

PENN TOWNSHIP, BERKS COUNTY, PENNSYLVANIA

ORDINANCE NO 2017- 04

AN ORDINANCE OF THE TOWNSHIP OF PENN, BERKS COUNTY, PENNSYLVANIA, AMENDING ORDINANCE NUMBER 2004-01, TO REQUIRE ISSUANCE OF PERMITS FOR CERTAIN ALTERATIONS AND REPAIRS TO RESIDENTIAL BUILDINGS

WHEREAS, the Township of Penn elected to administer and enforce the provisions of the Pennsylvania Construction Code Act of 1999, 35 P.S. §7210.101 et. seq, as then enacted and as thereafter amended, and regulations promulgated pursuant thereto; and

WHEREAS, by Penn Township Ordinance No. 2004-01, enacted July 2, 2004, confirmed its elections to administer and enforce the provisions of the Pennsylvania Construction Code Act of 1999, 35 P.S. §7210.101 et. seq, as then enacted and as thereafter amended, and adopted the Uniform Construction Code, 34 Pa. Code §401 et seq., as then stated and as thereafter amended, as the municipal building code of the Township of Penn; and

WHEREAS, the Uniform Construction Code Act was amended by the Pennsylvania General Assembly to exempt from regulation accessory residential structure and repairs and alterations to residential structures that do not make structural changes or changes to means of egress; and

WHEREAS, the Pennsylvania General Assembly further amended the Uniform Construction Code Act to authorize municipalities to enact ordinances requiring permits for residential structure repairs and alterations and accessory residential structures; and

WHEREAS, the Board of Supervisors of Penn Township exercised the authority granted it by the General Assembly of Pennsylvania by enacting Ordinance Number 2008-08, on October 27, 2008, amending Ordinance Number 2004-04 to add a Section 6(a). to require permits for residential accessory structures equal to or greater than 300 square feet; and

WHEREAS, the Board of Supervisors of Penn Township desires to again exercise the authority granted it by the General Assembly and enact an ordinance amending Ordinance Number 2004-04, as amended by Ordinance 2008-08, to require permits for certain alterations and repairs to residential buildings.

NOW THEREFORE, BE IT ENACTED AND ORDAINED by the Board of Supervisors of the Township of Penn, Berks County, Pennsylvania, and it is hereby enacted and ordained as follows:

Section 1. Penn Township Ordinance Number 2004-04, as amended by Ordinance 2008-08, is hereby amended by adding Section 6(a)c. which shall read in its entirety as follows:

6(a). In addition to all types of construction, placement of structures, repairs and alterations for which the Uniform Construction Code requires a permit, the Township pursuant to the authorization of Act 92 of 2004 shall require persons to obtain permits under the Penn Township Uniform Construction Code for all of the following:

c. All alterations or repairs to residential buildings which are exempt from the Uniform Construction Code by Act 92 of 2004, provided, however, that the following types of alterations and repairs shall continue to be exempt and no permit will be required:

1. Replacement of windows and doors when there is no change in the size of the existing opening.
2. Replacement of hot water heater, boiler, or furnace, or the replacement of any part of a hot water heater, boiler or furnace with the same or greater efficiency rating, electrical and plumbing requirements.
3. Re-roofing all of or any portion of existing roof.
4. Addition or replacement of siding on the exterior of the residential structure.
5. Non-structural repair of any portion of a deck, porch or stoop.
6. Replacement of an appliance switch or receptacle with a switch or receptacle which is the same or has a like rating.
7. The addition of one appliance switch or receptacle.
8. The repair or replacement of any nonstructural member.
9. The repair or replacement of any sink, toilet, tub, shower, or similar plumbing fixture without relocation of any drain or venting device.

Section 2. All other sections, parts and provisions of Township of Penn Ordinance Number 2004-04 as amended by Ordinance Number 2008-08 shall remain in full force and effect.

Section 3. Severability. If any section, subsection, clause, sentence, paragraph or part of this Ordinance shall, for any reason, be adjudged by a court of competent jurisdiction to be invalid, illegal, or unconstitutional, such invalidity, illegality or unconstitutionality shall not affect, impair or invalidate the remaining provisions of this Ordinance. It is hereby declared to be the legislative intent of the Board of Supervisors that this Ordinance would have been adopted had such provisions not been included herein.

Section 4. Repealer. All Ordinances or parts of ordinances inconsistent herewith are hereby repealed.

REMAINDER OF PAGE INTENTIONALLY LEFT BLANK

Section 5. Effective Date. This Ordinance shall become effective thirty-five (35) days after enactment, as provided by law.

ENACTED AND ORDAINED as an Ordinance of Penn Township, Berks County, Pennsylvania, this 28th day of August, 2017.

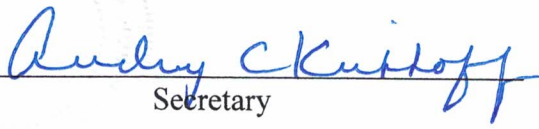
**BOARD OF SUPERVISORS OF
PENN TOWNSHIP,
BERKS COUNTY, PENNSYLVANIA**


Chairman

Vice Chairman


Member

ATTEST:


Secretary

CERTIFICATE OF ENACTMENT

I hereby certify that the foregoing is a true and accurate copy of Ordinance No. 2017-____
adopted by the Board of Supervisors of Penn Township, Berks County, Pennsylvania at a public
meeting held on August 28, 2017, pursuant to notice as required by law.

Dated: 8/28/17

Audrey C. Kuttroff
Township Secretary