30. Code Officer - Whenever the term "Code Officer" is used in the Building Code, it shall be held to mean the Zoning Officer of the Township of Centre, Berks County, Pennsylvania, except in regard to Sections 120 and 121 of the Code in which case it shall be a qualified member of the firm of Blue Marsh Engineering, Engineers.

Section 31. Chief Appointing Authority - Whenever the terms "Chief Appointing Authority", "Chief Authority", "Appointing Authority", or "Proper Authority" or any variations thereof are used in the Building Code, they shall be held to mean the Supervisors of the Township of Centre, Berks County, Pennsylvania.

Section 32. Jurisdiction - Whenever the word "Jurisdiction" or any variations thereof are used in the Building Code, they shall be held to mean the Township of Centre, Berks County, Pennsylvania.

Section 33. Legal Counsel - Whenever the terms "Legal Counsel" or "Legal Representative", or any variations thereof are used in the Building Code, they shall be held to mean the Solicitor of the Township of Centre, Berks County, Pennsylvania.

ARTICLE IV
AMENDMENTS TO THE BUILDING CODE

Section 40. Amendments and Changes - Page, Section and Line references are to those of the BOCA NATIONAL BUILDING CODE, 1987, Tenth Edition.

<u>Page</u>	<u>Section</u>	<u>Line</u>	<u>Now Reads</u>	<u>Amended to Read</u>
1	100.1	1	(name of jurisdiction)	Township of Centre, Berks County, Pennsylvania

3 103.0 -- Existing Structures

Add Section 103.5:
Existing Structures: Except as provided in this Section, when existing structures are altered or repaired as herein specified and do not meet the full requirements of this code for new structures, the Ordinance Enforcement Officer shall inspect the building to determine whether any existing conditions of non-compliance with the standards for new buildings result in an unsafe condition and danger to human life or the public welfare. If non-compliance with the requirements of this code for new structures does result in such unsafe conditions or dangers, the Ordinance Enforcement Officer shall describe the required repairs or improvements to be made to render the building or structure safe and secure. Such repairs or improvements shall then be made in the time limit established by the Ordinance Enforcement Officer.

3 103.3 4 Alterations or Repairs

Add at end:
Prior to issuance of a permit for such alterations or repairs, the Ordinance Enforcement Officer shall inspect the building or structure to determine whether any unsafe conditions or dangers to human life or the public welfare exist because of non-compliance of the existing portions of the building or structure with the requirements of this code for new

structures. If such unsafe conditions or dangers exist, the Ordinance Enforcement Officer may order necessary repairs and improvements to be made to render the building or structure safe and secure and specify a time limit for making such repairs and improvements.

3 104.0 -- Repairs & Maintenance

Delete Section and replace with:

Damages exceeding 50 percent:

If the structure is damaged by fire or any other cause to an extent in excess of 50 percent of the physical value of the structure before the damage was incurred, this code's requirements for a new structure shall apply to all reconstructions and repairs. In addition, prior to issuing a permit for any reconstruction or repairs, the Ordinance Enforcement Officer shall inspect the structure to determine whether non-compliance with the standards of this code for new structures results in unsafe conditions or dangers to human life or the public welfare. If such unsafe conditions or dangers exist, the Ordinance Enforcement Officer shall indicate the required repairs or improvements to render it safe and secure. Such repairs or improvements shall be made within the time limit established by the Ordinance Enforcement Officer.

5	109.1	--	Code Official	Delete entire Section
5	109.2	--	Appointment	Delete Section and replace with: Appointment: The Building Official shall be appointed by the Supervisors of the Township of Centre. The Supervisors may designate a deputy to the Ordinance Enforcement Officer who may, then directed by the Board of Supervisors, exercise all the powers of the Ordinance Enforcement Officer during the temporary absence or disability of the Ordinance Enforcement Officer.
5	109.3	--	Organization	Delete entire Section
6	109.4	--	Deputy	Delete entire Section
6	109.5	--	Restriction of Employees	Delete entire Section
7	110.8	1	annual report: At least annually	Quarterly report: At least quarterly
7	110.9	--	Add	110.9 Erosion Control Notification: The Ordinance Enforcement Officer shall notify the Pennsylvania Department of Environmental resources (PennDER) of its designee upon receipt of an application for a building permit involving an earthmoving activity which affects five acres or more of land. He shall not issue a building permit to those engaged in earthmoving activities requiring a PennDER permit until PennDER has issued such permit.

7 10.10 -- Add

110.10 Flood Hazard Area Requirements: The Building Official shall not issue permits for the erection or alteration of buildings and structures located or to be located within areas of the Borough regulated under the National Flood Insurance Program Regulations issued by the U.S. Department of Housing and Urban Development unless or until all of the requirements of all Ordinances of the Township of Centre relating to the criteria and requirements of the National Flood Insurance Program Regulations are met.

7 110.11 -- Add

110.11 Permits for Demolition of Construction Involving Excavation: The Ordinance Enforcement Officer shall not issue permits for demolition of construction involving excavation unless the drawings show the approximate locations and types of all underground lines and the names and addresses of the users as required by Act of General Assembly No. 287, approved December 10, 1974.

7 111.1 -- Add new paragraph

In addition, in all areas shown within the 100 year flood boundary as may be shown on U.S. Department of Housing and Urban Development Federal Insurance Administration Flood Boundary and Floodway Maps for the Township, a permit shall be required for any and all manmade changes to improved or unimproved real estate, including, but not limited to , buildings or other

structures, the placement of mobile homes, mining, dredging, filling, grading, paving, excavation, and drilling, and for repairs, reconstruction, of improvements of a structure the cost of which equals or exceeds 50% of the market value of the structure either (a) before the improvement or repair is started, or (b) if the structure has been damaged, and is being restored, before the damage occurred.

8 111.5 Add new paragraphs

In addition, for all permit applications for land within the 100 year flood boundary as may be shown on U.S. Department of Housing and Urban Development Federal Insurance Administration Flood Boundary and Floodway Maps for the Township, the application shall include a description of the construction practices and methods and materials and utility equipment which will be used during the course of proposed construction, repair, and/or other physical improvements, elevations for the one hundred year flood, the elevation in relation to mean sea level of the lowest floor (including basement) of the structures, a statement of whether or not the structure will contain a basement and, if the structure will be floodproofed, the elevation in relation to mean sea level to which the structure will be floodproofed.

If, after completion of construction, the elevation of the lowest floor or the elevation to which the structure was floodproofed differs from the elevation shown on the building permit application, revised elevations shall be provided by the holder of the building permit to the Ordinance Enforcement Officer of the Township of Centre upon completion of construction, and prior to the issuance of a certificate of use and occupancy when such certificate is required. All such records as to elevation of the lowest floors, the presence of a basement, and the elevation of floodproofing shall be maintained by the Ordinance Enforcement Officer of the Township of Centre and shall be available for public inspection.

9 112.1 Add new paragraphs

For areas within the 100 year flood boundary as may be shown on U.S. Department of Housing and Urban Development Flood Boundary and Floodway Maps for the Borough, the Ordinance Enforcement Officer shall review all permit applications to assure that:

- a. All necessary permits have been received from those governmental agencies from which approval is required by applicable Federal or State law.

- b. Proposed building sites will be reasonable safe from flooding.
- c. All new construction, the placement of prefabricated buildings and mobile homes, and substantial improvements as defined in the National Flood Insurance program Regulations (1) are designed (or modified) and adequately anchored to prevent flotation, collapse or lateral movement of the building or structure, (2) are constructed with materials and utility equipment resistant to flood damage, and (3) are constructed by methods and practices that minimize flood damage.

11	114.3	--	New construction and alterations:	Delete Section and replace with: Fee Schedule: The Supervisors of the Township of Centre shall establish, by resolution, a schedule of fees, charges, and expenses and collection procedures for all building permits, certificates of use and occupancy, erection of signs, moving and demolition of buildings and structures, and all other matters pertaining to this Ordinance.
11	114.3.1	--	Fee Schedule	Delete entire Section
11	114.4	--	Accounting	Delete entire Section
11	114.5	--	Refunds	Delete entire Section
13	117.4		5 & shall be, . . . following	Prosecuted for a summary offense and upon conviction

				thereof, be subject to a fine of not less than twenty five and 00/100 Dollars (\$25.00) nor more than Three Hundred and 00/100 Dollars (\$300.00) or imprisonment for a term not to exceed five (5) days. Each day that the violation continues shall be deemed a separate offense.
13	118.2	4,5	shall be liable to a fine of not less than (amount) or more than (amount).	shall be liable to such penalties as are permissible under the Second Class Township Code, and as defined in Section 117.4 hereof.
17	120.0	--	Section 102.0 Unsafe Structures and all subparts thereof from 120.1 to 120.6 and Section 121.0 Emergency Measures and subparts and Section 122.0 Posting Structures and subparts and Section 123.0 Board of Survey and subparts and Section 124.0 Means of Approval and subparts	Delete entire Sections.
68	507.0	--	Permissible Street Projections	Delete entire Section
70	509.0	--	Special and Temporary Projections	Delete entire Section
436	2902.3.1	2,3	provided such signs are not more than twenty-five (25) square feet in area	provided such signs are not more than twelve (12) square feet in area and are not illuminated
436	2902.4	--		Add at end: which is not illuminated
437	2906	--	Bonds and Liability Insurance	Delete entire Section and all subsections

ARTICLE V
MISCELLANEOUS

Section 50. Repeal of Conflicting Ordinances - Except as otherwise hereinabove provided or provided in the BOCA National Building Code 1987, all existing ordinances or parts of ordinances are hereby repealed to the extent necessary to give this Ordinance full force and effect.

Section 51. Severability - It is the intention of the Township of Centre that each separate provision and every part thereof shall be independent of all other provisions herein and it is further the intention of the Township of Centre that if any of the provisions of this Ordinance be declared to be invalid all of the other provisions hereof shall remain valid and in force.

Section 52. Effective Date - This Ordinance shall become effective thirty (30) days after date.

Duly enacted by the Supervisors of the Township of Centre, Berks County, Pennsylvania, this 8th day of July, 1987, in lawful session duly assembled.

CENTRE TOWNSHIP

Albert W. Bunker Sr.

Harold W. Miller

Wilmer H. Phillips

Attest:

George Seifrit