

Chapter 5

Code Enforcement

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Part 1**Uniform Construction Code****§5-101. Election to Administer and Enforce Construction Code Act.**

The Township of Ross hereby elects to administer and enforce the provisions of the Pennsylvania Construction Code Act, Act 45 of 1999, 35 P.S. §§7210.101–7210.1103, as amended from time to time, and its regulations.

(*Ord. 2124, 4/12/2004, §1*)

§5-102. Implementation of Uniform Construction Code.

The Uniform Construction Code, contained in 34 Pa.Code, Chapters 401–405, as amended from time to time, is hereby adopted and incorporated herein by reference as the municipal building code of the Township.

(*Ord. 2124, 4/12/2004, §2*)

§5-103. Administration and Enforcement.

Administration and enforcement of the Code within the Township of Ross shall be undertaken in any of the following ways as determined by the Board of Commissioners of this Township from time to time by resolution:

A. By the designation of an employee of the Township to serve as the municipal code official to act on behalf of the Township.

B. By the retention of one or more construction code officials or third-party agencies to act on behalf of the Township.

C. By agreement with one or more other municipalities for the joint administration and enforcement of this Act through an intermunicipal agreement.

D. By entering into a contract with another municipality for the administration and enforcement of this Act on behalf of the Township.

E. By entering into an agreement with the Pennsylvania Department of Labor and Industry for plan review, inspections and enforcement of structures other than one-family or two-family dwelling units and utility and miscellaneous use structures.

(*Ord. 2124, 4/12/2004, §3*)

§5-104. Establishment of Board of Appeals.

Board of Appeals shall be established by resolution of the Board of Commissioners of this Township in conformity with the requirements of the relevant provisions of the code, as amended from time to time, and for the purposes set forth therein. If at any time enforcement and administration is undertaken jointly with one or more other municipalities, said Board of Appeals shall be established by joint action of the participating municipalities.

(*Ord. 2124, 4/12/2004, §4*)

§5-105. Savings Clause.

1. All building code ordinances or portions of ordinances which were adopted by this

Township on or before July 1, 1999, and which equal or exceed the requirements of the code shall continue in full force and effect until such time as such provisions fail to equal or exceed the minimum requirements of the code, as amended from time to time, specifically requiring an automatic sprinkler system for all new or renovated commercial structures greater than 5,000 square feet per floor (Exception: existing church sanctuaries and nave areas); requiring an automatic fire detection system in all new or renovated structures greater than 3,000 square feet; requiring smoke and heat vents in all new or renovated one-story commercial structures greater than 7,500 square feet; and requiring an automatic sprinkler system for all child day care facilities greater than six children. [*Ord. 2288*]

2. All building code ordinances or portions of ordinances which are in effect as of the effective date of this Part and whose requirements are less than the minimum requirements of the Code are hereby amended to conform with the comparable provisions of the Code.

3. All relevant ordinances, regulations and policies of this Municipality not governed by the Code shall remain in full force and effect.

(*Ord. 2124, 4/12/2004, §5; as amended by Ord. 2288, 4/12/2010*)

§5-106. Fees.

Fees assessable by the Township for the administration and enforcement undertaken pursuant to this Part and the code shall be established by the Board of Commissioners by resolution from time to time.

(*Ord. 2124, 4/12/2004, §6*)

Part 2**Property Maintenance Code****§5-201. Adoption of the Property Maintenance Code.**

A certain document, three copies of which are on file in the offices of Ross Township, being marked and designated as the International Property Maintenance Code, 2009 edition, as published by the International Code Council, be and is hereby adopted as the Property Maintenance Code of Ross Township, in the state of Pennsylvania for regulating and governing the conditions and maintenance of all property, buildings and structures; by providing standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; and the condemnation of buildings and structures unfit for human occupancy and use, and the demolition of such existing structures as herein provided; providing for the issuance of permits and collection of fees therefore; and each and all regulations, provisions, penalties, conditions and terms of said Property Maintenance Code on file in the offices of Ross Township 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 prescribed in §5-202 of this Part.

(Ord. 2297, 5/24/2010, §1)

§5-202. Amendments to the Property Maintenance Code.

The 2009 International Property Maintenance Code is hereby amended as set forth herein:

A. **101.1 Title.** These regulations shall be known as the “Property Maintenance Code of the Township of Ross,” hereinafter referred to as “this code.”

B. **102.3 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 Fuel Gas Code, International Mechanical Code and the NFPA 70. Nothing in this code shall be construed to cancel, modify or set aside any provision of the Ross Township Zoning Ordinance.

C. **103.1 General.** The Building Inspection Department is hereby created and the executive official in charge thereof shall be known as the code official.

D. **103.5 Fees.** The fees for activities and services performed by the department in carrying out its responsibilities under this code shall be as indicated in the following schedule: *Res. 1983*, Ross Township fee schedule, enacted July 13, 2009, as amended by resolution from time to time by the Ross Township Board of Commissioners.

E. **110.5 Permit for demolition.** The applicant for a permit to demolish or remove any building, structure, part thereof or appurtenance thereto shall satisfy the code official that such demolition or removal shall be done in a manner as to prevent any hazard to adjoining properties or to any persons using any public thoroughfare abutting upon the property on which the building or structure is situated. The code official shall have the authority to require that any barricade or other safeguard deemed necessary be erected and maintained in a safe condition during the progress of the work. If, after demolition of a building or structure or part thereof, any depression on the lot may be deemed to constitute a hazard to life or limb, the code official shall have the authority to require such depression to be filled or otherwise made safe or barricaded in such a manner as to

eliminate such hazard. If, after the issuance of a permit to demolish or remove a building, structure, part thereof or appurtenance thereto, it is found that the work or demolition or removal is not being performed in a safe manner, the code official shall have authority to revoke such permit. Any work of demolition or removal performed after such revocation shall be a violation of this code and subject to the penalties of §106.4.

F. **110.6 Notification by owner.** As a condition for the issuance of a demolition permit, the owner or the owner's agent shall give written notice to the owners of adjoining properties and to the owners of any property whose utility services must be temporarily shut, removed or affected because of the proposed demolition work.

G. **110.7 Service connections.** Before a structure is demolished or removed, the owner or agent shall notify all utilities having service connections within the structure, such as water, electric, gas, sewer and other connections. A permit to demolish or remove a structure shall not be issued until a release is obtained from the utilities, stating that their respective service connections and appurtenant equipment, such as meters and regulators, have been removed or sealed and plugged in a safe manner.

H. **110.8 Lot Regulations.** Whenever a structure is demolished or removed, the premises shall be maintained free from all unsafe or hazardous conditions by the proper regulation of the lot, restoration of established grades and the erection of the necessary retaining walls and fences In accordance with the provisions of Chapter 33 of the 2009 International Building Code.

I. **201.3 Terms defined in other codes.** Where terms are not defined in this code and are defined in the International Building Code, International Fire Code, Ross Township Zoning Ordinance, International Plumbing Code amended by the Allegheny County Department of Health, Article XV, Plumbing Code, International Mechanical Code or NFPA 70, such terms shall have the meanings ascribed to them as in those codes.

J. **Section 202 General Definitions, 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, rubble, scrap, building materials or supplies, glass, crockery and dust and other similar materials.

K. **302.4 Weeds.** All premises and exterior property shall be maintained free from weeds or plant growth in excess of 10 inches. 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, they shall be subject to prosecution in accordance with §106.3 and as prescribed by the authority having jurisdiction. Upon failure to comply with the notice of violation, any duly authorized employee of the jurisdiction or contractor hired by the jurisdiction 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. Failure to pay such invoice within 30 days after receipt by the owner or agent responsible for the property will cause a lien to be filed for the total of all costs incurred by the Township of Ross associated with the cutting, destruction and removal of weeds.

L. **302.8 Motor vehicles.** Except as provided for in other regulations, no inoperative

or unlicensed or not currently inspected motor vehicle, trailer or other equipment shall be parked, kept or stored on any premises, and no vehicle shall at any time be in a major disassembly, disrepair, or in the process of being stripped or dismantled. Painting of vehicles is prohibited unless conducted inside an approved spray booth.

Exception: A vehicle of any type is permitted to undergo a major overhaul provided that such work is performed inside a structure or detached garage.

M. **304.1.2 Required inspections.** All buildings or structures shall be inspected by a licensed professional engineer or registered architect to determine structural soundness of the items covered in §§304.4, 304.5, 304.6, 304.7, 304.8, 304.9, 304.10 and 304.11 when required by the code official. These reports shall bear the signature and raised seal of the Commonwealth of Pennsylvania design professional submitting the report.

N. **304.3 Premises identification.** All buildings shall have approved address numbers placed on both sides of any mailbox located at the curbside of any street. If there is no mailbox located at the curbside, all buildings shall have approved address numbers placed in a position to be plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background. Address numbers shall be Arabic numerals only. Numbers shall be a minimum of 4 inches (102 mm) high with a minimum stroke width of 0.5 inch (12.7 mm).

O. **304.7 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 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. The discharge shall also be done in a manner that promotes evapotranspiration and infiltration at the site. Where possible, discharge shall be directed to rain gardens (bio retention systems), bioswales, rain barrels and/or infiltration sumps. If the discharge is from an existing roof leader, sheet flow discharge to large lawn areas, the natural waterway or to hill sides not having substantial neighboring development may be appropriate with the approval of the code official or building inspector.

P. **304.14 Insect screens.** During the period from April 1 to October 1, 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 not less than 16 mesh per inch (16 mesh for 25mm) 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.

Q. **502.5 Public toilet facilities.** Public toilet facilities shall be maintained in a safe sanitary and working condition in accordance with the International Plumbing Code amended by the Allegheny County Department of Health, Article XV, Plumbing Code. Except for periodic maintenance or cleaning, public access and use shall be provided to the toilet facilities at all times during occupancy of the premises.

R. **505.1 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,

bathbubs and showers shall be supplied with hot or tempered and cold running water in accordance with the international Plumbing Code amended by the Allegheny County Department of Health, Article XV, Plumbing Code.

S. **602.2 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 in accordance with the Allegheny County Health Department, Article VI, Houses and Community Environment, §629. Cooking appliances shall not be used to provide space heating to meet the requirements of this Section.

T. **602.3 Heat Supply.** Every owner and operator of any building who rents, leases or lets one or more dwelling unit or sleeping unit on terms, either expressed or implied, to furnish heat to the occupants thereof shall supply heat during the period from October 1 to May 1 to maintain a temperature of not less than 68°F (20°C) in all habitable rooms, bathrooms and toilet rooms.

U. **602.4 Occupiable work spaces.** Indoor occupiable work spaces shall be supplied with heat during the period from October 1 to May 1 to maintain a temperature of not less than 65°F (18°C) during the period the spaces are occupied.

V. **Chapter 8 Referenced Standards**

ICC	International Code Council 500 New Jersey Ave., NW, 6 th Floor Washington, DC 20001	
	Standard reference number	Referenced in code section number
IBC-09	International Building Code®	102.3, 201.3, 401.3, 702.3
IFC-09	International Fire Code®	201.3, 702.1, 702.2, 704.1, 704.2
IEBC-09	International Existing Building Code®	305.1.1, 306.1.1
IFGC-09	International Fuel Gas Code®	102.3
IMC-09	International Mechanical Code®	102.3, 201.3
IPC-09	International Plumbing Code® amended by the Allegheny County Department of Health, Article XV, Plumbing Code	201.3, 505.1, 602.2, 602.3
RTZO	Ross Township Zoning Ordinance	102.3, 201.3

The Township of Ross also adopts Appendix A in its entirety.
(Ord. 2297, 5/24/2010, §2)

§5-203. Saving Clause.

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 by this Part; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this Part.

(Ord. 2297, 5/24/2010, §5)

