

## **Chapter 5**

### **Code Enforcement**

#### **Part 1**

#### **Uniform Construction Code**

- §5-101. Election to Administer and Enforce
- §5-102. Adoption of Uniform Construction Code
- §5-103. Plumbing Provisions
- §5-104. Administration and Enforcement
- §5-105. Board of Appeals
- §5-106. Savings Clause
- §5-107. Fees
- §5-108. Penalties

#### **Part 2**

#### **Property Maintenance Code**

- §5-201. Adoption of Property Maintenance Code
- §5-202. Additions, Insertions and Changes



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

This Municipality 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. 375, 6/14/2004, §I*)

**§5-102. Adoption 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 this Municipality.

(*Ord. 375, 6/14/2004, §I*)

**§5-103. Plumbing Provisions.**

By virtue of the submission by this Municipality to the jurisdiction of the Allegheny County Health Department and the Local Health Administration Law, 16 P.S. §§12001–12028, the Allegheny County Health Department shall administer and enforce its Article XV, Rules and Regulations for Plumbing, which incorporates the International Plumbing Code, and Plumbing Chapters 25 through 32 of the International Residential Code. To the extent permitted by law, Article XV shall take precedence over the International Plumbing Code, Plumbing Chapters 25 through 32 of the International Residential Code where the requirements of Article XV exceed the requirements of the International Plumbing and Residential Codes.

(*Ord. 375, 6/14/2004, §I*)

**§5-104. Administration and Enforcement.**

Administration and enforcement of the code within this Municipality may be undertaken as follows:

A. By the designation of an employee of the Municipality or retention of a third party agency to serve as the building code official to act on behalf of the Municipality.

B. The Allegheny County Health Department, Plumbing Division, is hereby designated to administer and enforce its Article XV, which incorporates the International Plumbing Code, and Chapters 25 through 32 of the International Residential Code, and the duties of the building code official pertaining to plumbing are hereby delegated to the Allegheny County Health Department Plumbing Division pursuant to 34 Pa.Code §403.3(b).

C. By agreement with one or more municipalities for joint administration or enforcement of the Code.

D. By agreement with another municipality for the administration and enforcement of the Code on behalf of the Borough.

(*Ord. 375, 6/14/2004, §I*)

#### **§5-105. Board of Appeals**

A Board of Appeals shall be established by resolution of the governing body of this Municipality 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 this Municipality's code enforcement and administration duties are undertaken jointly with one or more other municipalities, said Board of Appeals shall be established by joint action of the participating municipalities, except that any appeals filed with respect to Article XV of the Allegheny County Health Department Rules and Regulations with incorporates the International Plumbing Code and Chapters 25 through 32 of the International Residential Code shall be conducted by the Allegheny County Health Department in accordance with Article XI of the Allegheny County Health Department Rules and Regulations.

(*Ord. 375, 6/14/2004, §I*)

#### **§5-106. Savings Clause.**

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

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

(*Ord. 375, 6/14/2004, §I*)

#### **§5-107. Fees.**

Fees assessable by the Municipality for the administration, enforcement or appeals undertaken pursuant to this ordinance and the code shall be established by the governing body by resolution from time to time, except those fees as required by the Plumbing Division of the Allegheny County Health Department which shall be established by the Allegheny County Health Department. Fees assessed by the Commonwealth of Pennsylvania shall be collected and disbursed according to law.

(*Ord. 375, 6/14/2004, §I*)

#### **§5-108. Penalties.**

Any person, firm or corporation who shall violate any provision of this Part or of the Uniform Construction Code, upon conviction thereof, shall be sentenced to pay 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 of this Part continues shall constitute a separate offense.

(*Ord. 375, 6/14/2004, §I; as amended by Ord. 387, 12/14/2009*)

---

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

A certain document, a copy of which is on file in the office of the Secretary of the Borough of Thornburg, being marked and designated as the "BOCA National Property Maintenance Code, Fifth Edition, 1996," as published by the Building Officials and Code Administrators International, Inc., be and is hereby adopted as the Property Maintenance Code of the Borough of Thornburg, in the Commonwealth of Pennsylvania, pursuant to Act 71 of 1995, 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 §5-202 of this Part.

*(Ord. 355, 9/9/1996)*

**§5-202. Additions, Insertions and Changes.**

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

- A. Section PM-101.1 (page 1, second line). Insert "Borough of Thornburg."
- B. Section PM-106.2 (page 2, third line). Insert dollar amounts in two locations.
- C. Section PM-106.2 (page 2, fourth line). Insert number of days.
- D. Section PM-304.15 (page 11, first line). Insert dates in two locations.
- E. Section PM-602.2.1 (page 17, fifth line). Insert dates in two locations.
- F. Section PM-602.3 (page 17, third line). Insert dates in two locations.

*(Ord. 355, 9/9/1996)*

