

## **CHAPTER 5**

### **CODE ENFORCEMENT**

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**PART 1**

**BOCA BASIC BUILDING CODE**

**§5-101. Adoption of Code.**

There is hereby adopted for the Township that certain code known as the Basic Building Code prepared by the Building Officials and Code Administrators International, Inc., (BOCA), being particularly the 1975 Edition thereof, and the whole thereof, save and except such portions thereof as are hereinafter deleted, modified, or amended, of which no less than three copies have been and are now filed in the office of the Township, and the same hereby adopted and incorporated as fully as if set in full herein, and from the date which this Part shall take effect, the provisions thereof shall be controlling within the limits of the Township.

*(Ord. 217, 8/14/1978, §1)*

**§5-102. Definitions.**

1. Whenever the phrase "Building Official" is used and appears in said code, it shall be held to mean and shall be and hereby amended to read "Code Enforcement Officer."
2. Wherever the phrase "Legal Officer" is used and appears in said code, it shall be held to mean and shall be and hereby amended to read "Solicitor."
3. Wherever the phrase "Registered Mail" is used and appears in said code, it shall be held to mean and shall be and hereby is amended to read "certified mail."
4. Whenever there appears in said code (name of municipality), or (name of jurisdiction) there shall be inserted and hereby is inserted therein the phrase "Township of Pulaski."

*(Ord. 217, 8/14/1978, §2)*

**§5-103. Modifications.**

The said code is hereby amended and changed in the following respects:

- A. **Deletions.** The sections numbered and designated as follows are hereby and herewith wholly deleted from said code:

- (1) **Section 107.5, "Qualifications of Building Official."**
- (2) **Section 107.6, "Qualifications of Assistants."**

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- (3) **Sections 118.3, 118.4, 118.5, "Fees."**
- (4) **Section 119.0, "Volume Computations."**
- (5) **Section 301, "Fire Limits."**
- (6) **Section 302, "Restrictions Within Fire Limits."**
- (7) **Section 303, "Restrictions Outside Fire Limits."**

B. **Amendments.** The following Sections of the BOCA Basic Building Code are hereby amended to read as follows:

- (1) The bond referred in §1407.1 shall be not less than \$500.
- (2) **Section 122.3, "Violations and Penalties."** Any person, firm or corporation who shall violate any provision of this Part or shall erect, construct, alter or repair a building or structure in violation of an approved plan or directive from the building official, or a permit or certificate, issued under the BOCA Basic Building Code, upon conviction thereof in an action brought before a district justice in the manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure, 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 90 days. Each day that a violation of this Part continues or each Section of this Part which shall be found to have been violated shall constitute a separate offense. [*Ord. A220*]
- (3) **Section 125.4, "Costs of Emergency Repairs."** Costs incurred in the performance of work shall be paid from the Township Treasury on certificate from the building official, and the said costs, with an additional charge of 10% shall be charged against the property and collectible by the Township by filing the same upon record as other Township claims.

C. The following new Sections shall be added to the BOCA Basic Building Code:

- (1) **Section 113.10, "Other Permits Required."** At the time of filing an application for a permit the applicant shall present to the proper official evidence that he has obtained all necessary permits, licenses, approvals and variances as may be required by the laws of the Township and the Commonwealth. Individuals, agencies, boards and commissions issuing aforesaid permits, licenses, approvals and/or variances shall include, but not be limited to, the Sewage Enforcement Officer, the Fire Chief, the State Police Fire Marshall, the Pennsylvania Department of Labor and Industry, the Pennsylvania Department of Environmental Protection

and the Pennsylvania Department of Community and Economic Development. [Ord. A220]

- (2) **Section 116.2, "Determination by Code Enforcement Officer."** In the event that the owner or agent is unable to obtain the releases required in §116.1, the Code Enforcement Officer shall inspect the premises for which application has been made to determine that the utilities service connections and appurtenant equipment have been removed, or sealed and plugged in a safe manner.
- (3) **Section 130.1, "Building Permit Fees."** The cost of a building permit shall be in an amount as established from time to time by resolution of the Board of Supervisors. [Ord. A220]

(Ord. 217, 8/14/1978, §3; as amended by Ord. A220, 9/10/2001)

#### **§5-104. General Provisions.**

1. **Savings Clause.** Nothing in this Part or in the Boca Basic Building Code herein adopted shall be construed to affect any suit or proceeding now pending in any court, or any rights acquired, or liability incurred, or any cause or causes of action accrued or existing under any act or ordinance repealed hereby. No right or remedy of any characters shall be lost, impaired or affected by this Part.
2. **Validity.** The validity of any Section of provision of this Part or of the BOCA Basic Building Code herein adopted shall not invalidate other Sections or provisions thereof.
3. **Conflict or Ordinances.** Any ordinances or part of ordinances except as otherwise herein provided, conflicting with the provisions of this Part, is hereby repealed insofar as the same affects this Part.
4. **Short Title.** This Part, together with the BOCA Basic Building Code adopted herein shall be known and may be cited as the "Building Code of the Township of Pulaski."
5. **Effective Date.** This Part shall become effective on August 14, 1978.

(Ord. 217, 8/14/1978, §4)