

**Central Keystone COG Maintenance Code -  
*Property, Fire Safety & Building***

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Central Keystone Council of Governments

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## PREFACE

### **Italicized Terms**

Selected terms set forth in Chapter 2, Definitions, are italicized where they appear in code text. Such terms are not italicized where the definition set forth in Chapter 2 does not impart the intended meaning in the use of the term. The terms selected have definitions which the user should read carefully to facilitate better understanding of the code.

### **2024 Edition**

All 2024 revisions are denoted by a solid line in the margin beside the revised Section, paragraph or sentence.



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# CHAPTER 1

## SCOPE AND ADMINISTRATION

### SECTION 101 GENERAL

**101.1 Title.** These regulations shall be known as the *Central Keystone Council of Governments Maintenance Code, Property, Fire Safety, and Building* hereinafter referred to as “this code.”

**101.2 Scope.** The provisions of this code shall apply to all existing residential and nonresidential *structures* and all existing *premises* and constitute minimum requirements and standards for *premises, structures, equipment, and facilities* for light, *ventilation, space, heating, sanitation, protection from the elements, life safety, safety from fire and other hazards, and for safe and sanitary maintenance*; the responsibility of *owners, persons-in-charge, operators and occupants*; the *occupancy* of existing *structures and premises*, and for administration, enforcement and penalties.

**101.3 Intent.** This code shall be construed to secure its expressed intent, which is to ensure public health, safety and welfare insofar as they are affected by the continued *occupancy and maintenance of structures and premises*. Existing *structures and premises* that do not comply with these provisions shall be altered or repaired to provide a minimum level of health and safety as required herein.

**101.4 Severability.** If a section, subsection, sentence, clause or phrase of this code is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this code.

### SECTION 102 APPLICABILITY

**102.1 General.** Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall govern. Where differences occur between provisions of this code and the referenced standards, the provisions of this code shall apply. Where, in a specific case, different sections of this code specify different requirements, the most restrictive shall govern.

**102.2 Maintenance.** Equipment, systems, devices and safeguards required by this code or a previous regulation or code under which the *structure or premises* was constructed, altered or repaired shall be maintained in good working order. No *owner, operator or occupant* shall cause any service, facility, equipment or utility which is required under this section to be removed from or shut off from or discontinued for any occupied dwelling, except for such temporary interruption as necessary while repairs or alterations are in progress. The requirements of this code are not intended to provide the basis for removal or abrogation of fire protection and safety systems and devices in existing *structures*. Except as otherwise specified herein, the *owner* or the *person-in-charge* shall be responsible for the maintenance of *buildings, structures and premises*.

**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 *Uniform Construction Code of Pennsylvania, International Building Code, International Residential Code, International Plumbing Code, International Fuel Gas Code, International Mechanical Code, International Fire Code, International Existing Building Code, and National Electrical Code NFPA 70* (See Chapter 10, Referenced Standards).

**102.3.1 Structural analysis.** Where structural analysis is used to assess a potentially unsafe structural condition, the analysis shall be permitted to use nominal strengths, nominal loads, load effects, required strengths and limit states in accordance with the requirements under which the *structure* was constructed or in accordance with any subsequent requirement.

**102.4 Existing remedies.** The provisions in this code shall not be construed to abolish or impair existing remedies of the Municipality or its officers or agencies relating to the removal or demolition of any *structure* which is dangerous, unsafe or unsanitary.

**102.5 Workmanship.** Repairs, maintenance work, alterations or installations which are caused directly or indirectly by the enforcement of this code shall be executed and installed in a *workmanlike* manner and

installed in accordance with the manufacturer's installation instructions.

**102.6 Historic buildings.** The provisions of this code shall not be mandatory for existing *buildings* or *structures* designated as historic *buildings* when such *buildings* or *structures* are judged by the *code official* to be safe and in the public interest of health, safety and welfare.

**102.7 Referenced codes and standards.** The codes and standards referenced in this code shall be those that are listed in Chapter 10 of this code and considered part of the requirements of this code to the prescribed extent of each such reference. Where differences occur between provisions of this code and the referenced standards, the provisions of this code shall apply.

**Exception:** Where enforcement of a code provision would violate the conditions of the listing of the equipment or appliance, the conditions of the listing shall apply.

**102.8 Requirements not covered by code.** No *structure*, the construction and use of which complied with all code and other such requirements in effect at the time of construction, shall be required to be altered in use or *structure* by the provisions of this code, except in the case of a clear public safety hazard. In the case of a clear public safety hazard, the *code official* shall be authorized to enforce a provision of this code, or other recognized relative codes, retroactively.

**102.9 Application of references.** References to chapter or section numbers, or to provisions not specifically identified by number, shall be construed to refer to such chapter, section or provision of this code.

**102.10 Other laws.** The provisions of this code shall not be deemed to nullify any provisions of local, state or federal law.

## SECTION 103

### PROPERTY MAINTENANCE DEPARTMENT

**103.1 General.** The CKCOG is hereby designated as the Property Maintenance Department of the adopting Municipality, hereinafter referred to as the department.

**103.1.2** The Property Maintenance Department is hereby created and the official in charge thereof shall be known as the *Code Official*. The function of the

*Code Official* shall be the implementation, administration and enforcement of the provisions of this code on behalf of the adopting Municipality.

**103.1.2.1** The CKCOG is hereby designated as the *Code Official* for the adopting Municipality, hereinafter referred to as the *code official*.

**103.2 Appointment.** The *Code Official* is hereby authorized to appoint deputy *code official(s)*.

**103.2.1 Deputies.** The *Code Official* shall have the authority to appoint deputy *code officials*, other related technical officers, inspectors and other employees. Such employees shall have powers as delegated by the *code official*.

**103.2 Liability.** The *code official*, member of the Board of Appeals, or employee charged with the enforcement of this code, while acting for the Municipality, in good faith and without malice in the discharge of the duties required by this code or other pertinent law or ordinance, shall not thereby be rendered liable personally, and is hereby relieved from all personal liability for any damage accruing to persons or property as a result of an act or by reason of an act or omission in the discharge of official duties. Any suit instituted against any officer or employee because of an act performed by that officer or employee in the lawful discharge of duties and under the provisions of this code or other laws and ordinances implemented through the enforcement of this code shall be defended by the legal representative of the Municipality until the final termination of the proceedings. The *code official* or any subordinate shall not be liable for costs in an action, suit or proceeding that is instituted in pursuance of the provisions of this code.

**103.3 Restriction of employees.** An official or employee connected with the enforcement of this code, except one whose only connection is that of a member of the Board of Appeals established under the provisions of Section 111, shall not be engaged in, or be directly or indirectly connected with, the furnishing of labor, materials, or appliances for the construction, alteration, or maintenance of a *building*, or the preparation of construction documents thereof, unless that person is the *owner* of the *building*; nor shall such officer or employee engage in any work that conflicts with official duties or with the interests of the department.

**103.5 Fees.** The fees for activities and services performed by the Department in carrying out its responsibilities under this code shall be established by the Executive

Committee of the Board of Directors of the CKCOG and the same may be amended from time to time. The adopting Municipality shall also adopt and maintain the fee schedule as established by the Executive Committee of the Board of Directors of the CKCOG by Municipal Resolution. A copy of this fee schedule shall be retained by the CKCOG and shall be maintained as Appendix C of the Property, Fire Safety & Building Maintenance Code.

## SECTION 104

### DUTIES AND POWERS OF THE CODE OFFICIAL

**104.1 General.** The *code official* is hereby authorized and directed to enforce the provisions of this code. The *code official* shall have the authority to render interpretations of this code and to adopt policies and procedures in order to clarify the application of its provisions. Such interpretations, policies and procedures shall be in compliance with the intent and purpose of this code. Such policies and procedures shall not have the effect of waiving requirements specifically provided for in this code.

**104.1.1 Duties.** The duties of the Code Enforcement Official shall include, but not be limited to, the undertaking of such investigations and other activities as may be required to determine compliance with the applicable codes and ordinances of the Municipality, to issue all necessary notices to abate illegal or unsafe conditions to insure compliance with the Municipality's Code of Ordinances for the safety, health and general welfare of the public, to make inspections and determine compliance with the applicable codes and ordinances of the Municipality.

**104.1.2 Legal Action.** The Code Enforcement Officer shall be authorized to initiate, on behalf of the Municipality, appropriate legal action against persons or other legal entities for violations of the Municipality's Code of Ordinances.

**104.2 Rental Permits.** Rental Permits shall be renewed when required, on or before the Permit expiration date, by completing a Rental Permit renewal application and submitting the Rental Permit renewal fee. A Rental Permit shall be suspended upon the Rental Permit holder's failure to submit the required completed renewal application and Rental Permit renewal fee. No reduction shall be made for fractional yearly permits.

**104.3 Fire Safety Permits.** Fire Safety Permits shall be

renewed on or before the expiration date shown on such Fire Safety Permit. A Fire Safety Permit shall become null and void upon permittee's failure to submit the required or proper renewal Fire Safety Permit fee and application. No reduction shall be made for fractional yearly permits.

**104.4 Inspections.** The *code official* shall make all of the required inspections, or shall accept reports of inspection by *approved* agencies or individuals. All reports of such inspections shall be in writing and be certified by a responsible officer of such *approved* agency or by the responsible individual. The *code official* is authorized to engage such expert opinion as deemed necessary to report upon unusual technical issues that arise, subject to the approval of the appointing authority.

#### 104.4.1 Inspection frequency.

1. Inspections are scheduled in accordance with the adopted Ordinance of the appointing municipality or a *minimum* of once every 36 months for Rental Permits or 60 months for Fire Permits.
2. Nothing in this Ordinance shall prevent the *code official* from conducting more frequent inspections of a property. More frequent inspections may occur when one or more of the following occurs:
  - a. When a complaint is made, and the *code official* has reasonable cause to believe that the complaint is valid.
  - b. At the request of the *owner* or tenant.

#### 104.4.2 No-show fee.

1. If the *owner* or *person-in-charge* fails to be present for any inspection within ten minutes after the start time of the scheduled inspection, the *owner* shall be considered a *No Show* and subject to a *No-Show Fee* as defined herein, except for good cause shown.
2. Following the first *No Show*, the inspection shall be rescheduled, and the *code official* shall give notice of the time and date for the rescheduled inspection. If the *owner* or *person-in-charge* fails to be present for the second inspection, the *owner* or *person-in-charge* shall be considered a second *No Show* and shall be subject to an additional *No Show* fee and shall be in violation of this Chapter.
3. Each day that *the owner* or *person-in-charge* fails to be present for an inspection shall constitute a separate violation. If the inspection has not been



completed within thirty days of the first scheduled inspection as a result of the *owner* or *person-in-charge* not being present for a scheduled or rescheduled inspection, the Rental or Fire Permit may be suspended for a period of 180 days, in addition to any other penalties as set forth Section 106.3 of this Chapter.

## SECTION 105 APPROVAL

**104.4.1 Right of entry.** Where it is necessary to make an inspection to enforce the provisions of this code, or whenever the *code official* has reasonable cause to believe that there exists in a *structure* or upon a *premises* a condition in violation of this code, the *code official* is authorized to enter the *structure* or *premises* at reasonable times to inspect or perform the duties imposed by this code, subject to applicable laws, provided that if such *structure* or *premises* is occupied the *code official* shall present credentials to the *occupant* and request entry. If such *structure* or *premises* is unoccupied, the *code official* shall first make a reasonable effort to locate the *owner* or other person having charge or control of the *structure* or *premises* and request entry. If entry is refused, the *code official* shall have recourse to the remedies provided by law to secure entry.

**104.4.2 Warrant.** Where the *code official* has first obtained a proper inspection warrant or other remedy provided by law to secure entry, an owner, the owner's authorized agent, occupant or person having charge, care or control of the structure or premises shall not fail or neglect, after a proper request is made as herein provided, to permit entry therein by the *code official* for the purposes of inspection and examination pursuant to this code.

**104.5 Identification.** The *code official* shall carry proper identification when inspecting *structures* or *premises* in the performance of duties under this code.

**104.6 Notices and orders.** The *code official* shall issue all necessary notices or orders to ensure compliance with this code.

**104.7 Department records.** The *code official* shall keep official records of all business and activities of the department specified in the provisions of this code. Such records shall be retained in the official records for the period required for retention of public records.

**105.1 Modifications.** Whenever there are practical difficulties involved in carrying out the provisions of this code, the *code official* shall have the authority to grant modifications for individual cases upon application of the *owner* or *owner's* representative, provided the *code official* shall first find that special individual reason makes the strict letter of this code impractical and the modification is in compliance with the intent and purpose of this code and that such modification does not lessen health, life and fire safety requirements complying with the provisions of the Uniform Construction Code of Pennsylvania.

The details of action granting modifications shall be recorded and entered in the department files.

**105.2 Alternative materials, methods and equipment.** The provisions of this code are not intended to prevent the installation of any material or to prohibit any method of construction not specifically prescribed by this code, provided that any such alternative has been *approved*. An alternative material or method of construction shall be *approved* where the *code official* finds that the proposed design is satisfactory and complies with the intent of the provisions of this code, and that the material, method or work offered is, for the purpose intended, at least the equivalent of that prescribed in this code in quality, strength, effectiveness, fire resistance, durability and safety.

**105.3 Required testing.** Whenever there is insufficient evidence of compliance with the provisions of this code, or evidence that a material or method does not conform to the requirements of this code, or in order to substantiate claims for alternative materials or methods, the *code official* shall have the authority to require tests to be made as evidence of compliance at no expense to the Municipality.

**105.3.1 Test methods.** Test methods shall be as specified in this code or by other recognized test standards. In the absence of recognized and accepted test methods, the *code official* shall be permitted to approve appropriate testing procedures performed by an *approved* agency.

**105.3.2 Test reports.** Reports of tests shall be retained by the *code official* for the period required for retention of public records.

**105.4 Used material and equipment.** The use of used materials which meet the requirements of this code for new materials is permitted. Materials, equipment and devices shall not be reused unless such elements are in good repair or have been reconditioned and tested, when necessary, placed in good and proper working condition and *approved* by the *code official*.

**105.5 Approved materials and equipment.** Materials, equipment and devices *approved* by the *code official* shall be constructed and installed in accordance with such approval.

**105.6 Research reports.** Supporting data, where necessary to assist in the approval of materials or assemblies not specifically provided for in this code, shall consist of valid research reports from *approved* sources.

## SECTION 106 VIOLATIONS

**106.1 Unlawful acts.** It shall be unlawful for a person, firm or corporation to be in conflict with or in violation of any of the provisions of this code.

**106.2 Notice of violation.** The *code official* shall serve a notice of violation or order in accordance with Section 107.

**106.3 Penalty.** Any person, firm, or corporation who shall violate any provision of this code shall, upon conviction thereof, be subject to a fine of not less than \$100.00 nor more than \$1,000.00 or imprisonment for a term not to exceed 30 days, or both, at the discretion of the court, each day that a violation continues after due notice has been served, in accordance with the terms and provisions hereof, shall be deemed a separate offense. Such penalties for violation of any notice to cease violation or notice and order to correct shall begin to accrue on the first day such notice is served, and shall cease on the day the violation is stopped or abated.

**106.3.1 Failure to abate.** When a re-inspection is performed to determine abatement of a violation of this code and the inspection reveals that the abatement of the violation has not been completed; or the *owner* or *person-in-charge* is not present for a scheduled re-inspection, an additional inspection fee will be assessed for the re-inspection; and for every re-inspection thereafter. Failure to make the required

payment, appear for an inspection, or abate the violations when required are also subject to the penalty section described in Section 106.3.

**106.3.2 No Show fee.** A *No Show Fee* will be assessed when an *owner* or *person-in-charge* fails to provide interior access for a scheduled inspection. Inspections in which an *owner* or *person-in-charge* fails to provide interior access must be rescheduled within 24- hours of the date and time of the initial inspection to avoid assessment of a No-Show Fee. When assessed, this fee must be paid within 7 days. Unpaid fees will be added to the next renewal fee for the rental housing permit and if still unpaid shall constitute a basis for denial of renewal.

**106.3.3 Outstanding Fees.** A Rental or Fire Permit will not be renewed until all outstanding “re-inspection”, “no-show” and “annual renewal” fees have been paid and any required applications or forms have been received by the CKCOG.

**106.4 Failure to comply.** Any person who shall continue any work on the system after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable to a fine of not less than \$100.00 or more than \$1,000.00. Each day that a violation continues after due notice has been served, in accordance with the terms and provisions hereof, shall be deemed a separate offense.

**106.5 Abatement of violation.** The imposition of the penalties herein prescribed shall not preclude the legal officer of the Municipality from instituting appropriate action to restrain, correct or abate a violation, or to prevent illegal *occupancy* of a *building, structure* or *premises*, or to stop an illegal act, conduct, business or utilization of the *building, structure* or *premises*.

## SECTION 107 NOTICES AND ORDERS

**107.1 Notice to person responsible.** Whenever the *code official* determines that there has been a violation of this code or has grounds to believe that a violation has occurred, notice shall be given in the manner prescribed in Sections 107.2 and 107.3. Notices for an order of condemnation shall also comply with Section 108.7.

**107.2 Form.** Such notice prescribed in Section 107.1

shall be in accordance with all of the following:

1. Be in writing.
2. Include a description of the *premises* sufficient for identification.
3. Include a statement of the violation or violations and why the notice is being issued.
4. Include a correction order allowing a reasonable time to make the repairs and improvements required to bring the *dwelling unit* or *structure* into compliance with the provisions of this code.
5. Inform the *owner* of the right to appeal the notice of violation.
6. Inform the *owner* that failure to abate the violation(s) may result in a non-traffic Citation and the possible fines for same.

**107.3 Method of service.** Such notice shall be deemed to be properly served upon such *owner* if:

1. a copy thereof is delivered to the *owner* personally; or
2. sent by certified mail addressed to the *owner* at the last known address with return receipt requested; or
3. if the certified letter is returned with receipt showing that it has not been delivered; or
4. by posting a copy thereof in a conspicuous place in or about the *structure* or *premises* affected by such notice.

Service of such notice in the foregoing manner upon the *person-in-charge* for the *structure* or *premises* shall constitute service of notice upon the *owner*.

**107.4 Unauthorized tampering.** Signs, orders, stickers, *placards*, tags, or seals posted, affixed, or issued by the *code official* shall not be mutilated, destroyed or tampered with, or removed without authorization from the *code official*.

**107.4.1 Replacement fee.** If a sign, order, sticker, *placard*, tag, or seal posted, affixed, or issued by the *code official* is removed, damaged or lost, there will be a replacement fee to re-issue such sign, order, sticker, *placard*, tag, or seal.

**107.5 Penalties.** Penalties for noncompliance with orders and notices shall be as set forth in Section 106.

**107.6 Transfer of ownership.** It shall be unlawful for the *owner* of any *dwelling unit* or *structure* who has received a compliance order or upon whom a notice of violation has been served to sell, transfer, mortgage, lease or otherwise dispose of such *dwelling unit* or *structure* to another until the provisions of the compliance order or notice of violation have been complied with, or until such *owner* shall first furnish the grantee, transferee, mortgagee or lessee a true copy of any compliance order or notice of violation issued by the *code official* and shall furnish to the *code official* a signed and notarized statement from the grantee, transferee, mortgagee or lessee, acknowledging the receipt of such compliance order or notice of violation and fully accepting the responsibility without condition for making the corrections or repairs required by such compliance order or notice of violation.

## SECTION 108

### UNSAFE STRUCTURES AND EQUIPMENT

**108.1 General.** When a *structure* or equipment is found by the *code official* to be unsafe, or when a *structure* is found unfit for human *occupancy*, or is found unlawful, such *structure* shall be *placarded* as *Condemned* or *Uninhabitable* pursuant to the provisions of this code and the severity of the violation.

**108.2 Unsafe structures.** An unsafe *structure* is one that is found to be hazardous to the life, health, property or safety of the public or the *occupants* of the *structure* by not providing minimum safeguards to protect or warn *occupants* in the event of fire, or because such *structure* contains unsafe equipment or is so dangerous, damaged, decayed, dilapidated, structurally unsafe or of such faulty construction or unstable foundation, that partial or complete collapse is possible.

**108.2.1 Unsafe equipment.** Unsafe equipment includes any boiler, heating equipment, elevator, moving stairway, electrical wiring or device, flammable liquid containers or other equipment on the *premises* or within the *structure* which is in such disrepair or condition that such equipment is a hazard to life, health, property or safety of the public or *occupants* of the *premises* or *structure*.

**108.3 Structure unfit for human occupancy.** A *structure* is unfit for human *occupancy* whenever the *code official* finds that such *structure* is unsafe, unlawful or, because of the degree to which the *structure* is in disrepair or lacks

maintenance, is insanitary, vermin or rat infested, contains filth and contamination, or lacks *ventilation*, illumination, sanitary or heating facilities or other essential equipment required by this code, or because the location of the *structure* constitutes a hazard to the *occupants* of the *structure* or to the public.

**108.4 Unlawful structure.** An unlawful *structure* is one found in whole or in part to be occupied by more persons than permitted under this code, or was erected, altered or occupied contrary to law or ordinance, including this code.

**108.5 Hazardous structure or premises.** For the purpose of this code, any *structure* or *premises* that has any or all of the conditions or defects described below shall be considered hazardous:

1. Any door, aisle, passageway, stairway, exit or other means of egress that does not conform to the *approved building* or fire code of the Municipality as related to the requirements for existing *buildings*.
2. The walking surface of any aisle, passageway, stairway, exit or other means of egress is so warped, worn loose, torn or otherwise unsafe as to not provide safe and adequate means of egress. Any portion of a *building*, *structure* or appurtenance that has been damaged by fire, earthquake, wind, flood, *deterioration*, *neglect*, abandonment, vandalism or by any other cause to such an extent that it is likely to partially or completely collapse, or to become *detached* or dislodged.
3. Any portion of a *building*, or any member, appurtenance or ornamentation on the exterior thereof that is not of sufficient strength or stability, or is not so *anchored*, attached or fastened in place so as to be capable of resisting natural or artificial loads of one and one-half the original designed value.
4. The *building* or *structure*, or part of the *building* or *structure*, because of dilapidation, *deterioration*, decay, faulty construction, the removal or movement of some portion of the ground necessary for the support, or for any other reason, is likely to partially or completely collapse, or some portion of the foundation or underpinning of the *building* or *structure* is likely to fail or give way.
5. Any *building* or *structure*, or any portion thereof, that is dangerous.
6. The *building* or *structure* is *neglected*, damaged,

dilapidated, unsecured or abandoned so as to become an attractive nuisance to children who might play in the *building* or *structure* to their danger, becomes a harbor for vagrants, criminals or immoral persons, or enables persons to resort to the *building* or *structure* for committing a nuisance or an unlawful act.

7. Any *building* or *structure* has been constructed, exists or is maintained in violation of any specific requirement or prohibition applicable to such *building* or *structure* provided by the *approved building* or fire code of the Municipality, or of any law or ordinance to such an extent as to present either a substantial risk of fire, *building* collapse or any other threat to life and safety.
8. A *building* or *structure*, used or intended to be used for dwelling purposes, because of inadequate maintenance, dilapidation, decay, damage, faulty construction or arrangement, inadequate light, *ventilation*, mechanical or plumbing system, or otherwise, is determined by the *code official* to be unsanitary, unfit for human habitation or in such a condition that is likely to cause sickness or disease.
9. Any *building* or *structure*, because of a lack of sufficient or proper fire-resistance-rated construction, fire protection systems, electrical system, fuel connections, mechanical system, plumbing system or other cause, is determined by the *code official* to be a threat to life or health.
10. Any portion of a *building* remains on a site after the demolition or destruction of the *building* or *structure* or whenever any *building* or *structure* is abandoned so as to constitute such *building* or portion thereof as an attractive nuisance or hazard to the public.

**108.6 Closing of vacant structures.** If the *structure* is vacant and unfit for human habitation and *occupancy*, and is not in danger of structural collapse, the *code official* is authorized to post a *placard* stating *condemned* or *uninhabitable* on the *premises* and order the *structure* closed up so as not to be an attractive nuisance.

Upon failure of the *owner* to close up the *premises* within the time specified in the order, the *code official* shall cause the *premises* to be closed and secured through any available public agency or by contract or arrangement by private persons and the cost thereof shall be charged against the real estate upon which the *structure* is located and shall be a lien filed upon such real estate by the Municipality and may be collected by any other legal

resource.

**108.6.1 Authority to disconnect service utilities.** The *code official* shall have the authority to authorize disconnection of utility service to the *building, structure* or system regulated by this code and the referenced codes and standards set forth in Section 102.7 in case of emergency where necessary to eliminate an immediate hazard to life or property or when such utility connection has been made without approval. The *code official* shall notify the serving utility and, whenever possible, the *owner* and *occupant* of the *building, structure, or service system* of the decision to disconnect prior to taking such action. If not notified prior to disconnection the *owner or occupant* of the *building structure or service system* shall be notified in writing as soon as practical thereafter.

**108.7 Notice.** Whenever the *code official* has *condemned* a *structure* or equipment under the provisions of this section, a notice shall be posted in a conspicuous place in or about the *structure* affected by such notice and served on the *owner* or the person or persons responsible for the *structure* or equipment in accordance with Section 107.3. If the notice pertains to equipment, it shall also be placed on the *condemned* equipment. The notice shall be in the form prescribed in Section 107.2.

**108.8 Placarding.** The *code official* shall also post on the *premises* or on defective equipment a *placard* bearing the word “*Condemned*” or “*Uninhabitable*” and a statement of the penalties provided for occupying the *premises, operating the equipment or removing the placard.*

**108.8.1 Placard removal.** The *code official* shall remove the placard whenever the defect or defects upon which the condemnation and *placarding* action were based have been eliminated. Any person who defaces or removes a condemnation *placard* without the approval of the *code official* shall be subject to the penalties provided by this code in Section 107.4.1.

**108.9 Prohibited occupancy.** Any occupied *structure placarded* by the *code official* shall be vacated as ordered by the *code official*. Any person who shall occupy a *placarded premises* or shall operate *placarded* equipment, and any *owner* or any person responsible for the *premises* who shall let anyone occupy a *placarded premises* or operate *placarded* equipment shall be liable for the penalties provided by this code.

**108.10 Abatement methods.** The *owner, person-in-charge, or occupant* of a *building, premises* or equipment

deemed unsafe by the *code official* shall abate or cause to be abated or corrected such unsafe conditions either by repair, rehabilitation, demolition or other *approved* corrective action.

**108.11 Record.** The *code official* shall cause a report to be filed of an unsafe condition. The report shall state the *occupancy* of the *structure* and the nature of the unsafe condition.

## SECTION 109 EMERGENCY MEASURES

**109.1 Imminent danger.** When, in the opinion of the *code official*, there is *imminent danger* of failure or collapse of a *building or structure* which endangers life, or when any *structure* or part of a *structure* has fallen and life is endangered by the occupation of the *structure, or when there is actual or potential danger to the building occupants* or those in the proximity of any *structure* because of explosives, explosive fumes or vapors or the presence of toxic fumes, gases or materials, or operation of defective or dangerous equipment, the *code official* is hereby authorized and empowered to order and require the *occupants* to vacate the *premises* forthwith. The *code official* shall cause to be posted at each entrance to such *structure* a placard reading as follows: “This *Structure* Is Dangerous and Unsafe” and further stating that its *occupancy* has been prohibited by the *Code Official*. It shall be unlawful for any person to enter such *structure* except for the purpose of securing the *structure, making the required repairs, removing the hazardous condition or of demolishing the same.*

**109.2 Temporary safeguards.** Notwithstanding other provisions of this code, whenever, in the opinion of the *code official*, there is *imminent danger* due to an unsafe condition, the *code official* shall order the necessary work to be done, including the boarding up of openings, to render such *structure* temporarily safe whether or not the legal procedure herein described has been instituted; and shall cause such other action to be taken as the *code official* deems necessary to meet such emergency.

**109.3 Closing streets.** When necessary for public safety, the *code official* shall temporarily close *structures* and close, or order the authority having jurisdiction to close, sidewalks, streets, *public ways* and places adjacent to unsafe *structures, and prohibit the same from being utilized.*

**109.4 Emergency repairs.** For the purposes of this section, the *code official* shall employ the necessary labor and materials to perform the required work as expeditiously as possible.

**109.5 Costs of emergency repairs.** Costs incurred in the performance of emergency work shall be paid by the Municipality. The legal counsel of the Municipality shall institute appropriate action against the *owner* of the *premises* where the unsafe *structure* is or was located for the recovery of such costs.

**109.5 Hearing.** Any person ordered to take emergency measures shall comply with such order forthwith. Any affected person shall thereafter, upon petition directed to the Appeals Board be afforded a hearing in accordance with Section 111.

## SECTION 110 DEMOLITION

**110.1 General.** When the *code official* determines and structure so old, dilapidated or has become so out of repair and is dangerous, unsafe, insanitary and otherwise unfit for human habitation or occupancy, the *code official* can order either of the following:

1. If such *structure* is capable of being made safe by repairs, to repair and make safe and sanitary. Where there has been a cessation of normal construction of any *structure* for a period of more than two years, the *code official* shall order the *owner* to demolish and remove such *structure*.
2. The *code official* is permitted to order the owner or owner's authorized agent to demolish and remove any such structure.

**110.2 Notices and orders.** All notices and orders shall comply with Section 107.

**110.3 Failure to comply.** If the *owner* of a *premises* fails to comply with a demolition order within the time prescribed, the *code official* shall, *under the direction of the Municipality*, cause the *structure* to be demolished and removed, either through an available public agency or by contract or arrangement with private persons, and the cost of such demolition and removal shall be charged against the real estate upon which the *structure* is located and there shall be a lien filed upon such *premises* by the Municipality.

**110.4 Salvage materials.** When any *structure* has been ordered demolished and removed, the Municipality or other designee under said contract or arrangement aforesaid shall have the right to sell the salvage and valuable materials at the highest price obtainable. The net proceeds of such sale, after deducting the expenses of such demolition and removal, shall be promptly remitted with a report of such sale or transaction, including the items of expense and the amounts deducted, for the person who is entitled thereto, subject to any order of a court. If such a surplus does not remain to be turned over, the report shall so state.

## SECTION 111 MEANS OF APPEAL

**111.1 Request for appeal.** All appeals concerning this code shall be heard before the CKCOG Board of Appeals as established by Municipal Resolution.

### Exceptions:

3. Except for those Municipalities that have elected to retain an alternative Board of Appeals, in such cases, all appeals must be made in accordance with the alternate Board's requirements. The alternate Board's final determination must be forwarded to the CKCOG by the Board Secretary, via certified mail.
4. Appeals stemming from actions taken in accordance with Section 807 of this code shall be heard in accordance with procedures detailed in those Sections.

**111.1.2 CKCOG Board of Appeals.** The CKCOG Board of Appeals is established and operated pursuant to Appendix B of the 2018 International Building Code.

**111.2 Limitations of authority.** An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply, or an equivalent or better form of construction is proposed. The board shall not have authority to waive requirements of this code.

**111.3 Appeal application deadline.** The appellant wishing to appeal the decision of the *code official* shall do so within 20 calendar days upon receipt of the written notice of decision.

**111.4 Application for appeal.** The application for appeal shall be made available at the office of the CKCOG. The appeal application shall be completed including all required information and any relevant materials for the appeal including the written notice of decision of the *Code official* and all applicable fees.

**111.5 Fees.** The fees for appeals under this code shall be established by the Executive Committee of the Board of Directors of the CKCOG.

**111.6 Hearing date.** The CKCOG Board of Appeals shall schedule a hearing of the board, to be held within 60 calendar days of the applicant's request unless a written request for continuance shall be submitted to the Director of the CKCOG, detailing why the hearing should not be held as scheduled, and when the applicant would be able to attend. Such a request shall be ruled on by the Board Chairman and if granted rescheduled in accordance with the board rules, wherein both parties agree in writing to an extension in time.

**111.7 Notice of hearing.** The designee of the CKCOG Board of Appeals shall send in writing, no later than 10 business days prior to the hearing date and by first class mail, the Notice of Hearing; the appeals form; and the written decision or action of the *Code official* that is being appealed to all board members, the Municipality and all Parties of interest.

**111.7 Promulgation of decision.** Final Appeals Board approval of the decision shall be made within 15 business days after the close of evidence, and shall be forwarded by certified mail to all Board members, the municipality and all parties of interest by the Board of Appeals.

## SECTION 112 STOP WORK ORDER

**112.1 Authority.** Whenever the *code official* finds any work regulated by this code being performed in a manner contrary to the provisions of this code or in a dangerous or unsafe manner, the *code official* is authorized to issue a stop work order.

**112.2 Issuance.** A stop work order shall be in writing and shall be given to the *owner* of the *premises*, to the *person-in-charge*, or to the person doing the work. Upon issuance of a stop work order, the cited work shall immediately cease. The stop work order shall state the reason for the order and the conditions under which the cited work is

authorized to resume.

**112.3 Emergencies.** Where an emergency exists, the *code official* shall not be required to give a written notice prior to stopping the work.

**112.4 Failure to comply.** Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable to a fine of not less than \$100 dollars or more than \$1000 dollars.

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# CHAPTER 2

## DEFINITIONS

### SECTION 201 GENERAL

**201.1 Scope.** Unless otherwise expressly stated, the following terms shall, for the purposes of this code, have the meanings shown in the chapter.

**201.2 Interchangeability.** Words stated in the present tense include the future; words stated in the masculine gender shall include the feminine and the neuter; the singular number includes the plural and the plural, the singular.

**201.3 Terms defined in other codes.** Where terms are not defined in this code and are defined in the *Uniform Construction Code of Pennsylvania, International Building Code, International Residential Code, International Plumbing Code, International Fuel Gas Code, International Mechanical Code, International Fire Code, International Zoning Code, International Existing Building Code, and National Electrical Code or NFPA 70*, such words shall have the meanings ascribed to them as stated in those codes.

**201.4 Terms not defined.** Where terms are not defined through the methods authorized by this section, such terms shall have ordinarily accepted meanings such as the context implies.

**201.5 Parts.** Whenever the words “*dwelling unit*,” “*dwelling*,” “*premises*,” “*building*,” “*rooming house*,” “*rooming unit*,” “*housekeeping unit*” or “*story*” are stated in this code, they shall be construed as though they were followed by the words “or any part thereof”.

### SECTION 202 GENERAL DEFINITIONS

#### **ACCESSIBLE ELEMENT**

An architectural or mechanical component of a *building*, facility, space, or site thereof that was required by, and complies with, the Accessibility Standard that was in place at the time of the construction of the *building*, facility, space, or site.

#### **ANCHORED, ANCHORAGE**

Secured in a manner that provides positive connection.

#### **ANNULAR SPACE**

The opening around a penetrating item, such as a pipe or duct.

#### **APPROVED**

Approved by the *code official*.

#### **APPROVED AGENCY**

An established and recognized organization that is regularly engaged in conducting tests, furnishing inspection services or furnishing product evaluation or certification where such organization has been approved by the code official.

#### **ATTACHED (Building)**

A building which is joined to another building on one or more sides by a common wall or roof; or an element of the building's construction (such as a wall, ceiling, or floor) is shared with another *building* or portion of a *building*.

#### **BASEMENT**

That portion of a *building* which is partly or completely below grade and does not qualify as a *story above grade*.

#### **BATHROOM**

A room containing plumbing fixtures including a bathtub or shower.

#### **BED & BREAKFAST (B&B)**

For the purposes of this code, the definition of Bed & Breakfast shall be identical to the definition of Bed & Breakfast in the municipal zoning ordinance of the municipality adopting this code.

Where not defined by municipal zoning ordinance, Bed & Breakfast (B & B) shall be defined as an *owner*-occupied *building* designed, used and occupied as a single-family residence, but having, as an accessory use therein, public lodging rooms and facilities for and serving breakfast prepared within the *building* to preregistered transient guests. (See PA Code Title 7, Ch. 46 and Consolidated Statutes Title 3, Ch. 57)

**BEDROOM**

Any room or space used or intended to be used for sleeping purposes in either a dwelling or sleeping unit.

**BUILDING**

Any structure utilized or intended for supporting or sheltering any occupancy.

**CARTWAY**

A pathway, paved or not paved, intended for, but not limited to vehicular traffic, also known as a street, lane, alley, road, or drive.

**CITATION**

A legal writ giving notice to a person to appear in court for a violation of this code.

**CODE OFFICIAL**

The official who is charged with the administration and enforcement of this code, or any duly authorized representative, this term also includes the *fire code official*.

**CONDEMN/CONDEMNED**

The *Code official* has adjudged the *structure* or *premises* to be unfit for *occupancy* due to unsafe conditions and an imminent hazard to the health, safety or welfare of the occupants exists. The *Code official* is empowered to order the *structure* be vacated immediately.

**CONGREGATE LIVING FACILITIES**

A *building* or part thereof that contains sleeping units where residents share bathroom or kitchen facilities, or both (defined as an R-2 Use by the IBC, this definition includes fraternities/sororities, dormitories, and rooming houses).

**COST OF SUCH DEMOLITION OR EMERGENCY REPAIRS**

The costs shall include the actual costs of the demolition or repair of the *structure*, less revenues obtained if salvage was conducted prior to demolition or repair. Costs shall include, but not be limited to, expenses incurred or necessitated related to demolition or emergency repairs, such as asbestos survey and abatement if necessary; costs of inspectors, testing agencies or experts retained relative to the demolition or emergency repairs; costs of testing; surveys for other materials that are controlled or regulated from being dumped in a landfill; title searches; mailings; postings; recording; and attorney fees expended for recovering of the cost of emergency repairs or to obtain or enforce an order of demolition made by a *code official* or board of appeals.

**COURT**

An open, uncovered space unobstructed to the sky, and bounded on three (3) or more sides by exterior *building* walls or other enclosing devices.

**DANGEROUS**

Any building, structure or portion thereof that meets any of the conditions described below shall be deemed dangerous:

1. The building or structure has collapsed, has partially collapsed, has moved off its foundation or lacks the necessary support of the ground.
2. There exists a significant risk of collapse, detachment or dislodgment of any portion, member, appurtenance or ornamentation of the building or structure under permanent, routine or frequent loads, or under snow, wind, rain, flood, earthquake or other environmental loads when such loads are imminent.

**DETACHED**

When a structural element is physically disconnected from another and that connection is necessary to provide a positive connection.

**DETERIORATION**

To weaken, disintegrate, corrode, rust, or decay and lose effectiveness.

**DRAFTSTOP/DRAFTSTOPPING**

A material, device or construction installed to restrict the movement of air within open spaces of concealed areas of *building* components such as crawl spaces, floor/ceiling assemblies, roof/ceiling assemblies and *attics*.

**DWELLING UNIT(S)**

A single unit providing complete, independent living facilities for one (1) or more persons, including permanent provisions for living, sleeping, eating, cooking, and sanitation.

**EASEMENT**

That portion of land or property reserved for present or future use by a *person* or agency other than the legal fee owner or *person-in-charge* of the property. The *easement* shall be permitted to be for use under, on, or above a said lot or lots.

**ELEVATED PARKING STRUCTURE**

Any *structure* or portion of *structure* designed for the purpose of parking or storage of motor vehicles that is not directly supported throughout by soil.

### **EMERGENCY ESCAPE AND RESCUE OPENING**

An operable exterior window, door or other similar device that provides for a means of escape and access for rescue in the event of an emergency.

### **EQUIPMENT SUPPORT**

Those structural members or assemblies of members or manufactured elements, including braces, frames, lugs, snuggers, hangers, or saddles, that transmit gravity load, lateral load, and operating load between the equipment and the *structure*.

### **EXTERIOR**

The outside of a *structure*, including all horizontal and vertical surfaces.

### **EXTERIOR PROPERTY**

The open space on the *premises* and on adjoining property under the control of *owner* or *person-in-charge* of such *premises*.

### **FAMILY**

Person(s) related to the property owner by blood, adoption, marriage or other civil union.

### **FARM LABOR CAMP HOUSING**

A Seasonal Farm Labor Camp as defined by the Pennsylvania Code, Title 7, Chapter 82, Seasonal Farm Labor Camps, is living quarters, including housing accommodations, motels, rooming houses, dormitories, and mobile homes maintained directly or indirectly in connection with any work of or place where work is being performed by seasonal farm workers, whether or not rent is paid or reserved for use or occupancy.

### **FIRE BARRIER**

A fire-resistance-rated wall assembly of materials designed to restrict the spread of fire in which continuity is maintained.

### **FIREBLOCKING**

*Building* materials or materials for use as fireblocking, installed to resist the free passage of flame to other areas of the *building* through concealed spaces.

### **FIRE CODE OFFICIAL.**

The *code official* who is charged with the administration and enforcement of Chapter 7 of this code, or any duly authorized representative. Where the term *code official* is used, it shall be understood to include the *fire code official*.

### **FIRE ESCAPE**

A stairway located on the exterior of the *structure* that is

constructed for the sole purpose of providing a path of egress travel for *building* occupants in the event of emergency and does not meet the dimensional requirements of an exterior stairway.

### **FIRE PARTITION**

A vertical assembly of materials designed to restrict the spread of fire in which openings are protected.

### **FIRE WALL**

A fire-resistance-rated wall having protected openings, which restricts the spread of fire and extends continuously from the foundation to or through the roof, with sufficient structural stability under fire conditions to allow collapse of construction on either side without collapse of the wall.

### **FRATERNITY/SORORITY HOUSE**

For the purposes of this code, the definition of *fraternity* / *sorority house* shall be identical to the definition of *fraternity* or *sorority house* in the municipal zoning ordinance of the *municipality* adopting this code. If the municipal zoning ordinance does not contain a definition for a *fraternity* or *sorority house* then the *fraternity* or *sorority house* shall be defined for this code as; any *building* used as a dwelling and occupied by and maintained exclusively or primarily for college, university, or professional school students who are affiliated with a social, honorary, or professional organization recognized currently or in the past by a college, university, or professional school. Defined as an R-2 Use by the IBC, this definition includes dormitories and rooming houses).

### **GARBAGE**

The animal or vegetable waste resulting from the handling, preparations, cooking and consumption of food.

### **GRADE FLOOR OPENING**

A window or other opening located such that the sill height of the opening is not more than 44 inches above or below the finished ground level adjacent to the opening.

### **GLAZING**

A transparent material (such as glass) used for windows, including all the materials used to keep the transparent material secured within the frame or pane.

### **GUARD(S)**

A *building* component or a system of *building* components located at or near the open sides of elevated *walking surfaces* that minimizes the possibility of a fall from the *walking surface* to a lower level.

**HABITABLE SPACE(S)**

Space in a *structure* for living, sleeping, eating, or cooking. *Bathrooms, toilet rooms, closets, halls, storage, utility spaces, and similar areas are not considered habitable spaces.*

**HANDRAIL**

A horizontal or sloping rail intended for grasping by the hand for guidance or support.

**HEATING SYSTEM.**

A mechanical or electrical system that provides heat to a *structure* including mechanical equipment, appliances, ducts, filters, radiators, furnaces, pumps, piping, and fuel storage.

**HISTORIC BUILDING**

Any *building* or *structure* that is one (1) or more of the following:

1. Listed or certified as eligible for listing, by the State Historic Preservation Officer or the Keeper of the National Register of Historic Places, in the National Register of Historic Places.
2. Designated as historic under an applicable state or local law.
3. Certified as a contributing resource within a National Register or state or locally designated historic district.

**HOOD SYSTEM**

An air intake system used to capture by entrapment, impingement, adhesion, or similar means, grease, moisture, heat, and similar contaminants to transfer them out of the space. The system includes cooking equipment, filters, hoods, ducts, fans, fire extinguishing systems, and special effluent or energy control systems.

**HOUSEKEEPING UNIT**

A room or group of rooms forming a single *habitable space* equipped and intended to be used for living, sleeping, cooking, and eating which does not contain, within such a unit, a toilet, lavatory, or bathtub or shower.

**IMMINENT DANGER**

A condition which could cause serious or life-threatening injury or death at any time.

**INFESTATION**

The presence, within or contiguous to, a *structure* or *premises* of *insects, rodents, vermin, or other pests.*

**INOPERABLE MOTOR VEHICLE**

A vehicle which cannot be driven upon the public streets

for reasons including but not limited to, being unlicensed, unregistered, uninspected, wrecked, abandoned, in a state of disrepair, or incapable of being moved under its own power.

**INOPERATIVE/INOPERABLE**

Not capable of being used for the intended purpose due to defect, disrepair or legal status.

**INSECT**

Any of a group of small and often winged animals that are arthropods having six jointed legs and a body formed of a head, thorax, and abdomen; or any animal commonly called an insect or bug.

**INTERIOR**

The inside of a *structure* or enclosed area, including all surfaces within this area.

**INTERNATIONAL BUILDING CODE (IBC)**

The currently adopted edition of the International Building Code.

**INTERNATIONAL RESIDENTIAL CODE (IRC)**

The currently adopted edition of the International Residential Code.

**INVASIVE**

Non-native species that grow aggressively and displace native vegetation. The Pennsylvania Department of Conservation and Natural Resources (PA DCNR) maintains and publishes a list of invasive species for the state.

**JUNK**

*Junk* shall mean any used and discarded or abandoned materials or articles including, but not limited to, boats, trailers, machinery, equipment, appliances, house furnishings, structures, recreational equipment, building materials and debris, vehicle parts, rimless tires, the scrap and parts thereon and any other article or material which has been discarded and is not generally useable for the purpose for which it was manufactured. It shall also mean materials or articles including, but not limited to grills, building materials, toys, household goods, lawn mowers and similar equipment, machinery, appliances, house furnishings, structures, vehicle parts, and any other article or material which has been stored outside, and has remained unused for a period of more than 180 days.

**LABELED**

Equipment, materials, or products to which have been affixed a label, seal, symbol, or other identifying mark of a

nationally recognized testing laboratory, inspection agency, or other organization concerned with product evaluation that maintains periodic inspection of the production of the above labeled items and whose labeling indicates either that the equipment, material, or product meets identified standards or has been tested and found suitable for a specified purpose.

**LET FOR OCCUPANCY OR LET**

To permit, provide, or offer possession or *occupancy* of a dwelling, *dwelling unit, rooming unit, building, premise or structure* by a *person* who is or is not the legal *owner* or *person-in-charge* of record thereof, pursuant to a written or unwritten lease, agreement or license, or pursuant to a recorded or unrecorded agreement of contract for the sale of land.

**LIFE SAFETY VIOLATION**

A condition that could cause serious or life-threatening injury or death at any time due to *structures* or existing equipment that are or hereafter become unsafe or deficient because of inadequate *means of egress*, which cause a fire hazard, are otherwise dangerous to human life or the public welfare, or which involve illegal or over *occupancy* or failure to maintain fire protection systems. These *violations* are defined in written regulation by the *Code Official*.

**MAINTAINED**

To keep in an existing state (as of repair, efficiency, or validity) and preserve from failure or decline.

**MAJOR COMPONENT PARTS (Vehicles)**

Includes any of the following parts of a vehicle: engine, transmission, front-end assemblies or unibodies structure which may consist of headlight, grille, fenders, bumpers and hood; fenders; hood; any door; any bumper; pickup box or cargo box; airbags; computer assembly; radio or stereo components; or trunk lid, deck lid, tailgate or hatchback, whichever is present.

**MEANS OF EGRESS**

A continuous and unobstructed path of vertical and horizontal egress travel from any occupied portion of a *building or structure* to a public way. A means of egress consists of three (3) separate and distinct parts; the exit access, the exit, and the exit discharge.

**MUNICIPALITY**

The township or borough having powers of self-government that has adopted this code by ordinance or resolution.

**NEGLECT**

The lack of proper maintenance for a *building or structure*.

**NON-COMPLIANT**

That which does not meet the requirements of this code, nor the intent of this code.

**NON-RESIDENTIAL**

Structures or portions of structures not meant to be used as a dwelling unit.

**NO-SHOW FEE**

A fee charged for the failure of the *owner* or *person-in-charge* to be present for an inspection within ten (10) minutes after the start time of the scheduled inspection.

**NOXIOUS**

Noxious weeds are identified as a plant that is determined to be injurious to public health, crops, livestock, agricultural land or other property and cannot be sold, transported, planted, or otherwise propagated in Pennsylvania.

**OCCUPANCY**

The purpose for which a *building* or portion thereof is utilized or occupied.

**OCCUPANT(S)**

Any individual or individuals living or sleeping in a *building*, or having possession of a space within a *building*.

**OCCUPANT LOAD**

The number of persons for which the *means of egress* of a *building* or portion thereof is designed.

**ONE OR TWO-FAMILY DWELLING**

For the purposes of this code, a *detached* dwelling for one or two families and multiple single-family dwellings (*townhouses*)-and not more than three (3) stories in height with a separate *means of egress*.

**OPEN BURNING**

For the purposes of this code, the definition of *open burning* shall be identical to the definition of *open burning* in the municipal Zoning or other ordinance of the municipality adopting this code. Where not defined by municipal Ordinance, *open burning* shall be defined as burning of materials wherein products of combustion are emitted directly into the ambient air without passing through a stack or chimney from an enclosed chamber. Open burning does not include road flares, smudgepots, or similar devices associated with safety or occupational

uses typically considered open flames, *recreational fires*, or use of portable outdoor fireplaces. For the purpose of this definition, a chamber shall be regarded as enclosed when, during the time combustion occurs, only apertures, ducts, stacks, flues, or chimneys necessary to provide combustion air and permit the escape of exhaust gas are open.

**OPENABLE AREA**

That part of a window, skylight, or door which is available for unobstructed *ventilation*, and which opens directly to the outdoors.

**OWNER**

Any *person*, firm, or corporation having a legal or equitable interest in the *premises*; or recorded in the official records of the state, county, or municipality as holding title to the *premises*; or otherwise having control of the *premises*, including the guardian of the estate of any such person, and the executor or administrator of the estate of such person if ordered to take possession of real property by a court, or in the absence of such people, the *person-in-charge*, or the *owner* or *person-in-charge's* employee or representative.

**OWNER (Vehicles)**

A person, other than a lienholder, having the property right in or title to a vehicle. The term includes a person entitled to the use and possession of a vehicle subject to a security interest in another person, but excludes a lessee under a lease not intended as security.

**PEER REVIEW**

An independent and objective technical review conducted by an approved third party.

**PERSON/PERSONS**

An individual, corporation, partnership, or any other group acting as a unit.

**PERSON-IN-CHARGE**

The *Person-in-charge* may be the *Owner*, a rental agent, a manager, or a designated person within a firm or corporation; this person is designated as the first point of contact for notifications or correspondence and is authorized to make decisions regarding the property and its occupants and ensure compliance with local codes and ordinances.

**PEST CONTROL OPERATOR**

An individual or company that is licensed by the Pennsylvania Department of Agriculture to apply pesticides and holds a valid certificate for the pesticide

types being utilized (See PA Code Title 7, Chapter 128).

**PEST ELIMINATION**

The control and elimination of *insects*, *rodents*, or other *pests* by eliminating their harborage places; by removing or making inaccessible materials that serve as their food or water; or by other *approved pest elimination* methods.

**PEST**

An *insect*, *rodent*, nematode, fungus, *weed*, or any other form of terrestrial, aquatic plant, animal life, virus, bacteria, or other microorganism (except viruses, bacteria, or other microorganisms on or in a living *person* or other living animals) which the Administrator of the Environmental Protection Agency declares to be a *pest* under Section 25(c)(1) of the Federal Fungicide and Rodenticide Act of 1947 (7 U.S.C.A. § 136(1)).

**PLACARD/PLACARDED**

The posting or placement of an official notification on or at the *structure* or *premises*.

**PREMISES**

A lot, plot, parcel of land, *easement*, or *public way*, including any *structures* thereon. Premises and exterior property shall include all areas between a sidewalk, fence, wall or other man-made barrier and the edge of an improved roadway, drainage channel or centerline of any adjacent alley.

**PROPERTY MAINTENANCE VIOLATION**

Any conflict or *violation* of this code, other than a *life safety violation* as determined by the *code official*.

**PUBLIC NUISANCE**

A *public nuisance* is one that has the potential to affect the health, safety, welfare, and/or comfort of the general public.

**PUBLIC WAY**

Any street, alley, or similar parcel of land essentially unobstructed from the ground to the sky, which is deeded, dedicated, or otherwise permanently appropriated to the public for public use.

**R-1, R-2, R-3, R-4 Use Groups (See USE GROUP R-1, R-2, R-3, R-4)**

**RECREATIONAL FIRE**

An outdoor fire burning materials other than rubbish where the fuel being burned is not contained in an incinerator, outdoor fireplace, portable outdoor fireplace, barbeque grill or barbeque pit and has a total fuel area of

three (3) feet or less in diameter and two (2) feet or less in height, intended for pleasure, religious, ceremonial, cooking, warmth or similar purposes.

**RENT TO OWN / LEASE PURCHASE / OWNER FINANCING**

The terms Rent to Own, Lease Purchase, and *Owner Financing* will be interchangeable for the purpose of this Ordinance. The *Owner* on the Deed of Record shall be required to comply with all regulations of this ordinance, regardless of any private agreement to transfer the property at a later date.

**RESIDENT**

Anyone who resides in a *dwelling unit* for any six (6) days or more in any ten (10) day period.

**RESIDENTIAL RENTAL PROPERTY**

Any *building*, or portion thereof, which is *let for occupancy* or rent as a residential dwelling, with or without compensation for a continuous period of more than 30 days. This definition shall include *Farm Labor Camp Housing*. This definition shall not include hotels, motels, *tourist homes*, *vacation homes*, *Short-Term Rentals*, or *bed-and-breakfast* establishments intended primarily for *transient* use of 1-29 days.

**RODENT**

Belonging or pertaining to the gnawing or nibbling mammals of the order Rodentia, including rats, mice, squirrels, beavers, etc.

**ROOF**

A *roof* is defined as the exterior surface on the top of a *building* that is not means for walking or seating and does not have fall protection features such as *guardrails*.

**ROOMING HOUSE**

A *building* arranged or occupied for lodging, with or without meals, for compensation and not occupied as a one or two-family dwelling.

**ROOMING UNIT**

Any room or group of rooms forming a single habitable unit occupied or intended to be occupied for sleeping or living, but not for cooking purposes.

**RUBBISH**

Combustible and non-combustible 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, glass, crockery and dust and other

similar materials.

**SAFE**

In full compliance with the life and fire safety requirements of this code as determined by the code official.

**SAFETY COVER** A structure, fabric or assembly, along with attendant appurtenances and anchoring mechanisms, that is temporarily placed or installed over an entire pool, spa or hot tub and secured in place after all bathers are absent from the water.

**SANITARY**

A surface that is free of visible soil and free from elements such as filth or bacteria that endanger health. Also, the reduction of pathogenic organisms on a clean surface to a safe level.

**SATISFACTORY RENTAL HOUSING INSPECTION**

Defined as two (2) or fewer life safety violations or five (5) or fewer property maintenance violations per permit as determined by the code official.

**SHORT-TERM RENTAL**

For the purposes of this code, the definition of Short-Term Rental shall be identical to the definition of Short-Term Rental in the municipal zoning ordinance of the municipality adopting this code. Where not defined by municipal zoning ordinance, *Short-Term Rental* shall be defined as a dwelling wherein a furnished room, multiple rooms or an entire property is *let for occupancy* for a period ranging from 1 - 29 days.

**SIDEWALK**

That portion of a street between curb lines, or the lateral lines of a roadway, and the adjacent property lines, intended for use by pedestrians whether paved or unpaved. (See also *WALKING SURFACE*)

**SLEEPING UNIT**

A room or space in which people sleep, which can also include permanent provisions for living, eating, and either sanitation or kitchen facilities, but not both. Such rooms and spaces that are also part of a *dwelling unit* are not *sleeping units*.

**SMOKE BARRIER**

A continuous membrane, either vertical or horizontal, such as a wall, floor or ceiling assembly, that is designed and constructed to restrict the movement of smoke.

**STAIR**

A change in elevation, consisting of one (1) or more risers.

**STAIRWAY, EXTERIOR**

A stairway that is open on at least one (1) side, except for required structural columns, beams, handrails, or guards. The adjoining open areas shall be either yards, courts, or public ways. The other sides of the exterior stairway need not be open.

**STAIRWAY, INTERIOR**

A stairway that does not meet the definition of an exterior stairway.

**STAIRWAY**

One (1) or more flights of stairs, either exterior or interior, with the necessary landings and platforms connecting them, to form a continuous and uninterrupted passage from one level to another.

**STORY**

That portion of a *building* included between the upper surface of a floor and the upper surface of the floor or *roof* next above.

**STORY ABOVE GRADE**

Any *story* having its finished floor surface entirely above grade, except that a *basement* shall be considered a *story above grade* where the finished surface of the floor above the *basement* is:

1. More than six (6) feet above grade plane.
2. More than six (6) feet above the finished ground level for more than 50% of the total *building* perimeter.
3. More than 12 feet above the finished ground at any point.

**STRICT LIABILITY OFFENSE**

An offense in which the prosecution in a legal proceeding is not required to prove criminal intent as a part of its case. It is enough to prove that the defendant either did an act which was prohibited, or failed to do an act which the defendant was legally required to do.

**STRUCTURE**

That which is built or constructed or a portion thereof.

**TENANT**

A *person*, corporation, partnership, or group, whether or not the legal *owner* or *person-in-charge* of record, occupying a *building* or portion thereof as a unit.

**TOILET ROOMS**

A room containing a water closet or urinal but not a

bathtub or shower.

**TOURIST HOME**

For the purposes of this code, the definition of *tourist home* shall be identical to the definition of *tourist home* in the municipal zoning ordinance of the *municipality* adopting this code Where not defined by municipal zoning ordinance, *Tourist Home* shall be defined as a dwelling which is the principal residence of the *owner*, caters to the needs of the travelling public by the furnishing of sleeping accommodation, and may include the provision of meals.

**TOWNHOUSE**

A single-family *dwelling unit* constructed in a group of three (3) or more attached units in which each unit extends from the foundation to *roof* and with open space on at least two (2) sides.

**TRANSIENT**

*Occupancy* of a dwelling unit or sleeping unit for not more than 29 days (1 - 29 days).

**TREE**

A plant having a permanently woody main stem or trunk, ordinarily growing to a considerable height, and usually developing branches at some distance from the ground; or any of the various shrubs, bushes, and plants resembling a *tree* in form and size.

**TREE, DANGEROUS**

A tree where the condition presents a foreseeable danger of inflicting damage that cannot be alleviated by treatment or pruning. A tree may be dangerous because it is likely to injure people or damage vehicles, *structures*, or development, such as sidewalks or utilities.

**TREE, DEAD**

A tree that is dead or has been damaged beyond repair or where not enough live tissue, green leaves, limbs, roots, or branches exist to sustain life as determined by an arborist.

**TREE, DECAY**

Degradation of tissue caused by biological organisms; the orderly breakdown of tissue resulting in strength-loss.

**TREE, DISEASED**

Any tree infected with a disease-causing organism or insect capable of infecting other trees if not removed or left untreated.

**TREE, DYING**

A tree in an advanced state of decline because it is diseased, infested by insects or rotting and cannot be



saved by reasonable treatment or pruning, or must be removed to prevent spread of the infestation or disease to other trees, or is imminently likely to become a danger or die.

**TREE, STRUCTURALLY UNSOUND**

Any tree with a significantly degraded root system, bole, or canopy that significantly increases the likelihood of failure of the entire tree or parts of the tree.

**ULTIMATE DEFORMATION**

The deformation at which failure occurs and which shall be deemed to occur if the sustainable load reduces to 80% or less of the maximum strength.

**UNINHABITABLE**

The Code Officer has adjudged the *structure* or *premises* to be unfit for *occupancy* due to unlawful conditions or that an imminent hazard to the health, safety or welfare of the occupants exists. The *Code official* is empowered to order any *structure* such *placarded* be vacated immediately or within a time period set by the Code Official.

**USE GROUP R-1**

This use group shall include all hotels, motels, and boarding houses for more than five (5) *occupants* who are primarily *transient* in nature and occupying the facilities for a period of less than 30 days.

**USE GROUP R-2**

This use group shall include all multiple-family dwellings having more than two (2) *dwelling units*, *rooming houses* having more than five (5) *rooming units*, and *fraternities/sororities* and *dormitories or congregate* living facilities in which the *occupants* are primarily not *transient* in nature and meant for 16 or more occupants.

**USE GROUP R-3**

This group shall include all *buildings* arranged for *occupancy* as one or two-family *dwelling units* including not more than five (5) lodgers or boarders, or adult and child care facilities that provide accommodations for five (5) or fewer *persons* of any age for less than 24 hours, or *Congregate* living facilities (non-transient) with 16 or fewer occupants.

**USE GROUP R-4**

This use group shall include all residential *buildings* arranged for *occupancy* as Residential Care/Assisted Living Facilities including more than five (5) but not more than 16 *occupants*, excluding staff.

**TRANSIENT RENTAL or SHORT-TERM RENTAL (VACATION HOME)**

For the purposes of this code, the definition of *transient rental* shall be identical to the definition of *transient rental* in the municipal zoning ordinance of the *municipality* adopting this code. Where not defined by municipal zoning ordinance, *transient rental* shall be defined as a dwelling not occupied by the *Owner* on a regular or permanent basis, wherein a furnished room, multiple rooms or an entire property is *let for occupancy* for a period ranging from 1 - 29 days.

**VEHICLE**

Every device in, upon or by which any person or property is or may be transported or drawn upon a highway, except devices used exclusively upon rails or tracks. This term includes but is not limited to the following as defined by *PA Title 75, Chapter 1, Vehicles*: Passenger Vehicles, Utility Trailers, House Trailers, Motor Homes, Recreational Trailers, Recreational Cargo Trailers, Truck Campers, Boats and Watercraft Trailers, and Watercraft powered and non-powered.

**VENTILATION**

The natural or mechanical process of supplying conditioned or unconditioned air to, or removing such air from, any space.

**VIOLATION**

A failure to follow or abide by the requirements as set forth by this code.

**WALKING SURFACE**

A stable, solid surface including but not limited to stone, concrete, brick, compacted stone, compacted earth, or in some cases grass or other non-solid surfaces, intended for the movement of foot traffic.

**WEED(S)**

An uncultivated, invasive, or noxious plant, growing where it is not wanted and in competition with cultivated plants, or any plant adjudged by the municipality or the *code official* to be a nuisance in its existing form or location.

**WORKMANLIKE**

Executed in a skilled manner; e.g., generally plumb, level, square, in line, undamaged, and without marring adjacent work.

**YARD**

An open space on the same lot with a *structure*.

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# CHAPTER 3

## GENERAL REQUIREMENTS

### SECTION 301 GENERAL

**301.1 Scope.** The provisions of this chapter shall govern the minimum conditions and the responsibilities of *persons* for maintenance of *structures*, equipment, and *exterior property*.

**301.2 Responsibility.** The *owner* or *person-in-charge* of the *premises* shall maintain the *structures* and *exterior property* in compliance with these requirements and the code under which the building was constructed, except as otherwise provided for in this code. The *owner* or *owner's agent* shall be responsible to ensure that any repairs, additions or alterations to the building or portion thereof are performed or constructed in accordance with the *International Building Code*, *International Residential Code*, or *International Existing Building Code*. A *person* shall not occupy as *owner-occupant* or permit another *person* to occupy *premises* which are not in a safe and sanitary condition, and which do not comply with the requirements of this chapter. *Occupants* of a *dwelling unit*, *rooming unit*, or *housekeeping unit* are responsible for keeping in a *safe* and *sanitary* condition that part of the *dwelling unit*, *rooming unit*, *housekeeping unit*, or *premises* which they occupy and control.

**301.3 Vacant structures and land.** All vacant *structures* and *premises* thereof or vacant land shall be maintained in a *secure*, *safe* and *sanitary* condition as provided herein so as not to cause a blighting problem or adversely affect the public health or safety.

### SECTION 302 EXTERIOR PROPERTY AREAS

**302.1 Sanitation.** All *exterior property* and *premises* shall be maintained in a *safe* and *sanitary* condition. The *occupant* shall keep that part of the *exterior property*, which such *occupant* occupies or controls, in a *safe* and *sanitary* condition.

**302.2 Grading and drainage.** All *premises* shall be graded and maintained to prevent the erosion of soil and to prevent the accumulation of stagnant water thereon, or

within any *structure* located thereon.

**Exception:** *Approved* retention areas and reservoirs.

**302.3 Sidewalks and driveways.** All sidewalks, driveways, parking spaces, and *stairways* for public use on private property shall be kept in a proper state of repair and maintained free of all snow, ice, mud, and debris. If any sidewalks or driveway, or portion thereof, by virtue of its state of repair shall constitute a hazard to public health and safety, the sidewalk or driveway or portion thereof shall be replaced in accordance with municipal regulations.

**302.4 Weeds.** *Premises* shall be maintained free from weeds or plant growth in excess of 10" (ten inches). Weeds shall be defined as all uncultivated grasses, annual plants and vegetation, including *noxious*, *invasive* or uncultivated trees and shrubs, other than those provided for in other Municipal Ordinances; however, this term shall not include cultivated flowers and gardens. *Noxious* weeds as defined by the Commonwealth of PA in Act 46 of 2017 shall be prohibited.

Upon failure of the *owner* or *person-in-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 Section 106.3 and as prescribed by the Municipality. Upon failure to comply with the notice of violation, any duly authorized employee of the Municipality or contractor hired by the Municipality shall be authorized to enter upon the *premises* in violation and cut and destroy the weeds growing thereon, and the costs of such removal shall be paid by the *owner* or *person-in-charge* responsible for the *premises*.

**302.5 Fire escapes and exterior stairways.** All *fire escapes*, *exterior stairways*, and all *walking surfaces* leading from these *structures* to a *public way* shall be kept in a proper state of repair and maintained free of all snow, ice, mud, and debris. Removal of snow and ice shall be completed within 24 hours after the snow has ceased to fall or the ice has developed.

**302.6 Rodent harborage.** All *structures* and *exterior property* shall be kept free from *rodent* harborage and *infestation*. Where *rodents* are found, they shall be

promptly exterminated by an *approved process* which will not be injurious to human health. After extermination, proper precautions shall be taken to eliminate *rodent* harborage and prevent re-infestation.

**302.6.1 Rodent elimination.** When ordered by the *code official*, rodent control measures shall be done by a *Pest Control Operator*, with a current certification issued by the Pennsylvania Department of Agriculture to perform this work. Written proof of such control shall be furnished to the *code official* when completed.

**302.7 Interior furniture.** Furniture that is manufactured and intended exclusively for interior use including but not limited to sofas, couches, recliners, chase lounges, upright padded chairs, mattresses, box springs, or any furniture containing sufficient padding, and material whether animal, natural, or manmade that it cannot resist the environmental elements such as weather, insects, *rodents*, or vermin, or which may be in the opinion of the *code official* a fire hazard, shall not be stored or left on the lawn, driveway, parking area, or walkway.

**Exception:** That furniture that is properly placed at the curbside for refuse collection.

**302.8 Exhaust vents.** Pipes, ducts, conductors, fans, or blowers shall not discharge gases, steam, vapor, hot air, grease, smoke, odors, or other gaseous or particulate wastes directly upon abutting or adjacent public or private property or that of another *tenant*.

**302.9 Accessory structures.** All accessory *structures*, including *detached* garages, fences and walls, shall be maintained structurally sound and in good repair.

**302.10 Motor Vehicles.** Except as provided for in other regulations, no *inoperable* motor *vehicle* shall be parked, kept or stored on any *premises*, and no *vehicle* shall at any time be in a state of major disassembly, disrepair, or in the process of being stripped or dismantled. Painting of vehicles is prohibited unless conducted inside an approved spray booth.

**Exceptions:**

1. A vehicle of any type is permitted to undergo major overhaul, including body work, provided that such work is performed inside a *structure* or similarly enclosed area designed and approved for such purposes.
2. A vehicle owned by the *resident* conducting major repair or restoration work on his own vehicle in an enclosed garage.

**302.11 Defacement of property.** No *person* shall willfully or wantonly damage, mutilate, or deface any exterior surface of any *structure* or *building* on any private or public property by placing thereon any marking, carving, or graffiti. It shall be the responsibility of the *owner* or *person-in-charge* to restore said surface to an *approved* state of maintenance and repair.

**302.12 Elevated parking structures.** *Elevated parking structures* shall be inspected on a regular basis, not to exceed seven (7) years, by a registered design professional in the Commonwealth of Pennsylvania contracted by the *owner* or *person-in-charge* and at the *owner* or *person-in-charge's* expense, to verify the ability of the *structure* to adequately support the appropriate loads as defined by the *International Building Code*. A letter stating the suitability of the *structure* to adequately resist the code-defined loads shall be kept on file at the code office.

**302.13 Trees.** The *code official* shall have the right to cause the removal of any dead or diseased trees on private property within the municipality when such trees are observed to be potentially hazardous, *diseased*, or *infested*, including trees or parts of trees, that are *dead*, *dying*, *structurally unsound* or have significant *decay* that may potentially impact other trees on public or private property, damage *structures* or property, or cause personal injury.

**302.13.1 Study ordered.** At any time when the *code official*, municipal arborist, municipal director of public works, or other municipal official observes a tree that appears to be a *structurally unsound tree*, a *diseased tree*, a *dead tree*, a *dying tree*, has significant amount of *decay* present, or is a *dangerous tree*, the *code official*, municipal arborist, or municipal director of public works has the authority to order a special inspection or study be completed by a third party professional certified arborist, contracted by the *owner* or *person-in-charge*, at the *owner* or *person-in-charge's* expense.

**302.13.2 Report completion.** When ordered in accordance with Section 302.13.1, a special inspection or engineering report shall be produced to the official who ordered the study within 15 calendar days.

**302.13.3 Tree removal.** If a tree is determined to be a *dangerous tree* by a certified arborist, the *code official*, municipal arborist, or municipal director of public works has the authority to require the modification of the tree, as to abate the hazard, and maintain the tree in a non-dangerous condition. If the hazard cannot be abated, the *code official*, municipal arborist, or municipal director of public works has the authority to

require the removal of the tree. The modification or removal shall be ordered in writing in accordance with the requirements of Section 107 of this Code.

**Exception:** in Municipalities with adopted Ordinances governing the removal, maintenance and planting of trees, the compliance provisions of such Ordinance shall supersede Section 302.13.3.

**302.13.3.1 Removal of stump.** Any trees that are removed at the request of either the code official or the municipality shall have the remaining stump removed so that the stump does not project above the surface of the ground.

**302.13.4 Public Nuisance.** Any tree or shrub or part thereof growing upon private property, but overhanging or interfering with the use of any public street or public place, which in the opinion of the Code Officer, endangers the life, health, safety or property of the public, shall be declared a *public nuisance*. The owner shall be notified in writing of the existence of the nuisance and given reasonable time for its correction or removal. If not corrected or removed within the time allotted, the Code Officer shall cause the nuisance to be corrected or removed they shall be subject to prosecution in accordance with Section 106.3 and as prescribed by the Municipality.

### SECTION 303 SWIMMING POOLS, SPAS AND HOT TUBS

**303.1 Swimming pools.** Swimming pools shall be maintained in a *safe and sanitary* condition, and in good repair.

**303.2 Enclosures.** Private swimming pools, hot tubs, and spas containing water more than 24 inches in depth, shall be completely surrounded by a fence or barrier at least 48 inches in height above the finished ground level measured on the side of the barrier away from the pool. Gates and doors in such barriers shall be self-closing and self-latching. Where the self-latching device is less than 54 inches above the bottom of the gate, the release mechanism shall be located on the pool side of the gate. Self-closing and self-latching gates shall be maintained such that the gate will positively close and latch when released from an open position of six (6) inches from the gatepost. No existing pool enclosure shall be removed, replaced, or changed in a manner that reduces its effectiveness as a safety barrier.

**Exception:**

1. Spas or hot tubs with a safety cover that complies with ASTM F1346.
2. Private swimming pools equipped with at power safety cover that complies with ASTM F1346 and is in working condition using the control switch.

### SECTION 304 EXTERIOR STRUCTURE

**304.1 General.** The exterior of a *structure* shall be maintained in good repair, structurally sound, and sanitary so as not to pose a threat to the public health, safety, or welfare.

**304.1.1 Unsafe conditions.** The following conditions shall be considered to be potentially unsafe, shall be assessed, and shall be repaired or replaced to comply with the *International Residential Code*, the *International Building Code* or the *International Existing Building Code* as required for existing buildings:

1. Structural members that have evidence of *deterioration* or distress that appears to reduce their load-carrying capacity;
2. The *anchorage* of the floor or *roof* to walls or columns, and of walls and columns to foundations have deterioration or distress that appears to reduce its load-carrying capacity;
3. *Structures* or components thereof deterioration or distress that appears to reduce their load-carrying capacity;
4. Siding and masonry joints including joints between the *building* envelope and the perimeter of windows, doors, and skylights are not maintained, weather resistant, or watertight;
5. Foundation systems that are not firmly supported by footings, are not plumb and free from open cracks and breaks, are not properly *anchored*, or are not capable of supporting all nominal loads and resisting all load effects;
6. Exterior walls that are not *anchored* to supporting and supported elements or are not plumb and free of holes, cracks or breaks and loose or rotting materials, are not properly *anchored* or are not capable of supporting all nominal loads and resisting all load effects;
7. Roofing or roofing components that have defects that admit rain, *roof* surfaces with inadequate

drainage, or any portion of the *roof* framing that is not in good repair with signs of *deterioration*, fatigue, or without proper anchorage and incapable of supporting all nominal loads and resisting all load effects;

8. Flooring and flooring components with defects that affect serviceability, or flooring components that show signs of *deterioration* or fatigue, are not properly *anchored*, or are incapable of supporting all nominal loads and resisting all load effects;
9. Veneer, cornices, belt courses, corbels, trim, wall facings, and similar decorative features not properly *anchored* or that are *anchored* with connections not capable of supporting all nominal loads and resisting all load effects;
10. Overhang extensions or projections including, but not limited to, trash chutes, canopies, marquees, signs, awnings, *fire escapes*, standpipes, and exhaust ducts not properly *anchored* or that are *anchored* with connections not capable of supporting all nominal loads and resisting all load effects;
11. Exterior stairs, decks, porches, balconies, and all similar appurtenances attached thereto, including *guards* and *handrails*, are not structurally sound, not properly *anchored*, or that are *anchored* with connections not capable of supporting all nominal loads and resisting all load effects; or
12. Chimneys, cooling towers, smokestacks, and similar appurtenances not structurally sound or not properly *anchored*, or that are *anchored* with connections not capable of supporting all nominal loads and resisting all load effects.

**Exceptions:**

1. When substantiated otherwise by an *approved* method.
2. Demolition of unsafe conditions shall be permitted when *approved* by the *code official*.

**304.2 Protective treatment.** All exterior surfaces, including but not limited to, doors, door and window frames, cornices, porches, trim, balconies, decks, and fences shall be maintained in good condition. Exterior wood surfaces, other than decay resistant woods, shall be protected from the elements and decay by painting or other protective covering or treatment. Peeling, flaking, or chipped paint shall be eliminated, and surfaces repainted. All siding and masonry joints, as well as those between the

*building* envelope and the perimeter of windows, doors, and skylights, shall be maintained, weather resistant, and watertight. All metal surfaces subject to rust or corrosion shall be coated to inhibit such rust and corrosion, and all surfaces with rust or corrosion shall be stabilized and coated to inhibit future rust and corrosion. Oxidation stains shall be removed from exterior surfaces. Surfaces designed for stabilization by oxidation are exempt from this requirement.

**304.3 Premises identification.** *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 or alphabet letters. Numbers shall be a minimum of four (4) inches high with a minimum stroke width of 0.5 inch.

**304.3.1 Subordinate premises identification.**

Individual *dwelling units* in multi-family *dwelling*s shall have *approved* address numbers placed in a position to be plainly legible and visible from the adjacent egress path. These numbers shall contrast with their background. Address numbers shall be Arabic numerals or alphabet letters. For units that the door can be seen from the exterior of the *building*, numbers shall be a minimum of four (4) inches high with a minimum stroke width of 0.5 inch. For units that the door cannot be seen from the exterior of the *building*, numbers shall be a minimum of 1.5 inches high with a minimum stroke width of 0.25 inch.

**304.4 Structural members.** All structural members shall be maintained free from *deterioration* and shall be capable of safely supporting the imposed dead and live loads.

**304.5 Foundation walls.** All foundation walls shall be maintained, plumb and free from open cracks and breaks, and shall be kept in such condition so as to prevent the entry of *rodents* and other *pests*.

**304.6 Exterior walls.** All *exterior* walls shall be free from holes, breaks, and loose or rotting materials; and *maintained* weatherproof and properly surface coated where required to prevent *deterioration*.

**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 the 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 or negatively impacts neighboring properties.

**304.8 Decorative features.** All cornices, belt courses, corbels, terra cotta trim, wall facings, and similar decorative features shall be maintained in good repair with proper anchorage and in a safe condition.

**304.9 Overhang extensions.** All overhang extensions including, but not limited to canopies, marquees, signs, metal awnings, *fire escapes*, standpipes, and exhaust ducts shall be maintained in good repair and be properly *anchored* so as to be kept in a sound condition. When required, all exposed surfaces of metal or wood shall be protected from the elements and against decay or rust by periodic application of weather-coating materials, such as paint or similar surface treatment.

**304.10 Stairways, decks, porches, and balconies.** Every *exterior stairway*, deck, porch, balcony, and all appurtenances attached thereto, shall be maintained, structurally sound, in good repair, with proper *anchorage*, and capable of supporting the imposed loads.

**304.11 Chimneys and towers.** All chimneys, cooling towers, smoke stacks, and similar appurtenances shall be maintained, structurally safe and sound, and in good repair. All exposed surfaces of metal or wood shall be protected from the elements and against decay or rust by periodic application of weather coating materials, such as paint or similar surface treatment.

**304.12 Handrails and guards.** Every *handrail* and *guard* shall be firmly fastened and capable of supporting normally imposed loads and shall be maintained in good condition.

**304.13 Windows, skylights, and door frames.** Every window, skylight, door, and frame shall be kept in sound condition, good repair, and weather tight.

**304.13.1 Glazing.** All *glazing* materials shall be maintained free from cracks and holes.

**304.13.2 Openable windows.** Every window, other than a fixed window not required for egress, shall be easily openable and capable of being held in position by window hardware.

**304.14 Insect screens.** Every door, window, and other outside opening required for *ventilation* purposes serving any *structure* having habitable or occupiable 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, and every screen door shall have a self-closing device in good working condition. Screens shall not be torn or damaged in a way that may allow insect *infestation* into the *structure*.

**304.14.1 Insect screens in food preparation areas.** In multi-family dwellings and commercial *structures*, every door, operable window, and other outside opening serving any congregate food preparation areas, congregate 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, and every screen door shall have a self-closing device in good working condition. Screens shall not be torn or damaged in a way that may allow insect infestation into the *structure*.

**Exception:** Those *structures* where an approved air-curtain, manufactured, and tested for the expressed purpose of pest control is properly installed and maintained in proper working fashion.

**304.15 Doors.** All exterior doors, door assemblies, operator systems if provided, and hardware shall be maintained in good condition. Locks at all entrances to dwelling units and sleeping units shall tightly secure the door. Locks on means of egress doors shall be in accordance with Section 702.3.

**304.16 Basement hatchways.** Every *basement* hatchway shall be maintained to prevent the entrance of *rodents*, rain, and surface drainage water.

**304.17 Guards for basement windows.** Every *basement* window that is openable shall be supplied with *rodent* shields, storm windows, or other *approved* protection against the entry of *rodents*.

**304.18 Building security.** Doors, windows, or hatchways for *dwelling units*, *room units*, or *housekeeping units* shall be provided with devices designed to provide security for the *occupants* and property within.

**304.18.1 Doors.** Doors providing access to an individual *dwelling unit*, *rooming unit*, or *housekeeping unit* that is rented, leased, or *let* where, equipped with a deadbolt shall be equipped with a deadbolt lock designed to be

readily openable from the side from which egress is to be made without the need for keys, special knowledge, or effort, and shall have a lock throw of not less than one (1) inch. Such deadbolt locks shall be installed according to the manufacturer's specifications and maintained in good working order. For the purpose of this section, a sliding bolt shall not be considered an acceptable deadbolt lock.

**304.18.2 Windows.** Operable windows located in whole or in part within six (6) feet of ground level or a walking surface below that provides access to a *dwelling unit, rooming unit, or housekeeping unit* that is rented, leased, or *let* shall be equipped with a window sash-locking device.

**304.18.3 Basement hatchways.** *Basement* hatchways that provide access to a *dwelling unit, rooming unit, or housekeeping unit* that is rented, leased, or *let* shall be equipped with devices that secure the units from unauthorized entry.

**304.19 Roof occupancy.** Any *person* that is on or occupying the *roof* of any *building* shall be in violation of this code. In addition to the noted enforcement agencies authorized in this code, this section can be enforced by the police department having jurisdiction.

**Exception:** *Occupancy* of the *roof* is permitted for authorized *persons* for the purposes of inspection or repairs to the *roof* or equipment on the *roof*.

**304.20 Fire escape use.** The express and sole purpose of a fire escape is to provide a means of egress from a *building* during an emergency and the purpose of an exterior stairway is to provide ingress or egress from a *building*. It shall be a violation of this code to gather on or use the fire escape or exterior stairway for any purpose other than described.

**304.21 Ice buildup.** The *owner* or *person-in-charge* shall not allow ice or other material to build up on a roof, overhang, gutter, or other *structure* to the point where it is not fully supported throughout by the *building structure* or to a point where, in the opinion of the code official, it presents a risk of falling or causing injury. If such a condition does exist, the *owner* or *person-in-charge* shall remove such material immediately.

**304.22 Gates.** All exterior gates, gate assemblies, operator systems if provided, and hardware shall be maintained in good condition. Latches at all entrances shall tightly secure the gates.

**304.23 Exterior stairway riser opening protectives.** For all *buildings* receiving the initial fire permit or initial rental housing permit on or after the adoption date of this Code by a Municipality, at no point shall the opening between the treads permit the passage of a sphere four (4) inches in diameter.

**304.24 Fire escape inspection.** Fire escapes shall be inspected on a regular basis, not to exceed six (6) years, by a registered design professional in the Commonwealth of Pennsylvania contracted by the *owner* or *person-in-charge* and at the *owner* or *person-in-charge's* expense, to verify the ability of the *structure* to adequately support the appropriate loads as defined by the *International Building Code*. A copy of this report or a letter stating the suitability of the *structure* to adequately resist the code-defined loads shall be submitted to the CKCOG office when inspected.

## SECTION 305 INTERIOR STRUCTURE

**305.1 General.** The interior of a *structure* and equipment therein shall be maintained in good repair, structurally sound, and in a sanitary condition. *Occupants* shall keep that part of the *structure* which they occupy or control in a *clean and sanitary* condition. Every *owner* or *person-in-charge* of a *structure* containing a *rooming house, housekeeping units, a hotel, a dormitory, two (2) or more dwelling units, or two (2) or more nonresidential occupancies* shall maintain, in a *safe and sanitary* condition, the shared or public areas of the *structure* and *exterior property*.

**305.1.1 Owner/Occupant Responsibility.** *Owner* or *person-in-charge* or *occupants* who fail to keep that part of the *structure* which they occupy or control in a *clean and sanitary* condition are in *violation* of this code and subject to the provisions of Sections 106.3 and 106.3.1, and are exempt from the notification requirements of Section 107.

**305.1.2 Unsafe conditions.** The following conditions shall be determined as unsafe and shall be repaired or replaced to comply with the *International Building Code* or the *International Existing Building Code* as required for existing *buildings*:

1. Structural members have deterioration or distress that appears to reduce their load carrying capacity.



2. The anchorage of the floor or *roof* to walls or columns, and of walls and columns to foundations has deterioration or distress that appears to reduce its load carrying capacity;
3. *Structures* or components thereof that have deterioration or distress that appears to reduce its load carrying capacity;
4. *Stairs*, landings, balconies and all similar *walking surfaces*, including *guards* and *handrails*, are not structurally sound, not properly *anchored* or are *anchored* with connections not capable of supporting all nominal loads or resisting all load effects;
5. Foundation systems that are not firmly supported by footings, are not plumb and free from open cracks and breaks, are not properly *anchored*, or are not capable of supporting all nominal loads and resisting all load effects.

**Exceptions:**

1. When substantiated otherwise by an *approved* method.
2. Demolition of unsafe conditions shall be permitted when *approved* by the *code official*.

**305.2 Structural members.** All structural members shall be maintained structurally sound, and be capable of supporting the imposed loads.

**305.3 Interior surfaces.** All interior surfaces, including windows and doors, shall be maintained in a good, *safe* and *sanitary* condition. Peeling, chipping, flaking, or abraded paint shall be repaired, removed, or covered. Cracked or loose plaster, decayed wood, and other defective surface conditions shall be corrected. If moisture is the cause of paint deterioration or other defective surface conditions, the cause of the moisture shall be corrected.

**305.4 Stairs and walking surfaces.** Every *stair*, ramp, landing, balcony, porch, deck, or other *walking surface* shall be maintained in a sound condition and good repair.

**305.5 Handrails and guards.** Every *handrail* and *guard* shall be firmly fastened and capable of supporting normally imposed loads and shall be maintained in good condition.

**305.6 Interior doors.** Every interior door shall fit reasonably well within its frame and shall be capable of

being opened and closed by being properly and securely attached to jambs, headers, or tracks as intended by the manufacturer of the attachment hardware.

**305.7 Interior stairway riser opening protectives.** For all *buildings* receiving the initial fire permit or initial rental housing permit on or after the adoption date of this code, at no point shall the opening between the treads permit the passage of a sphere four (4) inches in diameter.

**305.8 Residential rental unit vehicle storage.** In residential rental units that have attached areas for vehicle storage (garages), any hazards such as inadequate fire separations, inadequate fire rating on *structure*, furnaces installed, or other deficiencies that in the opinion of the *code official* constitutes a life safety or fire hazard, the hazard shall be mitigated, or the area shall be transformed into a use that is compliant based on the conditions present. This would include but not limited to the disabling of or locking of doors to prevent the ability to use the space for vehicle storage.

**SECTION 306  
COMPONENT SERVICEABILITY**

**306.1 General.** The components of a *structure* and equipment therein shall be maintained in good repair, structurally sound, and in a sanitary condition.

**306.1.1 Potentially unsafe conditions.** Where any of the following conditions cause the component or system to be beyond its limit state, the component or system shall be considered to be unsafe and shall be addressed in compliance with the *International Building Cod*, the *International Residential Code* or the *International Existing Building Code*:

1. Soils that have been subjected to any of the following conditions:
  - 1.1. Collapse of footing or foundation system;
  - 1.2. Damage to footing, foundation, concrete, or other structural element due to soil expansion;
  - 1.3. Adverse effects to the design strength of footing, foundation, concrete, or other structural element due to a chemical reaction from the soil;
  - 1.4. Inadequate soil as determined by a geotechnical investigation;

- 1.5. Where the allowable bearing capacity of the soil is in doubt; or
  - 1.6. Adverse effects to the footing, foundation, concrete, or other structural element due to the ground water table.
2. Concrete that has been subjected to any of the following conditions:
- 2.1. *Deterioration*;
  - 2.2. *Ultimate deformation*;
  - 2.3. Fractures;
  - 2.4. Fissures;
  - 2.5. Spalling;
  - 2.6. Exposed reinforcement; or
  - 2.7. *Detached*, dislodged, or failing connections.
3. Aluminum that has been subjected to any of the following conditions:
- 3.1. *Deterioration*;
  - 3.2. Corrosion;
  - 3.3. Elastic deformation;
  - 3.4. *Ultimate deformation*;
  - 3.5. Stress or strain cracks;
  - 3.6. Joint fatigue; or
  - 3.7. *Detached*, dislodged, or failing connections.
4. Masonry that has been subjected to any of the following conditions:
- 4.1. *Deterioration*;
  - 4.2. *Ultimate deformation*;
  - 4.3. Fractures in masonry or mortar joints;
  - 4.4. Fissures in masonry or mortar joints;
  - 4.5. Spalling;
  - 4.6. Exposed reinforcement; or
  - 4.7. *Detached*, dislodged, or failing connections.
5. Steel that has been subjected to any of the following conditions:
- 5.1. *Deterioration*;
  - 5.2. Elastic deformation;
  - 5.3. *Ultimate deformation*;
  - 5.4. Metal fatigue; or
  - 5.5. *Detached*, dislodged, or failing connections.
6. Wood that has been subjected to any of the following conditions:
- 6.1. *Ultimate deformation*;
  - 6.2. *Deterioration*;
  - 6.3. Damage from insects, *rodents*, and other vermin;
  - 6.4. Fire damage beyond charring;
  - 6.5. Significant splits and checks;
  - 6.6. Horizontal shear cracks;
  - 6.7. Vertical shear cracks;
  - 6.8. Inadequate support;
  - 6.9. *Detached*, dislodged, or failing connections; or Excessive cutting and notching.
- Exceptions:**
- 1. When substantiated otherwise by an *approved* method.
  - 2. Demolition of unsafe conditions shall be permitted when *approved* by the *code official*.
- 306.2 Engineering study and special inspection.** At any time when the *code official* observes a condition that is determined to require additional inspection or study by someone with advanced or specialized knowledge, the *code official* has the authority to order a special inspection or engineering study be completed by a third-party professional in accordance with Section 311, at the *owner* or *person-in-charge's* expense.

## SECTION 307 HANDRAILS AND GUARDS

**307.1 General.** Every *exterior* and *interior* flight of *stairs* having more than four (4) risers shall have a *handrail* on one side of the *stair* and every open portion of a *stair*, landing, balcony, porch, deck, ramp, or other *walking surface* which is more than 30 inches above the floor or grade below shall have *guards*.

**Exception:** *Fire escapes* shall comply with the requirements of Section 307.2.

**307.1.1 Handrails.** *Handrails* shall not be less than 30 inches high or more than 42 inches high measured vertically above the nosing of the tread or above the finished floor of the landing or *walking surfaces*. The handgrip portion of *handrails* shall not be less than 1-1/4 inches nor more than 2 inches in cross-sectional dimension or the shape shall provide equivalent grasp ability. At least one (1) *handrail* shall be provided for a *stairway*. The top of a *guardrail* may serve as a *handrail*, provided it meets the *handrail* requirements.

**Exception:** For properties replacing *handrails*, the *handrails* shall be installed as required by the currently in effect *International Building Code* (IBC) or *International Residential Code* (IRC).

**307.1.2 Guards.** *Guards* shall not be less than 36 inches above the floor of the landing, balcony, porch, deck, ramp, or other *walking surface*. Horizontal spacing between the vertical members in required *guards* shall be a maximum of six (6) inches at the nearest point between the members in accordance with the requirements of the *International Building Code*.

**Exception:** For properties replacing *guards*, the *guards* shall be installed as required by the currently in effect *International Building Code* (IBC) or *International Residential Code* (IRC).

*Guards* installed in *handrails* assemblies within common enclosed *stair* towers are permitted as previously *approved* until replaced.

**307.1.3 Guards required.** When a *walking surface* passes within three (3) feet of a downward change in elevation of 30 inches or more, the change in elevation shall be protected by a *guard*.

**307.2 Fire escape guards.** *Fire escape stairs* and landings shall be provided with a top and intermediate *guard* on each side.

## SECTION 308 RUBBISH AND GARBAGE

**308.1 Accumulation of rubbish or garbage.** All *exterior property* and *premises*, and the interior of every *structure*, shall be free from any accumulation of *rubbish* or *garbage*.

**308.2 Disposal of rubbish.** Every *occupant* of a *structure* shall dispose of all *rubbish* in a sanitary manner by placing

such *rubbish* in *approved* containers.

**308.2.1 Rubbish storage facilities.** The *owner* or *person-in-charge* of every occupied *premises* shall supply *approved*, covered containers necessary for the proper control and disposal of *rubbish*, and the *owner* or *person-in-charge* of the *premises* shall be responsible for the removal of *rubbish*.

**308.2.2 Refrigerators.** Refrigerators and similar equipment not in operation shall not be discarded, abandoned or stored on *premises* without first removing the doors.

**308.2.3 Unhealthy Accumulations.** No person shall accumulate *rubbish* or *save*, collect, stockpile, or keep any abandoned, discarded *junk*, or *inoperable vehicles*, including boats, trailers or recreational vehicles of any type.

**308.3 Disposal of garbage.** Every occupant of a *structure* shall dispose of *garbage* in a clean and sanitary manner by placing such *garbage* in an *approved garbage* disposal facility or *approved* containers.

**308.3.1 Garbage facilities.** The *owner* or *person-in-charge* of every dwelling shall supply one of the following: an *approved* mechanical food waste grinder in each *dwelling unit*; an *approved* incinerator unit in the *structure* available to the *occupants* in each *dwelling unit*; or one or more *approved*, leak-proof, covered, outside containers sufficient to contain the occupants *rubbish* or *garbage*.

**308.3.2 Containers.** The operator of every establishment producing *garbage* shall provide, and at all times cause to be utilized, *approved* leak-proof containers provided with close-fitting covers for the storage of such materials until removed from the *premises* for disposal.

## SECTION 309 PEST ELIMINATION

**309.1 Infestation.** All *structures* shall be kept free from *insect* and *rodent infestation*. All *structures* in which insects or *rodents* are found shall be promptly exterminated by *approved* processes that will not be injurious to human health. After extermination, proper precautions shall be taken to prevent *re-infestation*.

**309.1.1 Insect and rodent elimination.** When ordered by the *code official*, insect or *rodent* control measures shall be done by a *pest control operator*, with a current certification issued by the Pennsylvania Department of Agriculture to perform this work. Written proof of such control measures shall be furnished to the *code official* when completed.

**309.2 Owner.** The *owner* or *person-in-charge* of any *structure* shall be responsible for extermination within the *structure* prior to renting or leasing the *structure*.

**309.3 Single occupant.** The *occupant* of a one-family *dwelling* or of a *single-tenant* nonresidential *structure* shall be responsible for extermination on the *premises*.

**309.4 Multiple occupancy.** The *owner* or *person-in-charge* of a *structure* containing two (2) or more *dwelling units*, a multiple *occupancy*, a *rooming house*, or a nonresidential *structure* shall be responsible for extermination in the public or shared areas of the *structure* and *exterior property*. If *infestation* is caused by failure of an *occupant* to prevent such *infestation* in the area occupied, the *occupant* and *owner* or *person-in-charge* shall be responsible for extermination.

**309.5 Occupant.** The *occupant* of any *structure* shall be responsible for the continued *rodent* and *infestation*-free condition of the *structure*.

**Exception:** Where the *infestations* are caused by defects in the *structure*, the *owner* or *person-in-charge* shall be responsible for extermination.

## SECTION 310

### CHEMICAL AND RADIATION HAZARDS

**310.1 Chemical and radiation hazards.** Documentation from an *approved* laboratory shall accompany any complaint of chemical or radiation hazard in a *structure*. Identification of hazards shall be conducted by a *person* certified by the Pennsylvania Department of Environmental Protection or the United States Environmental Protection Agency for such testing and the results published by an *approved* laboratory. Every *owner* or *person-in-charge* of a *structure* in which an identified chemical or radiation hazard exists shall be responsible to make the *structure* safe.

## SECTION 311

### ENGINEERING STUDY AND SPECIAL INSPECTIONS

**311.1 Engineering study and special inspection.** At any time when the *code official* observes a condition that is determined to require additional inspection or study by someone with advanced or specialized knowledge, the *code official* has the authority to order a special inspection or engineering study be completed by a third-party professional, contracted by the *owner* or *person-in-charge*, at the *owner* or *person-in-charge's* expense.

**311.1.1 Qualifications.** The *code official* shall state in the request for study any minimum qualifications that in the professional opinion of the *code official* are required to adequately study or inspect the observed problem.

**311.1.2 Report completion.** When ordered in accordance with this section, a special inspection or engineering report shall be produced to the CKCOG within 45 calendar days.

**Exception:** The *code official* can extend this deadline when, in the professional opinion of the *code official* in conjunction with the engineer of record or special inspector, that the report cannot be properly produced within this timeframe due to weather, climate, or study scope and complexity.

**311.1.3 Report content.** At a minimum, when ordered in accordance with this section, the report shall include a description of the problem, report of the findings, required actions to mitigate the problem, Pennsylvania seal (for registered design professionals), signature, date, deadline for completion of work, any intermediate inspections that are required prior to completion, and any requirements prior to completion regarding use and *occupancy* of the *structure*.

**311.1.4 Report completion letter.** When the work detailed in the report is completed, a letter from the special inspector or design professional shall be produced within 15 calendar days, indicating their acceptance of the work and any future need for involvement.

## SECTION 312

### EMERGENCY ACCOMMODATIONS

**312.1 Scope.** The provisions of this section apply to

rental housing units that have been declared unfit for human habitation, *condemned*, *uninhabitable*, or unsafe by the *code official* or in accordance with this code, and in the opinion of the *code official* or the conditions requiring the declaration were not caused by the *tenant* or were not within the *tenant's* control to advert.

**312.2 Accommodations.** If the *dwelling* will not be able to be used for a period of eight (8) hours or more or it will not be accessible for any time between the hours of 11pm and 7am local prevailing time the *code official* may order the *owner* or *person-in-charge* to make accommodations for the *tenants* to be housed at an alternative location that is permitted properly under this code solely at the *owner* or *person-in-charge's* expense and at no expense to the *tenant*. In addition, if the accommodations provided do not provide for cooking and eating facilities in accordance with this code, the *owner* or *person-in-charge* shall provide the *tenant* with a meal allowance in accordance with United States General Services Administration (GSA) stated rates for the duration of the period of displacement.

### SECTION 313 ACCESSIBILITY FEATURES

**313.1 General.** A facility that is required to be accessible shall be maintained accessible during occupancy. This applies to all *structures* and exterior areas that have been constructed with accessibility features required by the *International Building Code (IBC)*.

**313.2 Maintenance.** The accessibility features of all *structures* shall be maintained in good repair, in a clean, structurally sound and sanitary condition and free from impediments to accessibility.

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# CHAPTER 4

## LIGHT, VENTILATION AND OCCUPANCY LIMITATIONS

### SECTION 401 GENERAL

**401.1 Scope.** The provisions of this chapter shall govern the minimum conditions and standards for light, *ventilation* and space for occupying a *structure*.

**401.2 Responsibility.** The *owner* of the *structure* shall provide and maintain light, *ventilation* and space conditions in compliance with these requirements. An *owner* shall not occupy, or permit another *person* to occupy, any *premises* that do not comply with the requirements of this chapter.

**401.3 Alternative devices.** In lieu of the means for natural light and *ventilation* herein prescribed, artificial light or mechanical *ventilation* complying with the *International Building Code* shall be permitted.

### SECTION 402 LIGHT

**402.1 Habitable spaces.** Every *habitable space* shall have at least one window of *approved* size facing directly to the outdoors or to a court. The minimum total square feet of glazing, measured between stops, for every *habitable space* shall be 8 percent of the floor area of such room, except in kitchens where artificial light is provided in accordance with the provisions of the *International Building Code*. Wherever walls or other portions of a *structure* face a window of any room and such obstructions are located less than 3 feet from the window and extend to a level above that of the ceiling of the room, such window shall not be deemed to face directly to the outdoors nor to a court and shall not be included as contributing to the required minimum total window area for the room.

**402.2 Common halls and stairways.** Every common hall and *stairway* in residential occupancies, other than in one- and two-family dwellings, shall be lighted at all times with at least a 60-watt standard incandescent for each 200 square feet of floor area or equivalent illumination, provided that the spacing between lights shall not be

greater than 30 feet. In other than residential occupancies, *means of egress*, including exterior *means of egress*, *stairways* shall be illuminated at all times the *building* space served by the *means of egress* is occupied with a minimum of 1 foot-candle (11 lux) at floors, landings and treads.

**402.3 Other spaces.** All other spaces shall be provided with natural or artificial light sufficient to permit the maintenance of sanitary conditions, and the safe *occupancy* of the space and utilization of the appliances, equipment and fixtures.

### SECTION 403 VENTILATION

**403.1 Habitable spaces.** Every *habitable space* shall have at least one openable window. The total *openable area* of the window in every room shall be equal to at least 45 percent of the minimum glazed area required in Section 402.1.

#### Exceptions:

1. Where rooms and spaces without openings to the outdoors are ventilated through an adjoining room, the unobstructed opening to the adjoining room shall be at least 8 percent of the floor area of the interior room or space, but not less than 25 square feet. The *ventilation* openings to the outdoors shall be based on a total floor area being ventilated.
2. Rooms where mechanical *ventilation* is provided in accordance with the *International Mechanical Code* shall be provided with a level of *ventilation* that meets or exceeds this section.

**403.2 Bathrooms and toilet rooms.** Every *bathroom* and *toilet room* shall comply with the *ventilation* requirements for *habitable spaces* as required by Section 403.1, except that a window shall not be required in such spaces equipped with a mechanical *ventilation* system. Air exhausted by a mechanical *ventilation* system from a *bathroom* or *toilet room* shall discharge to the outdoors and shall not be recirculated.

**403.3 Cooking facilities.** Unless *approved* through the certificate of *occupancy*, cooking shall not be permitted in any *rooming unit* or dormitory unit, and a cooking facility or appliance shall not be permitted to be present in the *rooming unit* or dormitory unit.

**Exceptions:**

1. Where specifically *approved* in writing by the *code official*.
2. Devices such as coffee pots and microwave ovens shall not be considered cooking appliances.

**403.4 Process ventilation.** Where injurious, toxic, irritating or noxious fumes, gases, dusts or mists are generated, a local exhaust *ventilation* system shall be provided to remove the contaminating agent at the source. Air shall be exhausted to the exterior and not be recirculated to any space.

**403.5 Clothes dryer exhaust.** Clothes dryer exhaust systems shall be independent of all other systems and shall be exhausted outside the *structure* in accordance with the manufacturer's instructions.

**Exception:** Listed and *labeled* condensing (ductless) clothes dryers.

**403.5.1 Duct construction.** Exhaust ducts shall be constructed of minimum 0.016-inch-thick rigid metal ducts, having smooth interior surfaces with joints running in the direction of air flow. Exhaust ducts shall not be connected with sheet-metal screws or fastening means which extend into the duct.

**403.5.2 Transition ducts.** Transition ducts shall not be concealed within construction. Flexible transition ducts used to connect the dryer to the exhaust duct system shall be limited to single lengths, not to exceed 8 feet.

**403.5.3 Length identification.** For *buildings* constructed after January 1, 2010, and those installing dryer venting systems after the effective date of this code, where the exhaust duct is concealed within the *building* construction, the equivalent length of the exhaust duct shall be identified on a permanent label or tag. The label or tag shall be located within 6 feet of the exhaust duct to appliance connection.

**403.5.4 Auxiliary equipment identification.** For *buildings* constructed after January 1, 2010, and those installing dryer venting systems after the effective date of this code, where the exhaust duct length exceeded the maximum length requirements and an auxiliary

blower or fan has been installed to allow additional duct length, the presence of this equipment must be identified including the equipment location, the equipment manufacturer name and model number, service requirements, and frequency of service. The label or tag shall be located within 6 feet of the exhaust duct to appliance connection.

## SECTION 404 OCCUPANCY LIMITATIONS

**404.1 Privacy.** *Dwelling units*, hotel units, *housekeeping units*, *rooming units* and dormitory units shall be arranged to provide privacy and be separate from other adjoining spaces.

**404.2 Minimum room widths.** A habitable room, other than a kitchen, shall not be less than seven (7') feet in any plan dimension. Kitchens shall have a minimum clear passageway of three (3') feet between counter fronts and appliances or counter fronts and walls.

**404.3 Minimum ceiling heights.** *Habitable spaces*, hallways, corridors, laundry areas, *bathrooms*, *toilet rooms* and habitable *basement* areas shall have a minimum clear ceiling height of not less than seven (7') feet.

**Exceptions:**

1. In one- and two-family dwellings, beams or girders spaced not less than four (4') feet on center and projecting not more than six (6") inches below the required ceiling height.
2. *Basement* rooms in one- and two-family dwellings occupied exclusively for laundry, study or recreation purposes, having a ceiling height of not less than 6 feet 8 inches (6'8") with not less than 6 feet 4 inches (6'4") of clear height under beams, girders, ducts and similar obstructions.
3. In one- and two-family dwellings, rooms occupied exclusively for *bathrooms*, *toilet rooms*, and laundry rooms having a ceiling height of 6 feet 8 inches.
4. Rooms occupied exclusively for sleeping, study or similar purposes and having a sloped ceiling over all or part of the room, with a clear ceiling height of at least seven (7') feet over not less than one-third of the required minimum floor area. In calculating the floor area of such rooms, only those portions of the floor area with a clear



ceiling height of five (5') feet or more shall be included.

**404.3.1 Stair headroom.** The minimum headroom in all parts of the *stairway* shall not be less than 6 feet 8 inches (6'8") measured vertically from the sloped line adjoining the tread nosing or from the floor surface of the landing or platform on that portion of the *stairway*.

**404.4 Habitable requirements.** Every *habitable* room shall comply with the requirements of Sections 404.4.1 through 404.4.5.

**404.4.1 Room area.** Every *habitable* shall contain not less than 70 square feet and every bedroom occupied by more than one person shall contain not less than 50 square feet of floor area for each occupant thereof (See Table 404.4.1).

**404.4.2 Access from bedrooms.** *Bedrooms* shall not constitute the only means of access to other *bedrooms* or *habitable spaces* and shall not serve as the only means of egress from other *habitable spaces*.

**Exception:** Units that contain fewer than two *bedrooms*.

**404.4.3 Water closet accessibility.** Every *bedroom* shall have access to at least one water closet and one lavatory without passing through another *bedroom*. Every *bedroom* in a *dwelling unit* shall have access to at least one water closet and lavatory located in the same story as the *bedroom* or an adjacent story.

**404.4.4 Prohibited occupancy.** Kitchens and non-habitable spaces shall not be used for sleeping purposes.

**404.4.5 Other requirements.** *Bedrooms* shall comply with the applicable provisions of this code including, but not limited to, the light, *ventilation*, room area, ceiling height and room width requirements of this chapter; the plumbing facilities and water-heating facilities requirements of Chapter 5; the heating facilities and electrical receptacle requirements of Chapter 6; and the smoke detector and emergency escape requirements of Chapter 7.

**404.5 Overcrowding.** The number of *persons* occupying a *dwelling unit* or any space shall not create conditions that, in the opinion of the *code official*, endanger the life, health, safety or welfare of the *occupants*.

**404.5.1 Establishing Occupancy Limits.** The *code official*

shall establish in accordance with the *building code* that was legally adopted at the time of construction the *occupancy limit* for each *dwelling unit*, *tenant space*, and *building*.

**404.5.2 Egress limitations.** Any room, space or *dwelling unit* containing more than 50 *persons* gathering for purposes such as civic, social or religious functions, recreation, food or drink consumption is required to have at least two *approved* exits. When more than one exit is required, all exit doors must swing in the direction of egress. Any *dwelling unit* requiring two or more exits is required to comply with Section 702.1.1 regarding exit signs and emergency lighting.

**404.5.2.1 Over occupancy.** It shall be a violation of this code for any person to permit the number of persons in a *dwelling unit*, *tenant space*, or *building* to exceed the *occupancy limit* established by the *code official* once determined.

**404.5.3 Establishing Residency Limits.** The *code official* may establish in accordance with the *building code*, applicable zoning ordinance requirements, and the requirements of this code the residency limit for each *dwelling unit*.

**404.5.3.1 Zoning restrictions.** For existing *buildings* being converted to a rental property without the need for a change of use permit, the *occupancy* will be in accordance with Section 404.4.1 or determined by the Zoning regulations of the *Municipality*, whichever is most restrictive.

**404.5.3.2 Over residency.** It shall be a violation of this code for any person to permit the number of persons residing in a *dwelling unit*, *tenant space*, or *building* to exceed the *residency limit* established by *code official* once determined.

**404.6 Efficiency unit.** Nothing in this section shall prohibit an efficiency living unit from meeting the following requirements:

1. A unit occupied by not more than one *occupant* shall have a minimum clear floor area of 120 square feet. A unit occupied by not more than two *occupants* shall have a clear floor area of not less than 190 square feet. A unit occupied by three *occupants* shall have a clear floor area of not less than 260 square feet. These required areas shall be exclusive of the areas required by Items 2 and 3 of this Section.

2. The unit shall be provided with a kitchen sink, cooking appliance and refrigeration facilities, each having a clear working space of not less than 30 inches (30") in front. Light and *ventilation* conforming to this code shall be provided.
3. The unit shall be provided with a separate *bathroom* containing a water closet, lavatory, and bathtub or shower.
4. The maximum number of *occupants* shall be three (3).

**Table 404.4.1**

# OF OCCUPANTS	REQUIRED MINIMUM SQ. FT
1	70'
2	120'
3	170'
Ea. Additional	+50'

**Sleeping Areas Example:**

SLEEPING AREA	SQ. FT	# OF OCCUPANTS
Bedroom 1	113	1
Bedroom 2	127	2
Bedroom 3	92	1

**Living Space Example:**

SPACE	MINIMUM AREA IN SQUARE FEET		
	1-2	3-5	6+
<i>Occupancy</i>	120	120	150
Living Room	120	120	150
Dining Room	No Req.	80	100
Bedrooms	Shall Comply with Table 404.4.1		

**404.7 Food preparation.** All spaces to be occupied for food preparation purposes shall contain suitable space and equipment to store, prepare and serve foods in a sanitary manner. There shall be adequate facilities and services for the sanitary disposal of food wastes and refuse, including facilities for temporary storage

# CHAPTER 5

## PLUMBING FACILITIES AND FIXTURE REQUIREMENTS

### SECTION 501 GENERAL

**501.1 Scope.** The provisions of this chapter shall govern the minimum plumbing systems, facilities and plumbing fixtures to be provided.

**501.2 Responsibility.** The *owner* of the *structure* shall provide and maintain such plumbing facilities and plumbing fixtures in compliance with these requirements. An *owner* shall not occupy, or permit another person to occupy, any *structure* or *premises* which does not comply with the requirements of this chapter.

### SECTION 502 REQUIRED FACILITIES

**502.1 Dwelling units.** Every *dwelling unit* shall contain its own bathtub or shower, lavatory, water closet and kitchen sink which shall be maintained in a sanitary, safe working condition. The lavatory shall be placed in the same room as the water closet or located in close proximity to the door leading directly into the room in which such water closet is located. A kitchen sink shall not be used as a substitute for the required lavatory.

**502.2 Rooming houses.** A minimum of one water closet, lavatory and bathtub or shower shall be supplied for each four (4) *rooming units*.

**502.3 Hotels.** Where private water closets, lavatories and baths are not provided, one water closet, one lavatory and one bathtub or shower having access from a public hallway shall be provided for each ten (10) *occupants*.

**502.4 Employees' facilities.** A minimum of one water closet, one lavatory and one drinking facility shall be available to employees.

**502.4.1 Drinking facilities.** Drinking facilities shall be a drinking fountain, water cooler, bottled water cooler or disposable cups next to a sink or water dispenser. Drinking facilities shall not be located in *toilet rooms* or

*bathrooms*.

**502.4.2 Public toilet facilities.** Public toilet facilities shall be maintained in a safe sanitary and working condition in accordance with the *International 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*.

### SECTION 503 TOILET ROOMS

**503.1 Privacy.** *Toilet rooms* and *bathrooms* shall provide privacy and shall not constitute the only passageway to a hall or other space, or to the exterior. A door and interior locking device shall be provided for all common or shared *bathrooms* and *toilet rooms* in a multiple dwelling.

**503.2 Location.** *Toilet rooms* and *bathrooms* serving hotel units, *rooming units* or dormitory units or *housekeeping units*, shall have access by traversing not more than one flight of stairs and shall have access from a common hall or passageway.

**503.3 Location of employee toilet facilities.** Toilet facilities shall have access from within the employees' working area. The required toilet facilities shall be located not more than one story above or below the employees' working area and the path of travel to such facilities shall not exceed a distance of 500 feet. Employee facilities shall either be separate facilities or combined employee and public facilities.

**Exception:** Facilities that are required for employees in storage *structures* or kiosks, which are located in adjacent *structures* under the same *ownership*, lease or control, shall not exceed a travel distance of 500 feet from the employees' regular working area to the facilities.

**503.4 Floor surface.** In *buildings* other than *dwelling*

units, every toilet room floor shall be maintained to be a smooth, hard, nonabsorbent surface to permit such floor to be easily kept in a clean and sanitary condition.

## SECTION 504 PLUMBING SYSTEMS AND FIXTURES

**504.1 General.** All plumbing fixtures shall be properly installed and maintained in working order, and shall be kept free from obstructions, leaks and defects and be capable of performing the function for which such plumbing fixtures are designed. All plumbing fixtures shall be maintained in a safe, sanitary and functional condition.

**504.2 Fixture clearances.** Plumbing fixtures shall have adequate clearances for usage and cleaning.

**504.3 Plumbing system hazards.** Where it is found that a plumbing system in a structure constitutes a hazard to the occupants or the structure by reason of inadequate service, inadequate venting, cross connection, back siphonage, improper installation, deterioration or damage or for similar reasons, the code official shall require the defects to be corrected to eliminate the hazard.

## SECTION 505 WATER SYSTEM

**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, bathtubs and showers shall be supplied with hot or tempered and cold running water in accordance with the *International Plumbing Code*.

**505.2 Contamination.** The water supply shall be maintained free from contamination, and all water inlets for plumbing fixtures shall be located above the flood-level rim of the fixture. Shampoo basin faucets, janitor sink faucets and other hose bibs or faucets to which hoses are attached and left in place, shall be protected by an approved atmospheric-type vacuum breaker or an approved permanently attached hose connection vacuum breaker.

**505.3 Supply.** The water supply system shall be installed and maintained to provide a supply of water to plumbing fixtures, devices and appurtenances in sufficient volume

and at pressures adequate to enable the fixtures to function properly, safely, and free from defects and leaks.

**505.4 Water heating facilities.** Water heating facilities shall be properly installed, maintained and capable of providing an adequate amount of water to be drawn at every required sink, lavatory, bathtub, shower and laundry facility at a temperature of not less than 110°F. A gas-burning water heater shall not be located in any bathroom, toilet room, bedroom or other occupied room normally kept closed, unless adequate combustion air is provided. An approved combination temperature and pressure-relief valve and relief valve discharge pipe shall be properly installed and maintained on water heaters.

**505.5 Nonpotable water reuse systems.** Nonpotable water reuse systems and rainwater collection and conveyance systems shall be maintained in a safe and sanitary condition. Where such systems are not properly maintained, the systems shall be repaired to provide for safe and sanitary conditions, or the system shall be abandoned in accordance with Section 505.5.1.

**505.5.1 Abandonment of systems.** Where a nonpotable water reuse system or rainwater collections and distribution system is not maintained or the owner ceases use of the system, the system shall be abandoned in accordance with Section 1301.10 of the *International Plumbing Code*.

## SECTION 506 SANITARY DRAINAGE SYSTEM

**506.1 General.** All plumbing fixtures shall be properly connected to either a public sewer system or to an approved and properly functioning private sewage disposal system.

**506.2 Maintenance.** Every plumbing stack, vent, waste and sewer line shall function properly and be kept free from obstructions, leaks and defects.

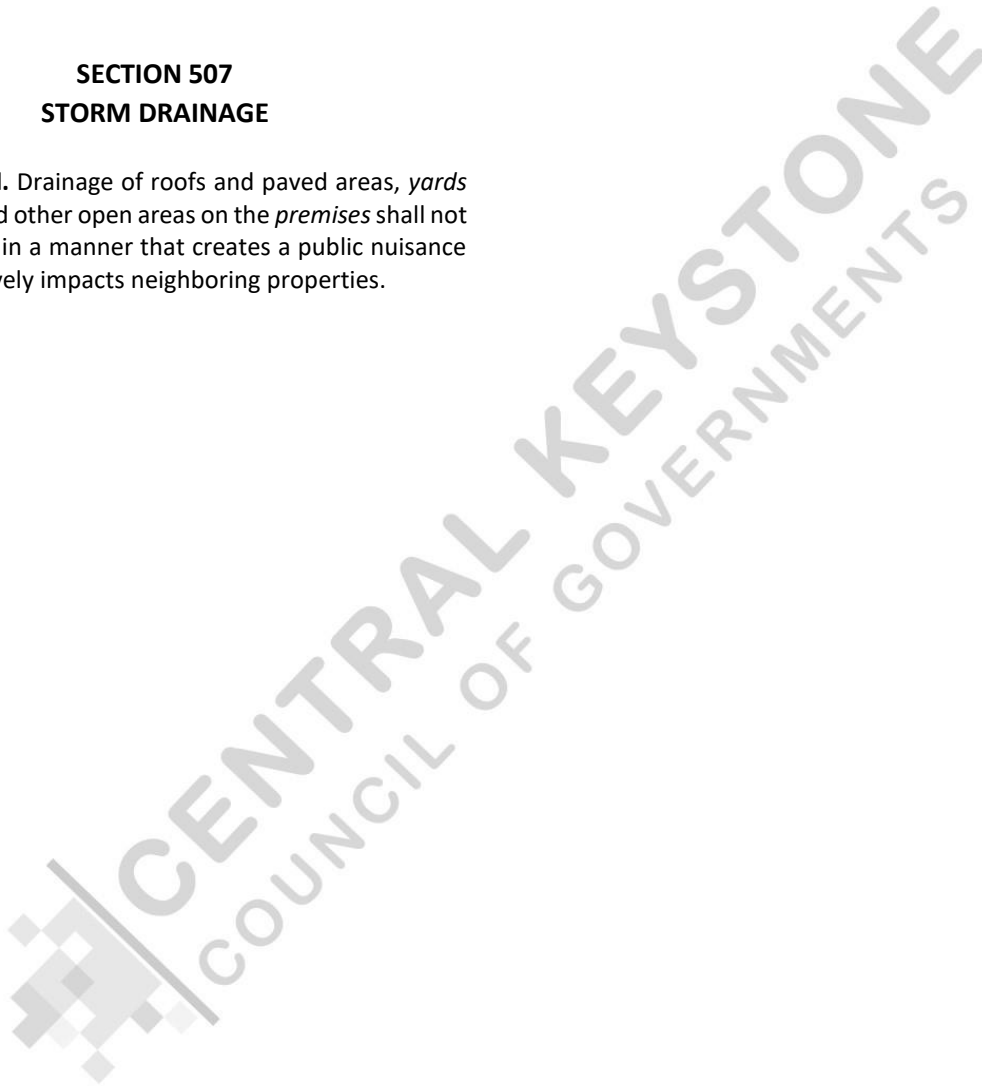
**506.3 Grease interceptors.** Grease interceptors and automatic grease removal devices shall be maintained in accordance with this code and the manufacturers installation instructions. Grease interceptors and automatic grease removal devices shall be regularly serviced and cleaned to prevent the discharge of oil, grease and other substances harmful or hazardous to the building drainage system, the private sewage disposal system or the sewage treatment plant or process. Records

of maintenance, cleaning and repairs shall be available for inspection by the *code official*.

**506.4 Maintenance.** Where it has been determined that a grease interceptor is not being maintained and serviced as intended by this code and the manufacturer’s instructions, an *approved* interceptor monitoring system shall be instituted, or a maintenance program shall be established with documentation submitted to the *code official*.

**SECTION 507  
STORM DRAINAGE**

**507.1 General.** Drainage of roofs and paved areas, *yards* and courts, and other open areas on the *premises* shall not be discharged in a manner that creates a public nuisance or that negatively impacts neighboring properties.



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# CHAPTER 6

## MECHANICAL AND ELECTRICAL REQUIREMENTS

### SECTION 601 GENERAL

**601.1 Scope.** The provisions of this chapter shall govern the minimum mechanical and electrical facilities and equipment to be provided.

**601.2 Responsibility.** The *owner* of the *structure* shall provide and maintain mechanical and electrical facilities and equipment in compliance with these requirements. An *owner* shall not occupy, or permit another *person* to occupy, any *premises* that do not comply with the requirements of this chapter.

### SECTION 602 HEATING FACILITIES

**602.1 Facilities required.** Heating facilities shall be provided in *structures* as required by this section.

**602.2 Residential occupancies.** Every dwelling shall be provided with heating facilities capable of maintaining a room temperature of 68°F measured at three (3) feet above the floor and a distance two (2) feet from the exterior wall in all habitable rooms, *bathrooms* and *toilet rooms*. Cooking appliances shall not be used, nor shall portable unvented fuel-burning space heaters be used, as a means to provide required heating to meet the requirements of this section. The installation of one or more portable space heaters shall not be used to achieve compliance with this section.

**602.3 Heat supply.** Every *owner* and operator of any *building* who rents, leases or lets one or more dwelling unit, rooming unit, dormitory, or guest room on terms, either express or implied, to furnish heat to the occupants thereof, shall supply sufficient heat during the period from October 1 to April 30 to maintain a room temperature of not less than 68° F in all habitable rooms, bathrooms and toilet rooms.

**Exception:** When the outdoor temperature is below the winter outdoor design temperature for the

locality, maintenance of the minimum room temperature shall not be required, provided that the heating system is operating at its full design capacity. The winter outdoor design temperature for the locality shall be as indicated in Appendix D of the International Plumbing Code.

**602.4 Non-Residential occupancies.** Indoor occupiable workspaces shall be supplied with sufficient heat during the period from October 1 to April 30 to maintain a temperature of not less than 65°F, measured at three (3) feet above the floor and a distance two (2) feet from the exterior wall in all habitable rooms, *bathrooms* and *toilet rooms*, during all working hours.

#### Exceptions:

1. Processing, storage and operation areas that require cooling or special temperature conditions.
2. Areas in which persons are primarily engaged in vigorous physical activities.

### SECTION 603 MECHANICAL EQUIPMENT

**603.1 Mechanical equipment and appliances.** All mechanical equipment, appliances, fireplaces, solid fuel-burning appliances, fossil-fuel burning appliances, cooking appliances and water heating appliances shall be properly installed and maintained in a safe working condition, and shall be capable of performing the intended function.

Installation, maintenance and inspection of these appliances shall be in accordance with the manufacturer's recommendations. If manufacturer's recommendations are not available, the installation and/or maintenance will be in accordance with the International Residential Code, International Mechanical Code, International Fuel Gas Code, and/or the appropriate NFPA standard for the specific use and appliance as approved by the code official. An inspection of a fuel burning appliance that is vented to the exterior shall include an inspection of the entire system, from air-intake to exhaust.

**603.1.1 Compliance tag.** A compliance tag or proof of inspection will be displayed on each *heating system* inspected, indicating the name of the company (if applicable), technician performing the service and the date of the service. Any deficiencies noted during the inspection must be corrected before a compliance tag is displayed on the appliance.

All records of maintenance, cleaning, and repairs shall be available for inspection by the *code official* and shall be maintained for a minimum of five (5) years.

**603.2 Removal of combustion products.** All fuel-burning equipment and appliances shall be connected to an *approved* chimney or vent.

**Exception:** Fuel-burning equipment and appliances which are *labeled* for unvented operation.

**603.3 Clearances.** All required clearances to combustible materials shall be maintained.

**603.4 Safety controls.** All safety controls for fuel-burning equipment shall be maintained in effective operation.

**603.5 Combustion air.** A supply of air for complete combustion of the fuel and for ventilation of the space shall be provided for fuel-burning equipment in accordance with the manufacturer's listing or the International Mechanical Code Chapter 11.

**603.6 Energy conservation devices.** Devices intended to reduce fuel consumption by attachment to a fuel-burning appliance, to the fuel supply line thereto, or to the vent outlet or vent piping there from, shall not be installed unless *labeled* for such purpose and the installation is specifically *approved*.

## SECTION 604 ELECTRICAL FACILITIES

**604.1 Facilities required.** Every occupied *building* shall be provided with an electrical system in compliance with the requirements of this section and Section 605.

**604.2 Service.** The size and usage of appliances and equipment shall serve as a basis for determining the need for additional facilities in accordance with the National Electrical Code, NFPA 70. *Dwelling units* shall be served by a three-wire, 120/240 volt, single-phase electrical service having a rating of not less than 60 amperes, or the

minimum allowable service permitted by the local electrical utility company.

**604.3 Electrical system hazards.** Where it is found that the electrical system in a *structure* constitutes a hazard to the *occupants* or the *structure* by reason of inadequate service, improper fusing, insufficient receptacle and lighting outlets, improper wiring or installation, *deterioration* or damage, or for similar reasons, the *code official* shall require the defects to be corrected to eliminate the hazard.

**604.3.1 Abatement of electrical hazards associated with water exposure.** The provisions of this section shall govern the repair and replacement of electrical systems and equipment that have been exposed to water.

**604.3.1.1 Electrical equipment.** Electrical distribution equipment, motor circuits, power equipment, transformers, wire, cable, flexible cords, wiring devices, ground fault circuit interrupters, surge protectors, molded case circuit breakers, low-voltage fuses, luminaires, ballasts, motors and electronic control, signaling and communication equipment that have been exposed to water shall be replaced in accordance with the provisions of the *International Building Code*.

**Exception:** The following equipment shall be allowed to be repaired where an inspection report from the equipment manufacturer or *approved* manufacturer's representative indicates that the equipment has not sustained damage that requires replacement:

1. Enclosed switches, rated 600 volts or less;
2. Busway, rated 600 volts or less;
3. Panelboards, rated 600 volts or less;
4. Switchboards, rated 600 volts or less;
5. Fire pump controllers, rated 600 volts or less;
6. Manual and magnetic motor controllers;
7. Motor control centers;
8. Alternating current high-voltage circuit breakers;
9. Low-voltage power circuit breakers;
10. Protective relays, meters and current transformers;



11. Low- and medium-voltage switchgear;
12. Liquid-filled transformers;
13. Cast-resin transformers;
14. Wire or cable that is suitable for wet locations and whose ends have not been exposed to water;
15. Wire or cable, not containing fillers, that is suitable for wet locations and whose ends have not been exposed to water;
16. Luminaires that are listed as submersible;
17. Motors;
18. Electronic control, signaling and communication equipment.

**604.3.2 Abatement of electrical hazards associated with fire exposure.** The provisions of this section shall govern the repair and replacement of electrical systems and equipment that have been exposed to fire.

**604.3.2.1 Electrical equipment.** Electrical switches, receptacles and fixtures, including furnace, water heating, security system and power distribution circuits, that have been exposed to fire, shall be replaced in accordance with the provisions of the *International Building Code*.

**Exception:** Electrical switches, receptacles and fixtures that shall be allowed to be repaired where an inspection report from the equipment manufacturer or *approved* manufacturer's representative indicates that the equipment has not sustained damage that requires replacement.

## SECTION 605 ELECTRICAL EQUIPMENT

**605.1 Installation.** All electrical equipment, wiring and appliances shall be properly installed and maintained in a safe and *approved* manner.

**605.1.1 Three to two prong adapters.** Electrical 3 to 2 prong adapter plugs shall not be used in conjunction with appliances that require a ground- type receptacle.

**605.2 Receptacles.** Every *habitable space* in a dwelling shall contain at least two separate and remote receptacle outlets. Every laundry area shall contain at least one grounded-type receptacle. Every *bathroom* shall contain

at least one receptacle and all *bathroom* receptacle outlets shall have ground fault circuit interrupter protection. All receptacle outlets shall have the appropriate faceplate cover for the location.

**605.3 Luminaires.** Every public hall, interior stairway, *toilet room*, kitchen, *bathroom*, laundry room, boiler room and furnace room shall contain at least one electric luminaire. Pool and spa luminaries over 15V shall have ground fault circuit interrupter protection. All luminary switches shall have the appropriate faceplate cover for the location.

**605.4 Lighting equipment.** In closets, storage areas, *bathrooms*, under kitchen *hood systems*, and in any other high humidity area or area where combustible material is likely to come in contact with the lamp or luminaire, all lighting equipment shall be maintained in the same condition as installed and *approved* by the *code official*. This includes but is not limited to globes.

**605.5 Wiring.** Flexible cords shall not be used for permanent wiring or for running through doors, windows, cabinets, or concealed within walls, floors, or ceilings.

**605.6 Routine maintenance.** All electrical equipment shall be kept in working order according to their listing.

## SECTION 606 ELEVATORS, ESCALATORS AND DUMBWAITERS

**606.1 General.** Elevators, dumbwaiters and escalators shall be maintained in compliance with ASME A17.1 and the requirements of the Pennsylvania Department of Labor and Industry. The most current certificate of inspection shall be on display at all times within the elevator or attached to the escalator or dumbwaiter, be available for public inspection in the office of the *building operator* or be posted in a publicly conspicuous location approved by the *code official*. The inspection and tests shall be performed at not less than the periodic intervals listed in ASME A17.1, Appendix N, except where otherwise specified by the authority having jurisdiction.

**606.2 Elevators.** In *buildings* equipped with passenger elevators, at least one elevator shall be maintained in operation at all times when the *building* is occupied.

**Exception:** *Buildings* equipped with only one elevator shall be permitted to have the elevator temporarily out of service for testing or servicing.

## SECTION 607 DUCT SYSTEMS

**607.1 General.** Duct systems shall be maintained free of obstructions and shall be capable of performing the required function.

**607.2 Clothes dryer exhaust duct system maintenance.** The lint trap, mechanical and heating components, and the exhaust duct system of a clothes dryer shall undergo periodic removal of accumulations of lint in accordance with the manufacturer's operating instructions to prevent obstruction of exhaust air and products of combustion.

**607.3 Hood systems.** *Hood systems* in commercial structures shall be maintained in accordance with this code, the manufacturer's installation instructions, and NFPA 96. *Hood systems* shall be regularly serviced and cleaned to prevent the accumulation of oil, grease, and other harmful, combustible, or flammable substances. The cleaning process shall be completed by an *approved* third-party cleaning company on a basis not to exceed that stated in NFPA 96. If the *code official* determines based on observations that the *hood system* is not performing adequately or that material buildup is observed, the *code official* may order the *hood system* be cleaned immediately or that the frequency of cleaning be increased going forward.

At the time of cleaning, the *hood system* shall be marked with an inspection tag supplied by the third-party cleaning company. This tag shall remain on the *hood system* until the next cleaning. The tag shall at a minimum contain the following information:

1. Name of the third-party cleaning company;
2. The business address of the third-party cleaning company;
3. A valid telephone number for the third-party cleaning company;
4. The name of the facility being cleaned;
5. The address of the facility being cleaned;
6. The date of the cleaning;
7. The name of the technician doing the cleaning;
8. The signature of the cleaning technician;
9. And notation if there were any problems with the equipment observed at the time of cleaning.

All records of maintenance, cleaning, and repairs shall be available for inspection by the *code official* and shall be maintained for a minimum of five (5) years.

## SECTION 608 CARBON MONOXIDE DETECTION

**608.1 Where required.** An approved carbon monoxide (CO) detector shall be installed in all *dwelling units*, rooming units, guest rooms, and lodging rooms when a fossil fuel or solid fuel appliance is utilized as the primary or supplemental heat source, fixed cooking appliance, or auxiliary power source. The options for the installation of these devices are:

1. If the *dwelling unit* or guestroom contains a fuel-burning appliance or has an attached garage, a CO alarm is required to be provided in the immediate vicinity of the sleeping rooms.
2. If ductwork or ventilation shafts to a room containing a fuel-burning appliance or to an attached garage connect the *dwelling unit* or guestroom, a CO alarm is required to be provided in the immediate vicinity of the sleeping rooms.
3. If the installation of CO alarms is not triggered by 1 or 2 above, but the *building* contains a fuel-burning appliance or has an attached garage, common area CO alarms are required to be installed in the immediate vicinity of the room containing the fuel-burning appliance and in the immediate vicinity of any ventilation shaft on the floor containing the fuel-burning appliance and within 2 stories above and below. Common-area CO alarms must be interconnected or monitored. As an alternative, CO alarms can be installed in each unit on the floor, 2 floors above and below.

**608.2 Approved detectors.** Approved detectors will be listed in accordance with ANSI/UL 2034.

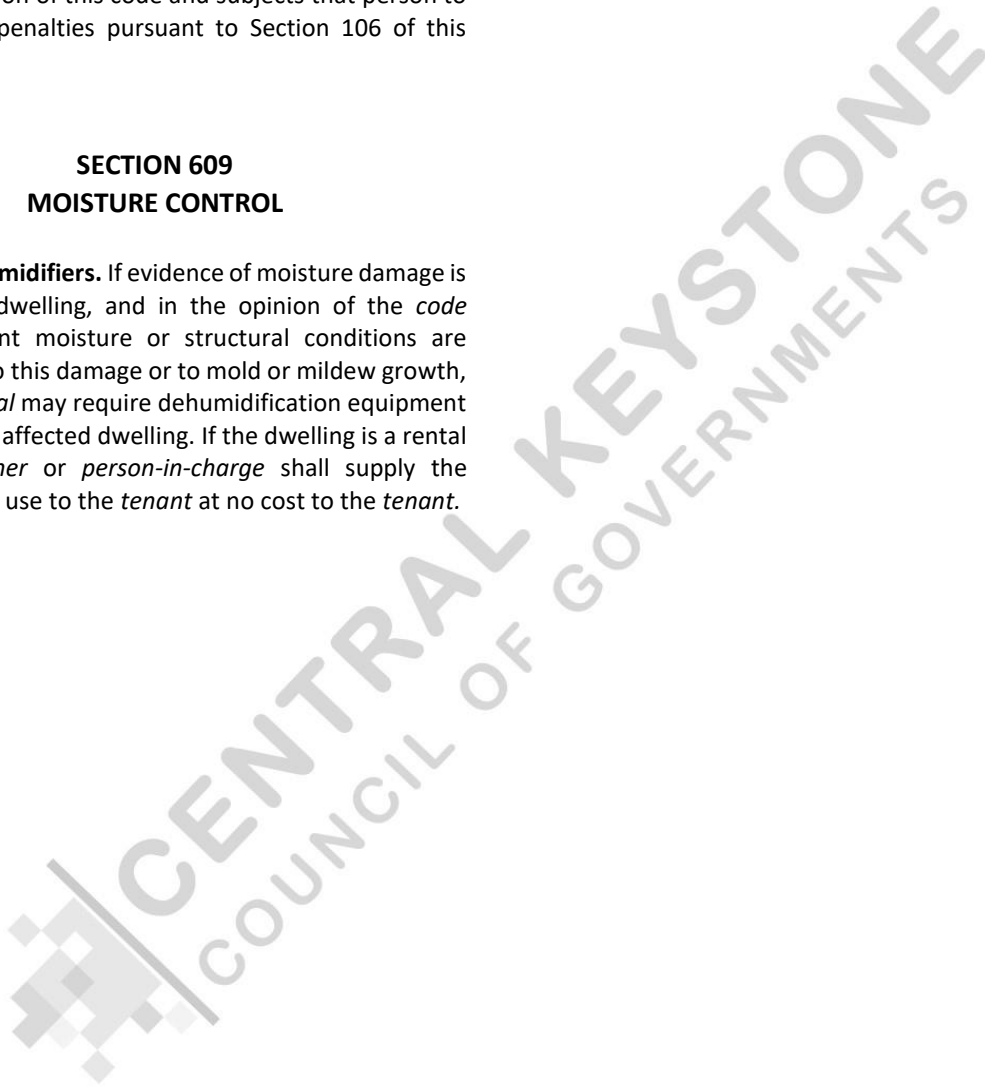
**608.3 Alarm system.** In *buildings* where the CO detector is connected to a fire alarm system, activation of a CO detector shall not transmit a signal to the central station unless it is a distinct "carbon monoxide alarm" signal. Activation of a CO detector shall not cause notification to the entire *building*, only at the affected detector and the fire alarm control panel.

**608.4 Responsibility.** It shall be the responsibility of the property *owner* or *person-in-charge* to provide a functioning carbon monoxide alarm at the beginning of each lease period. *Tenants* are responsible to maintain the detector in a functional condition at all times after starting *occupancy*.

**608.5 Tampering.** Removal of the battery or power source from a carbon monoxide alarm, making the detector inoperable or tampering with the detector in any way is a violation of this code and subjects that person to the violation penalties pursuant to Section 106 of this Code.

**SECTION 609  
MOISTURE CONTROL**

**609.1 Dehumidifiers.** If evidence of moisture damage is present in a dwelling, and in the opinion of the *code official* ambient moisture or structural conditions are contributing to this damage or to mold or mildew growth, the *code official* may require dehumidification equipment be used in the affected dwelling. If the dwelling is a rental unit, the *owner* or *person-in-charge* shall supply the equipment for use to the *tenant* at no cost to the *tenant*.



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# CHAPTER 7

## FIRE SAFETY REQUIREMENTS

### SECTION 701 GENERAL

**701.1 Scope.** The provisions of this chapter shall govern the minimum conditions and standards for fire safety relating to *structures* and exterior *premises*, including fire safety facilities and equipment to be provided.

*Tourist homes, Bed and Breakfasts, Transient and Short-Term Rentals*, are not required to obtain a Rental Housing Permit in accordance with Chapter 8 of this code prior to Occupancy. These *structures* shall obtain a **Fire Safety Permit** in accordance with Chapter 7 of this Code when Section 708 has been adopted by the Municipality.

**701.2 Responsibility.** The *owner* or *person-in-charge* of the *premises* shall provide and maintain such fire safety facilities and equipment in compliance with these requirements. A *person* shall not occupy as *owner-occupant* or permit another *person* to occupy any *premises* that do not comply with the requirements of this chapter. This section shall also apply retroactively to all existing rental properties.

### SECTION 702 MEANS OF EGRESS

**702.1 General.** A safe, continuous, and unobstructed path of travel shall be provided from any point in a *building* or *structure* to the *public way*. *Means of egress* shall comply with the code under which the building was constructed.

**702.1.1 Means of egress lighting.** All *means of egress* in Use Groups *R-1*, *R-2*, and *R-4* shall be equipped with artificial and emergency lighting and exit signs in accordance with the requirements for new *buildings* in the *International Building Code* listed in Chapter 11.

**702.2 Aisles.** The required width of aisles in accordance with the code under which the building was constructed shall be unobstructed.

**702.3 Locked doors.** All *means of egress* doors shall be

readily openable from the side from which egress is to be made without the need for keys, special knowledge, or effort except where the door hardware conforms to that permitted by the *International Building Code*.

**702.3.1 Doors and gates.** Doors, gates, and their hardware shall be installed and maintained in accordance with the *International Building Code* Section 1008.

**702.4 Emergency escape openings.** Required emergency escape and rescue openings shall be maintained in accordance with the code in effect at the time of construction, and *both* of the following:

1. Required emergency escape and rescue openings shall be operational from the inside of the room without the use of keys or tools.
3. Bars, grilles, grates or similar devices are permitted to be placed over emergency escape and rescue openings provided that the minimum net clear opening size complies with the code that was in effect at the time of construction and the unit is equipped with smoke alarms installed in accordance with Section 907.2.10 of the *International Building Code*. Such devices shall be releasable or removable from the inside without the use of a key, tool or force greater than that which is required for normal operation of the escape and rescue opening.

**702.4.1 Emergency escape requirements.** Every sleeping room located in a *basement* in an *occupancy Use Group I-1* or *R* shall have at least one (1) operable window or exterior door *approved* for emergency egress or rescue, or shall have access to not less than two (2) *approved* independent exits. An outside window or exterior door for emergency escape is not required in *buildings* equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1 or Section 903.3.1.2 of the *International Fire Code*.

Each emergency escape and rescue window shall have a minimum net clear opening of 5.7 square feet. The net clear opening shall be at least 24 inches in height and at least 20 inches in width. The net clear opening dimensions

shall be obtained by the normal operation of the window from the inside. The bottom of the net clear opening shall not be more than 44 inches above the floor. The minimum net clear opening for grade floor windows shall be five (5') square feet.

**702.4.1.1 Emergency escape window wells.** The area of the window well shall allow the emergency escape and rescue opening to be fully opened. Window wells with a vertical depth greater than 44 inches shall be equipped with a permanently affixed ladder or steps usable with the window in the fully open position. Ladders shall project at least three (3) inches from the wall and rungs or steps shall be spaced not more than 18 inches on center vertically for the full height of the window well and *guard* if installed.

**702.4.1.2 Bars, grilles, covers, and screens.** Bars, grilles, covers, screens, or similar devices are permitted to be placed over emergency escape and rescue openings, bulkhead enclosures, or window wells that serve as such openings. Such devices shall be releasable from the inside without the use of a key, tool, special knowledge, or force greater than that which is required for normal operation of the escape and rescue opening.

**702.4.1.3 Emergency escape windows under decks and porches.** Emergency escape windows are allowed to be installed under decks and porches provided the location of the deck allows the emergency escape window to be fully opened and provides a clear path of not less than 36 inches in height to a *yard* or *court*.

**702.5 Corridor enclosure.** Multi-family *buildings* with one (1) exit, as permitted in the *IBC*, all corridors serving an *occupant* load greater than 30, and the openings therein shall provide an effective barrier to resist the movement of smoke. All transoms, louvers, doors, and other openings shall be closed or shall be self-closing.

**Exception:** Corridors that are in compliance with the *International Building Code*.

**702.6 Number of exits.** In residential *buildings* (not including one or two-family dwellings), every *story* exceeding two (2) stories above grade shall be provided with not less than two (2) independent exits. In stories where more than one (1) exit is required, all *occupants* shall have access to at least two (2) exits. Every occupied *story* which is both totally below grade, and greater than 2,000 square feet, shall be provided with not less than two

(2) independent exits.

**Exception:** A single exit is acceptable under any one of the following conditions:

1. Where the *building* is equipped throughout with an automatic sprinkler system and an automatic fire detection system with smoke detectors located in all corridors, lobbies, and common areas.
2. Where the *building* is equipped throughout with an automatic fire detection system and the exit is an *approved* smoke-proof enclosure or pressurized *stairway*.
3. Where an existing *fire escape* conforming to the *International Building Code* is provided in addition to the single exit.
4. Where permitted by the *International Building Code*.

**702.6.1 Three story one or two-family dwelling.** Any existing *one* or *two-family dwellings* having *habitable space*, not including kitchens, on the third floor must provide two (2) *approved means of egress* from this space. Newly constructed *stairways* will be in accordance with the *International Residential Code* as amended, or as *approved* by the *code official*. Existing windows can be used for access to the *stairway* providing that the window meets the requirements of an egress window in accordance with 702.4.1 of this code. If an opening does not exist, the new opening must be a doorway of an *approved* dimension in accordance with the *International Residential Code*.

**Exception:** A *one* or *two-family dwelling* protected throughout with an *approved* automatic sprinkler system.

**702.7 Pass through.** For properties receiving a rental housing permit, egress shall not pass through kitchens, storage rooms, closets, or spaces used for similar purposes. An exit access shall not pass through a room that can be locked to prevent egress. *Means of egress* from *dwelling units* or sleeping areas shall not lead through other sleeping areas, *toilet rooms*, or *bathrooms*.

**Exception:** *Means of egress* are not prohibited through a kitchen area serving adjoining rooms constituting part of the same *dwelling unit*.

**702.8 Rooming Units.** Egress from a *rooming unit* within a *rooming house* is not exempt from this section in accordance with the *International Building Code*, Section 1013.2.

## SECTION 703 FIRE-RESISTANCE RATINGS

**703.1 Maintenance.** The required *fire-resistance rating* of *fire-resistance-rated* construction (including walls, firestops, shaft enclosures, partitions, *smoke barriers*, floors, fire-resistive coatings and sprayed fire-resistant materials applied to structural members, and fire-resistant joint systems) shall be maintained. Such elements shall be visually inspected by the *owner* or *person-in-charge* annually and properly repaired, restored, or replaced when damaged, altered, breached, or penetrated. Where concealed, such elements shall not be required to be visually inspected by the *owner* or *person-in-charge* unless the concealed space is accessible by the removal or movement of a panel, access door, ceiling tile, or similar movable entry to the space. Openings made therein for the passage of pipes, electrical conduit, wires, ducts, air transfer openings, and holes made for any reason shall be protected with *approved* methods capable of resisting the passage of smoke and fire. Openings through *fire-resistance-rated* assemblies shall be protected by self or automatic-closing doors of *approved* construction meeting the fire protection requirements for the assembly.

**703.1.1 Fireblocking and draftstopping.** Required *fireblocking* and *draftstopping* in combustible, concealed spaces shall be maintained to provide continuity and integrity of the construction.

**703.1.2 Smoke barriers and smoke partitions.** Required *smoke barriers* and smoke partitions shall be maintained to prevent the passage of smoke. All openings protected with *approved* smoke barrier doors or smoke dampers shall be maintained in accordance with NFPA 105.

**703.1.3 Fire walls, fire barriers, and fire partitions.** Required *fire walls*, *fire barriers*, and *fire partitions* shall be maintained to prevent the passage of fire. All openings protected with *approved* doors or fire dampers shall be maintained in accordance with NFPA 80.

**703.1.4 Unsafe Conditions** Where any components are not maintained and do not function as intended or do not have the fire resistance required by the code under which the *building* was constructed or altered, such components or portions thereof shall be deemed unsafe conditions in accordance with Section 111.1.1 of the *International Fire Code*. Components or portions thereof determined to be unsafe shall be repaired or

replaced to that code under which the *building* was erected or altered. Where the condition of components is such that any *building*, *structure* or portion thereof presents an imminent danger to the occupants of the *building*, *structure* or portion thereof, the *fire code official* shall act in accordance with Section 111.2 of the *International Fire Code*.

**703.2 Opening protectives.** *Opening protectives* shall be maintained in an operative condition in accordance with NFPA 80. Fire doors and *smoke barrier* doors shall not be blocked or obstructed or otherwise made inoperable. Fusible links shall be replaced promptly whenever fused or damaged. Fire door assemblies shall not be modified.

**703.2.1 Fire resistive glazing.** Exterior wall openings within ten (10) feet of an existing *fire escape* or *exterior stairway* shall be protected with fire rated glazing or other *approved* means in accordance with the *International Building Code*.

**Exception:** Opening protection is not required when the *building* is equipped throughout with an *approved* automatic sprinkler system.

**703.2.2 Operable windows.** For *buildings* with a certificate of *occupancy* dated prior to January 1, 2004, when *non-compliant* windows are being replaced that are within ten (10) feet of a *fire escape* or *exterior stairway*, those windows that are not needed to meet the requirements of Section 403 of this code or a required means of emergency egress shall be made permanently inoperable, equipped with an *approved* fire shutter, or replaced with a fixed pane window assembly. All operable replacement windows in this area shall still meet the fire rating requirements of the *International Building Code*.

**Exception:** Opening protection is not required when the *building* is equipped throughout with an *approved* automatic sprinkler system.

**703.3 Hold Open Devices and closers.** Hold-open devices and automatic door closers shall be maintained. During the period that a device is out of service for repairs, the door it operated shall remain in a closed position.

**703.4 Door Operation.** Swinging fire doors shall close from the fully open position and latch automatically. The door closer shall exert enough force to close and latch the door from and partially open position.

**703.5 Testing.** Horizontal and vertical sliding and rolling

fire doors shall be inspected and tested annually to confirm operation and full closure. Records of inspections and testing shall be maintained.

**703.6 Signs** Where required by the code official, a sign shall be permanently displayed on or near each fire door in letters not less than 1 inch high to read as follows:

1. For Doors designed to be kept normally open:  
FIRE DOOR - DO NOT BLOCK.
2. For doors designed to be kept normally closed:  
FIRE DOOR - KEEP CLOSED

**703.7 Vertical Shafts.** Interior vertical shafts, including stairways, elevator hoistways and service and utility shafts, which connect two or more stories of a *building* shall be enclosed or protected as required in Chapter 11 of the *International Fire Code*. New floor openings in existing *buildings* shall comply with the *International Building Code*.

**703.8 Opening protective closers.** Where openings are required to be protected, opening protectives shall be maintained self-closing or automatic-closing by smoke detections. Existing fusible-link type automatic door closing devices shall be replaced if the fusible ling rating exceeds 135°F.

**703.9 Dwelling/garage opening/penetration protection.** Openings and penetrations through the walls or ceilings separating the *dwelling* from the garage shall be in accordance with Sections 703.9.1 through 703.9.3.

**703.9.1 Opening protection.** Openings from a private garage directly into a room used for sleeping purposes shall not be permitted. Other openings between the garage and residence shall be equipped with solid wood doors not less than 1 3/8 inches in thickness, solid or honeycomb core steel doors not less than 1 3/8 inches

thick, or 20-minute fire-rated doors.

**703.9.2 Duct penetration.** Ducts in the garage and ducts penetrating the walls or ceilings separating the *dwelling* from the garage shall be constructed of a minimum No. 26 gauge sheet steel or other *approved* material and shall have no openings into the garage.

**703.9.3 Other penetrations.** Penetrations through the separation required due to a carport shall be protected as required by Section 703.9.3.1.

**703.9.3.1 Fireblocking.** Required at openings around vents, pipes, ducts, cables, and wires at ceiling and floor level, with an *approved* material to resist the free passage of flame and products of combustion. The material filling this *annular space* shall be required to meet the ASTM E 136 requirements.

**703.10 Clearance to combustibles above ranges.** A minimum of 30 inches' clear space shall be maintained vertically between the cooking surface and any combustible materials; this can be reduced to a minimum clear space of 24 inches if a metal barrier is installed between the cooking surface and the combustible material. The metal barrier shall be a steel sheet with minimum thickness of 24 AWG and be installed extending to the perpendicular projection of the edge of the cooking appliance at a minimum. The barrier shall be mounted in such a way that there is a minimum of one (1) inch clear space between the combustible surface and the barrier.

**703.11 Dwelling/garage fire separation.** The garage shall be separated as required by Table 703.5 including structural elements supporting the required separation elements. Openings in garage walls shall comply with Section 703.9. This provision does not apply to garage walls that are perpendicular to the adjacent *dwelling unit* wall.

**Table 703.5  
Dwelling/Garage Separation**

SEPARATION	MATERIAL
From the residence and attics	Not less than 1/2-inch gypsum board or equivalent applied to the garage side
From all habitable rooms above the garage	Not less than 5/8-inch Type X gypsum board or equivalent
Structure(s) supporting the floor/ceiling assemblies used for separation required buy this section	Not less than 1/2-inch gypsum board or equivalent
Garages located less than 3 feet from a dwelling on the same lot	Not less than 1/2-inch gypsum board or the equivalent applied to the interior side of exterior walls within this area



**SECTION 704  
FIRE PROTECTION SYSTEMS**

**704.1 General.** All systems, devices, and equipment to detect a fire, actuate an alarm, suppress or control a fire, or any combination thereof shall be maintained in an operable condition at all times in accordance with the *International Fire Code*.

**704.2 Inspection, testing and maintenance.** Fire detection, alarm and extinguishing systems, mechanical smoke exhaust systems, and smoke and heat vents shall be maintained in accordance with the *International Fire Code* in an operative condition at all times, and shall be replaced or repaired where defective.

**704.2.1 Installation.** Fire protection systems shall be maintained in accordance with the original installation standards for that system. Required systems shall be extended, altered or augmented as necessary to maintain and continue protection where the *building* is altered or enlarged. Alterations to fire protection systems shall be done in accordance with applicable standards.

**704.2.2 Required fire protection systems.** Fire protection systems required by this code, the *International Fire Code* or the *International Building Code* shall be installed, repaired, operated, tested and maintained in accordance with this code. A fire protection system for which a design option, exception or reduction to the provisions of this code, the *International Fire Code* or the *International Building Code* has been granted shall be considered to be a required system.

**704.2.3 Fire protection systems.** Fire protection systems shall be inspected, maintained and tested in accordance with the following *International Fire Code* requirements.

1. Automatic sprinkler systems, see Section 903.5.
2. Automatic fire-extinguishing systems protecting commercial cooking systems, see Section 904.12.5.
3. Automatic water mist extinguishing systems, see Section 904.11.
4. Carbon dioxide extinguishing systems, see Section 904.8.
5. Carbon monoxide alarms and carbon monoxide detection systems, see Section 915.6.
6. Clean-agent extinguishing systems, see Section

- 904.10.
7. Dry-chemical extinguishing systems, see Section 904.6.
8. Fire alarm and fire detection systems, see Section 907.8.
9. Fire department connections, see Sections 912.4 and 912.7.
10. Fire pumps, see Section 913.5.
11. Foam extinguishing systems, see Section 904.7.
12. Halon extinguishing systems, see Section 904.9.
13. Single- and multiple-station smoke alarms, see Section 907.10.
14. Smoke and heat vents and mechanical smoke removal systems, see Section 910.5
15. Smoke control systems, see Section 909.20.
16. Wet-chemical extinguishing systems, see Section 904.5.
17. Duct and air transfer openings, see Section 706.1.

**704.3 Standards.** Fire protection systems shall be inspected, tested and maintained in accordance with the referenced standards listed in Table 704.3 and as required in this section.

**TABLE 704.3  
FIRE PROTECTION SYSTEM MAINTENANCE  
STANDARDS**

SYSTEM	STANDARD
Portable fire extinguishers	NFPA 10
Carbon dioxide fire-extinguishing system	NFPA 12
Halon 130 I fire-extinguishing systems	NFPA 12A
Dry-chemical extinguishing systems	NFPA 17
Wet-chemical extinguishing systems	NFPA 17A
Water-based fire protection systems	NFPA 25
Fire alarm systems	NFPA 72
Fire dampers	NFPA 80
Smoke dampers	NFPA 105
Smoke and heat vents	NFPA 204
Water-mist systems	NFPA 750
Clean-agent extinguishing systems	NFPA 2001

**704.3.1 Records.** Records shall be maintained of all system inspections, tests and maintenance in accordance with Section 109.3 of the *International Fire Code*.

**704.3.2 Records information.** Initial records shall include the: name of the installation contractor; type of components installed; manufacturer of the components; location and number of components installed per floor; and manufacturers' operation and maintenance instruction manuals. Such records shall be maintained for the life of the installation.

**704.4 Systems out of service.** Where a required fire protection system is out of service, the fire department and the fire *code official* shall be notified immediately and, where required by the fire code official, either the *building* shall be evacuated, or an approved fire watch shall be provided for all *occupants* left unprotected by the shutdown until the fire protection system has been returned to service. Where utilized, fire watches shall be provided with not less than one approved means for notification of the fire department and shall not have duties beyond performing constant patrols of the protected *premises* and keeping watch for fires. Actions shall be taken in accordance with the *International Fire Code* to bring the systems back in service.

**704.4.1 Emergency impairments.** Where unplanned impairments of fire protection systems occur. Appropriate emergency action shall be taken to minimize potential injury and damage. The *code official* shall implement the steps outlined in Section 901.7.4. of the *International Fire Code*.

**704.5 Removal of or tampering with equipment.** It shall be unlawful for any person to remove, tamper with, or otherwise disturb any fire hydrant, fire detection and alarm system, fire suppression system, or other fire appliance required by this code except for the purposes of extinguishing fire, training, recharging or making necessary repairs.

**704.5.1 Removal of or tampering with appurtenances.** Locks, gates, doors, barricades, chains, enclosures, signs, tags and seals that have been installed by or at the direction of the *code official* shall not be removed, unlocked, destroyed or tampered with in any manner.

**704.5.2 Removal of existing occupant-use hose lines.** The *code official* is authorized to permit the removal of existing occupant-use hose lines where all of the following apply:

1. The installation is not required by the *International Fire Code* or the *International Building Code*.
2. The hose line would not be utilized by trained personnel or the fire department.
3. The remaining outlets are compatible with local fire department fittings.

**704.5.3 Termination of monitoring service.** For fire alarm systems required to be monitored by the

*International Fire Code*, notice shall be made to the *code official* whenever alarm monitoring services are terminated. Notice shall be made in writing by the provider of the monitoring service being terminated.

**704.6 Fire department connection.** Where the fire department connection is not visible to approaching fire apparatus, the fire department connection shall be indicated by an *approved* sign mounted on the street front or on the side of the *building*. Such sign shall have the letters "FDC" not less than 6 inches high and words in letters not less than 2 inches (51 mm) high or an arrow to indicate the location. Such signs shall be subject to the approval of the *code official*.

**704.6.1 Fire department connection access.** Ready access to fire department connections shall be maintained at all times and without obstruction by fences, bushes, trees, walls or any other fixed or movable object. Access to fire department connections shall be approved by the fire chief.

**Exception:** Fences, where provided with an access gate equipped with a sign complying with the legend requirements of Section 912.5 of the *International Fire Code* and a means of emergency operation. The gate and the means of emergency operation shall be approved by the fire chief and maintained operational at all times.

**704.6.2 Clear space around connections.** A working space of not less than 36 inches in width, 36 inches in depth and 78 inches in height shall be provided and maintained in front of and to the sides of wall-mounted fire department connections and around the circumference of free-standing fire department connection

**704.7 Smoke alarms.** Single and Multiple-station smoke alarms shall be installed in existing Group R and I-1 occupancies in accordance with the Sections 704.7.1, 704.7.2 and 704.2.3.

**704.7.1 One or two-family dwellings, Use Group R-3:** A smoke alarm shall be installed in each sleeping room, outside each sleeping area in the immediate vicinity of the *bedrooms* and on each additional *story* of the dwelling, including *basements* but not including crawl spaces and uninhabitable attics.

**704.7.1.1 Dwellings or dwelling units with split levels and without an intervening door between the adjacent levels:** A smoke alarm installed on the

upper level shall suffice for the adjacent lower level provided that the lower level is less than one (1) full story below the upper level.

**704.7.2 Use Group R-1:** A smoke alarm shall be installed in each sleeping room and the immediate vicinity of the sleeping rooms and in every room in the path of the *means of egress* from the sleeping area to the door leading from the *sleeping unit*.

**704.7.3 Use Groups R-2, R-4 and I-1.** Single or multiple-station smoke alarms shall be installed and maintained in Groups *R-2*, *R-4* and *I-1* regardless of *occupant load* at all of the following locations:

**704.7.3.1** On the ceiling or wall outside of each separate sleeping area in the immediate vicinity of *bedrooms*.

**704.7.3.2** In each room used for sleeping purposes.

**704.7.3.3** In each *story* within a *dwelling unit*, including *basements* but not including crawl spaces and uninhabitable attics. In *dwellings* or *dwelling units* with split levels and without an intervening door between the adjacent levels, a smoke alarm installed on the upper level shall suffice for the adjacent lower level provided that the lower level is less than one (1) full *story* below the upper level.

**704.7.3.4** Smoke alarms shall be required in the common areas of the *building* serving more than one (1) *dwelling unit*.

**704.7.3.5** All smoke alarms must be placed so that a minimum decibel level of 70 dB can be heard in all occupied spaces of the unit when the smoke alarm is sounded.

**704.7.4 Smoke Detector maintenance.** It shall be the responsibility of the property *owner* or *person-in-charge* to provide a functioning smoke detector at the beginning of each lease period. *Tenants* are responsible to maintain the smoke detector in a functional condition at all times after starting *occupancy*. Removal of the battery or power source from a smoke detector, making the detector inoperable, or tampering with the detector in any way, is a *violation* of this code and subjects that *person* to the penalties of Sections 106.3 and 106.3.1.

**704.7.5 Smoke Detector replacement** Smoke alarms shall be replaced where any of the following apply:

1. The smoke alarm fails to respond to operability tests.

2. Where the smoke alarm exceeds 10 years from the date of manufacture marked on the unit, unless an earlier replacement is specified in the manufacturer's instructions.
3. The smoke alarm end-of-life signal is sounded.
4. The smoke alarm date of manufacturer cannot be determined.

When any smoke alarm is replaced due to the above, such smoke alarms must then be hardwired **or** replaced with a 10-year sealed, tamper-resistant unit.

**704.7.6 Installation near cooking appliances.** Smoke alarms shall not be installed in the following locations unless this would prevent placement of a smoke alarm in a location required by other sections of this code.

1. Ionization smoke alarms shall not be installed less than 20 feet horizontally from a permanently installed cooking appliance.
2. Ionization smoke alarms with an alarm-silencing switch shall not be installed less than ten (10) feet horizontally from a permanently installed cooking appliance.

Exception: Smoke alarms shall be permitted to be installed a minimum of six (6) feet horizontally from a permanently installed cooking appliance where necessary to comply with Section 704.6.1.1 or 704.7.1.2

3. Photoelectric smoke alarms shall not be installed less than six (6) feet horizontally from a permanently installed cooking appliance.

**704.7.7 Installation near bathrooms.** Smoke alarms shall be installed not less than three (3) feet horizontally from the door or opening of a *bathroom* that contains a bathtub or shower unless this would prevent placement of a smoke alarm required by other sections of this code.

**704.7.8 Power source.** Single station smoke alarms shall receive their primary power from the *building* wiring provided that such wiring is served from a commercial source and shall be equipped with a battery backup. Smoke alarms with an integral strobe that are not equipped with battery backup shall be connected to an emergency electrical system. Smoke alarms shall emit a signal when batteries are low. Wiring shall be permanent and without a disconnecting switch other than as required for overcurrent protection.

**Exceptions:**

1. Existing Group R properties not undergoing alterations or repairs may, upon approval, install tamper-resistant, battery-operated smoke detectors.
2. Smoke alarms are permitted to be solely battery operated in *buildings* that are not served from a commercial power source.

**704.7.8.1 Smoke alarm circuits.** Smoke alarms required by this code and installed within *dwelling units* shall not be connected as the only load on a branch circuit. Such detectors shall be supplied by branch circuits having lighting loads consisting of lighting outlets in *habitable spaces* in accordance with the *National Electrical Code, NFPA 70*. All smoke alarms shall be listed, installed and maintained in accordance with the provisions of this code and the National Fire Alarm Code NFPA-72.

**704.7.9 Interconnection.** When more than one (1) smoke alarm is required to be installed within an individual *dwelling unit* the alarm devices shall be interconnected in such a manner that the actuation of one (1) alarm will activate all of the alarms in the individual unit. Common area smoke alarms (not located within a dwelling or *rooming unit*) shall be interconnected such that the actuation of one (1) common area alarm will cause all of the common area alarms or notification appliances to sound. Interconnection may be accomplished by wireless transmission or other means provided that the method of interconnection is *approved* by the *code official*.

**Exception:** Interconnection is not required within the *dwelling unit* where existing *buildings* have *dwelling unit* separations and a sprinkler system installed in accordance with the *International Building Code* or *International Residential Code*.

**704.7.10 Compliance time.** For Group R properties receiving a Rental Permit, compliance with all smoke alarm requirements is required prior to *occupancy*.

**704.7.11 Smoke detection system.** Smoke detectors listed in accordance with UL 268 and provided as part of the *building's* fire alarm system shall be an acceptable alternative to single- and multiple-station smoke alarms and shall comply with the following:

1. The fire alarm system shall comply with all applicable requirements in Section 907 of the *International Fire Code*.
2. Activation of a smoke detector in a *dwelling* or *sleeping unit* shall initiate alarm notification in the *dwelling* or *sleeping unit* in accordance with Section 907.5.2 of the *International Fire Code*.
3. Activation of a smoke detector in a *dwelling* or *sleeping unit* shall not activate alarm notification appliances outside of the *dwelling* or *sleeping unit*, provided that a supervisory signal is generated and monitored in accordance with Section 907.6.5 of the *International Fire Code*.

**704.8 Fire extinguishers.** In Use Group *R-1* and *R-2 rooming houses* and *fraternities*, a five (5) pound type ABC fire extinguisher with a minimum 2A rating shall be provided in corridors, those provided in other areas shall be in accordance with the *International Fire Code*.

**Exception.** Disposable fire extinguishers that are UL listed and meet the requirements of NFPA 10 shall be *approved* for use as listed, but in no way more than six (6) years from the date of manufacture. These disposable extinguishers are exempt from the requirements to be inspected annually by a third-party-trained individual. It is the responsibility of the property *owner* or *person-in-charge* to inspect the extinguisher annually, certifying that the extinguisher is in good working condition and that the extinguisher is charged and ready for use. The individual inspecting the extinguisher shall permanently affix the date that the inspection occurred and the initials of the inspector to the extinguisher.

**Exception.** In B (Business), M (Mercantile), S (Storage), and U (Utility) occupancies with a gross *tenant* area less than 500 ft<sup>2</sup>, are not required to provide a fire extinguisher in the *tenant* space provided the travel distance to the closest fire extinguisher is within 75 feet and that access is provided to the *tenant* without the use of keys or special locking mechanisms at any time that the *building* is occupied.

**704.8.1 Fire extinguisher maintenance.** All fire extinguishers shall be inspected and maintained annually in accordance with NFPA 10; the Standard for Portable Extinguishers. Inspections of fire extinguishers must be conducted by a certified extinguisher technician as defined by the Pennsylvania Fire Equipment Distributors (PAFED) or the National Fire Equipment Distributors (NAFED) specifications, or

equivalent as *approved* by the *code official*.

**704.9 Maintenance of fire protection systems.** All fire protection systems (automatic fire alarms, manual fire alarms, sprinkler systems, fire extinguishers, and automatic fire extinguishing systems) shall be tested and maintained in accordance with the NFPA standards specific to the type of system. The *owner* or *person-in-charge* is responsible for inspecting and maintaining these systems.

**704.9.1 Violations.** Failure to maintain a fire protection system in an operable condition at all times and complete the required inspections is a *violation* of this code and subject to the provisions of Sections 106 and the *owner* or *person-in-charge* is exempt from the notification requirements of Section 107.

**704.10 Tampering.** Any *person* tampering or interfering with the effectiveness of a smoke detector, emergency lighting, exit signs, fire extinguisher, sprinkler system, suppression system, alarm system, or anyone obstructing a fire exit or propping open a fire door, or compromising any other life safety aspects of the *structure* shall be in *violation* of this code and subject to the provisions of Sections 106 and the *person* is exempt from the notification requirements of Section 107.

**704.11 Fire safety certification.** At the beginning of each *occupancy* period and at least annually thereafter, the *owner* or *person-in-charge* shall provide all *tenants* on the lease with a signed certification that all fire extinguishers (Section 704.8), smoke alarms (Section 704.7), and carbon monoxide detectors (Section 608), where required, are in working condition. It shall be the responsibility of the *tenants* to verify that the life safety equipment, smoke alarms, and carbon monoxide detectors, where provided, are in working condition and the fire extinguisher is inspected and charged, and to sign the certification and return it to the landlord. All *tenants* on a lease shall sign the Certification. The *owner* or *person-in-charge* shall maintain the original certification document and make it available to the *code official* upon request.

**704.11.1 Violations.** Any *tenant*, *owner*, or *person-in-charge* failing to execute the certification shall be in *violation* of this section and subject to the penalties set forth in Section 106.3. Neither the *owner* or *person-in-charge* nor the *tenants* shall be responsible for the failure of either party to execute the certification.

**704.11.2 Reporting.** In addition to the *tenant* notification requirements contained in Section 803.3,

the *owner* or *person-in-charge* shall provide the *tenant* with instruction on how to report deficiencies with these fire safety systems.

**704.11.3 Tampering.** At any time during the lease period when the *code official* finds that tampering has occurred as set forth in Section 704.13 of this chapter, it shall be a *violation*.

**Exception:** The *tenant* must report a deficiency to the *owner* or *person-in-charge* immediately after the deficiency is detected or if the system is malfunctioning.

**704.11.4 Certification verification.** Any time the *code official* discovers a deficiency with a smoke detector or fire extinguisher, the *owner* or *person-in-charge*, upon 24 hours after notification of such deficiency, shall provide a copy of the Fire Safety Certification to the *code official*. If the certification is provided and the *tenants* have previously signed the form or have been provided with a copy, the *tenants* are considered in *violation* and will be issued a penalty in accordance with Section 106.

**704.11.5 Responsibility.** If the *owner* or *person-in-charge*, cannot provide the affidavit within 24 hours the *owner* or *person-in-charge* is then considered in *violation* and will be issued a penalty in accordance with the afore referenced sections.

**704.12 Fire alarm monitoring.** Existing fire alarm systems that were installed prior to the enactment of the Uniform Construction Code of Pennsylvania, that are not supervised to notify a monitoring agency, without delay, must be indicated as a Local Alarm, and have a sign that instructs *occupants* to call 9-1-1 to report the fire alarm. Systems installed after the enactment of the Uniform Construction Code of Pennsylvania must remain supervised and may not delay the notification to a monitoring agency, unless *approved* in writing by the *code official*.

**704.12.1 Repairs.** Modifications and repairs of fire alarm monitoring systems that involve the replacement of the FACP/FACU (fire alarm control panel / fire alarm control unit) are required to be monitored/electronically supervised in accordance with requirements of the Uniform Construction Code of Pennsylvania.

## SECTION 705 DECORATIVE MATERIALS

**705.1 Ceilings.** The hanging and displaying of salable goods and other decorative materials from acoustical ceiling systems that are part of a fire-resistant-rated horizontal assembly shall be prohibited.

**705.2 Decorative material.** Overhead decorative material such as, but not limited to, burlap, fish netting, plastic, or other similar combustible or flammable material shall not be suspended from the ceiling of any *building* unless it is certified to be flame resistant. Where documented certification of flame resistance is not provided, the *code official* shall require the *owner* or *person-in-charge*, to remove the decorations, or to subject the decorative materials to a field test in accordance with Chapter 10 of NFPA 701 at the cost of the *owner* or *person-in-charge*.

**705.3 Encroachment.** In no way shall any decorative material or sales goods cover or be installed in a way that may hamper or adversely affect an automatic sprinkler system, alarm system, or any other fire safety feature.

## SECTION 706 CARBON MONOXIDE ALARMS AND DETECTION

**706.1 General.** Carbon monoxide alarms shall be installed in dwellings in accordance with Section 1103.9 of the *International Fire Code*, except that alarms in dwellings covered by the *International Residential Code* shall be installed in accordance with Section R315 of that code.

**706.2 Carbon monoxide alarms and detectors.** Carbon monoxide alarms and carbon monoxide detection systems shall be maintained in accordance with NFPA 72. Carbon monoxide alarms and carbon monoxide detectors that become inoperable or begin producing end-of-life signals shall be replaced.

## SECTION 707 LABELING

**707.1 Labeling required.** Doors into all locked rooms that contain *building* utilities shall be identified with a plainly visible and legible sign. These letters and numbers shall contrast with their background. Printing shall be Arabic numerals or alphabet letters. Letters and numbers shall be a minimum of two (2") inches high with a minimum stroke

width of 0.25 inch. This includes, but is not limited to electrical, utility, sprinkler, fire alarm and mechanical room.

## SECTION 708 COMMERCIAL FIRE SAFETY PERMITS

**708.1 Commercial Fire Safety Permit.** The Commercial Fire Safety Permit is the same as a Fire Permit, Commercial Safety Permit, Fire Certificate, and Fire Certificate of *Occupancy* for the purposes of this document.

**708.2 Permit Fees.** The Fire Safety Permit fee and Operational Permit fee shall be established by resolution of the Executive Committee of the Board of Directors of the CKCOG. Fees for additional services provided may also be set by Municipal Resolution or Ordinance.

Fire Safety Permit fees are determined using a formula which is based on size and risk of the establishment. The Fire Safety Permit fee schedule and Operational Permit fees may be amended, as needed, by resolution.

**708.3 Required.** No *person*, firm, business, association, or corporation shall operate a place of assembly, business, educational facility, factory, high-hazard facility, institution, mercantile establishment, hotel, motel, residential care or assisted living facility, or storage facility; or rent such space to another until such a *person*, firm, business, association, or corporation has been issued a Fire Safety Permit by the *code official*. The Fire Safety Permit shall be posted in a window visible from the street or kept in plain view at the entrance or reception area of the main *building* and a copy maintained by the property *owner* or *person-in-charge*. The *owner* or *person-in-charge* of the property is required to obtain and maintain the Commercial Fire Safety Permit prior to *occupancy* of the space. If the use of the space changes the *code official* is to be notified in writing so an inspection can be conducted to determine code compliance prior to *occupancy*.

**708.4 Transfer.** The Commercial Fire Safety Permit is not transferable and is only valid for a specific *tenant*, *occupant*, franchisee, business, or legal entity, and if the occupying entity changes, a new Fire Safety Permit shall be applied for within five (5) calendar days of the transfer occurring.

**708.5 Permit application.** Applications for permits shall be made to the CKCOG Office on forms furnished by said office.

**708.6 Issuance or refusal.** The *code official* shall issue a Commercial Fire Safety Permit to the applicant upon proof that all of the following requirements have been satisfied:

1. The *structure* complies with the provisions of this code and all other applicable codes and/or ordinances;
2. A proper Fire Safety Permit fee has been submitted.

**708.7 Renewal.** Fire Safety Permits shall be renewed on or before the permit expiration date. A Fire Safety Permit shall become null and void upon permittee's failure to submit the required or proper renewal Fire Safety Permit fee. No reduction shall be made for fractional yearly permits.

**708.8 Penalty.** Penalties for noncompliance with orders and notices shall be as set forth in Section 106.

**708.9 Applications.** Applications for Fire Safety Permits and applications for the renewal of Fire Safety Permit shall be filled out completely and accurately including addresses and telephone numbers for both the *owner* or *person-in-charge*, and *tenant*. The Fire Safety Permit shall not be issued or renewed if an application does not contain all required information.

**708.9.1 Contact address.** The contact addresses provided to the CKCOG must be a valid address for the receipt of United States mail and shall be checked by the *owner* or *person-in-charge* on a regular basis.

**708.9.2 Telephone number.** The telephone number(s) provided to the CKCOG must be a valid telephone number capable of receiving and recording voice mail at all times. This number is considered the emergency contact number for this individual. A response to a voice mail left on this number by a representative of the *municipality* or the CKCOG shall be returned or responded to within the time frame requested by the CKCOG.

**708.9.3 E-mail address.** A valid e-mail address for the *owner* or *person-in-charge* shall be provided to the CKCOG. The e-mail address shall be considered an emergency contact and response to an e-mail left at this address by a staff member of the CKCOG shall be responded to within the time frame requested.

**708.10 Display and ownership.** The Fire Safety Permit must be displayed in a window visible from the street or

kept in plain view at the entrance or reception area of the main *building*. The issuance of a Fire Safety Permit to an *owner* or *person-in-charge* shall constitute consent for an inspection. The Fire Safety Permit is and shall remain the property of CKCOG. Replacement of a lost or damaged Fire Permit shall be assessed a replacement fee in accordance with Section 107.4.1.

## SECTION 709 OPERATIONAL PERMITS

**709.1 Operational Permit.** An Operational Permit is separate from any required Fire Permit and is required for all operations set forth in the following uses:

**709.1.1 Carnivals and fairs.** A permit is required to conduct a carnival or fair.

**709.1.2 Explosives.** An operational permit is required for the manufacture, storage, handling, sale, or use of any quantity of *explosives*, *explosive materials*, fireworks, or pyrotechnic special effects that are not otherwise regulated by State or Federal permit.

**709.1.3 Open burning.** An open-burn permit is required for the kindling or maintaining an open fire, unless excluded or prohibited under other municipal regulation.

**Exception:** *Recreational fires* conducted more than 25 feet from a *structure* and portable outdoor fireplaces when used in accordance with the manufacturer's instructions and operated more than 15 feet from a *structure* or combustible material.

**709.1.4 Fire alarm system.** A permit is required for systems which transmit alarm signals off site.

**709.1.5 Tents and other temporary structures.** A permit is required to erect and operate from any tent or temporary *structure* in excess of 200 square feet, and for canopies in excess of 400 square feet.

**709.2 Transfer.** The Operational Permit is not transferable and is only valid for a specific event, *tenant*, *occupant*, franchisee, business, or legal entity, and if the occupying entity changes, a new Operational Permit shall be applied for within five (5) calendar days of the change occurring.

**709.3 Permit application.** Applications for permits shall be made to the CKCOG Office on forms furnished by said

office.

**709.4 Issuance or refusal.** The *code official* shall issue an Operational Permit to the applicant upon proof that all of the following requirements have been satisfied:

1. The *structure* complies with the provisions of this code and all other applicable codes and/or ordinances;
2. A proper Operational Permit fee has been submitted.

**709.5 Penalty.** Penalties for noncompliance with orders and notices shall be as set forth in Section 106.

**709.6 Applications.** Applications for Fire Safety Permits and applications for the renewal of Fire Safety Permit shall be filled out completely and accurately including addresses and telephone numbers for both the *owner* or *person-in-charge*, and *tenant*. The Fire Safety Permit shall not be issued or renewed if an application does not contain all required information.

**709.6.1 Contact address.** The contact addresses provided to the CKCOG must be a valid address for the receipt of United States mail and shall be checked by the *owner* or *person-in-charge* on a regular basis.

**709.6.2 Telephone number.** The telephone numbers provided to the CKCOG must be a valid telephone number capable of receiving and recording voice mail at all times. This number is considered the emergency contact number for this individual. A response to a voice mail left on this number by a representative of the *municipality* or the CKCOG shall be returned or responded to within the time frame requested by the CKCOG.

**709.6.3 E-mail address.** A valid e-mail address for the *owner* or *person-in-charge* shall be provided to the CKCOG. The e-mail address shall be considered an emergency contact and response to an e-mail left at this address by a staff member of the CKCOG shall be responded to within the time frame requested.

**709.7 Display and ownership.** The Operational Permit must be displayed in a window visible from the street or kept in plain view at the entrance of the main *building*, tent or other *structure*. The issuance of an Operational Permit to an *owner* or *person-in-charge* shall constitute consent for an inspection. The Operational Permit is and shall remain the property of CKCOG. Replacement of a lost

or damaged Fire Permit shall be assessed a replacement fee in accordance with Section 107.4.1.

## SECTION 710 INSPECTIONS

**710.1 Regular inspection frequency.** The *code official* shall establish, by written regulation, the frequency of inspection for all properties requiring a Fire Safety Permit. The inspection frequency shall be based upon a classification of hazards associated with the use or *occupancy* of all establishments. Such periods shall not be more than every five (5) years and shall cause inspection or re-inspection of all establishments to be made in accordance with the established classification.

**710.2 Other inspections.** Nothing in this code shall prevent the *code official* from conducting more frequent inspections of a property. More frequent inspections may occur when any of the following occurs:

- a. When a complaint is made, and the *code official* has reasonable cause to believe that the complaint is valid;
- b. At the request of the *owner* or *tenant*;
- c. By recurrent *deficiencies*, such that any *structure* which has been found to have a high incidence of recurrent or uncorrected *deficiencies* will be inspected more frequently;
- d. For the purpose of re-inspection to ensure the correction of any *deficiencies* in existence at a previous inspection;
- e. When an alteration of the *premises* results in the increase or decrease in occupiable space;
- f. By area, such that all *structures* in a predetermined geographical area will be inspected simultaneously, or within a short period of time.

## SECTION 711 PORTABLE FIRE EXTINGUISHERS

**711.1 Where required.** Portable fire extinguishers shall be installed in the following locations.

1. In new and existing Group A, B, E, F, H, I, M, and S occupancies.



**Exception:** In new and existing Group A, B, and E occupancies equipped throughout with quick response sprinklers, portable fire extinguishers shall be required only in locations specified in items 2 through 6.

2. Within 30 feet of commercial cooking equipment.
3. In areas where flammable or *combustible liquids* are stored, used, or dispensed.
4. On each floor of *structures* under construction, except Group *R-3* occupancies, in accordance with Section 1415.1 of the *International Fire Code*.
5. Where required by the sections indicated in Table 906.1 of the *International Fire Code*.
6. Special-hazard areas, including but not limited to laboratories, computer rooms, and generator rooms, where required by the fire official.
7. In non-sprinklered use group *R-2* *fraternity and sorority houses*, a 5-pound ABC type with 2A rating portable fire extinguisher shall also be provided in corridors located in accordance with NFPA 10.
8. In temporary *structures* where cooking operations are being conducted involving combustible cooking media, the minimum of one (1) 6-liter, Class K portable fire extinguisher shall be provided and ready for use in the vicinity of the cooking equipment. The maximum distance that can be protected by a single extinguisher is 25 feet, unobstructed.

## SECTION 712 FIRE DEPARTMENT CONNECTION CAPS AND THREADS

**712.1 Threads.** All threads provided for fire department connections to sprinkler systems, standpipe systems, yard hydrants, or any other fire hose connection shall be National Standard Hose thread with a maximum size of 2.5 inches per inlet. For residential suppression systems, based on flow requirements 1.5-inch hose connections with National Standard Hose thread may be used.

**712.2 Non-visible Fire Department Connections.** Fire Department Connections that are not readably visible from the street address side of the *building* shall be made visible or provide *approved* sign(s) to direct the fire department to this location. A metal sign with raised letters at least two (2) inch in size with minimum stroke

width of 1/4 inch. Such signs shall read: "AUTOMATIC SPRINKLERS, STANDPIPES, TEST CONNECTION" or a combination thereof as applicable with proper directional indication.

## SECTION 713 ASSEMBLY OCCUPANCY

**713.1 General.** All spaces that are permitted by the CKCOG as Assembly A-2 *Occupancy* Group, as defined by the *International Building Code*, and have a permitted maximum *occupancy* level equal to or exceeding 100 *persons* shall comply with the requirements of Sections 713.

**713.2 Maximum *occupancy* level.** The *owner, person-in-charge, manager, person of authority, staff member, or* duly authorized individual working the door and controlling the inflow of patrons shall know and be able to verbally provide to the *code official* the maximum *occupancy* level of the assembly area when requested.

**713.3 Actual *occupancy* level.** The *owner, person-in-charge, person of authority, staff member, or* duly authorized individual working the door and controlling the inflow of patrons shall know and verbally provide to the *code official* the actual *occupancy* level of the assembly area including staff with an accuracy of plus or minus 5% of the maximum *occupancy* of the assembly area when requested.

## SECTION 714 OPEN-FLAME COOKING DEVICES

**714.1 Open-flame cooking devices.** Charcoal burners and other open-flame cooking devices shall not be operated on combustible balconies or within ten (10) feet of combustible construction.

**Exceptions:** Where *buildings, balconies, or decks* are protected by an *automatic sprinkler system*.

**714.2 LP-gas containers.** Under no circumstances shall any LP-gas container or compressed gas fuel cylinder with a water capacity greater than 2 ½ pounds [nominal one (1) pound LP-gas capacity] be used on any balcony, deck, or area that does not have a direct *means of egress* that does not require entry into a *structure* nor in areas covered by a *roof* or a partially enclosed area no matter what the construction type.

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# CHAPTER 8

## RENTAL PERMITS

### SECTION 801 GENERAL

**801.1 Scope.** The provisions of this chapter shall govern the issuance, refusal, and maintenance of residential *Rental Permits* (hereinafter referred to as “Permit” for the remainder of this Chapter) for the Municipalities adopting Chapter 8 of this Code.

### SECTION 802 PERMIT

**802.1 Permit required.** No *owner, person, firm, or corporation* shall operate or rent to another, or provide for residential *occupancy* with or without compensation for thirty (30) or more days, any *dwelling unit, rooming unit, sleeping unit, or congregate living facility*, or operate a *Farm Labor Camp* until a Rental Permit has been issued by the *code official*. *Tourist homes, Bed and Breakfasts and Transient or Short-Term Rentals* shall obtain a **Fire Safety Permit** in accordance with Chapter 7 of this Code when Section 708 has been adopted by the Municipality.

**Exceptions:**

1. When as part of a property sales agreement, the *owner* of an *owner-occupied single-family residential property* negotiates a post-settlement agreement to stay in the *premises* after the transfer of *ownership* to the purchaser, for a maximum of 180 days, the property is not required to have a Permit.
2. In case of extraordinary circumstances or national disaster, the municipality may temporarily exempt units from the Permit requirement of this Section for up to 180 days.
3. When a Municipality has enacted an Ordinance that equals or exceeds the requirements of this Code.
4. When a Municipality has elected not to require inspections of those units occupied by a member of the *Owner’s family*. An “Affidavit of Non-Rental”

must be completed by the Owner and returned to the CKCOG a minimum of every 36 months.

**802.1.1 Occupancy prior to permit issuance.** *Occupancy* of any rental property prior to Permit issuance is a *violation* of this code. In addition to the imposition of the penalties described herein, the *code official* is authorized to issue *citations* in accordance with this code. Each day that a *violation* continues after due notice has been served, in accordance with the terms and provisions hereof, shall be deemed a separate offense. Any *person, firm, or corporation* violating this section is exempt from the notification requirements set forth in Section 107.

**802.2 Purpose.** The regulation, inspection and licensing of rental units is intended to:

1. Protect the health, safety, and welfare of *persons* affected by or subject to the provisions of this Chapter;
2. Ensure that *owner(s), person(s)-in-charge, and tenant(s)* of such rental unit, are informed of, and adhere to, all applicable code provisions governing the use and maintenance of rental units.

**802.3 Permit application.** Applications for Permits shall be made to the CKCOG Office on forms furnished by the CKCOG.

**802.3.1 Floor plan.** All Permit applications shall be accompanied by a floor plan of the proposed rental space including room dimensions, windows, and door locations. Floor plan shall include location, current use, and description of all attached nonresidential spaces.

**802.4 Rental Permit fee.** The initial Permit fee and renewal Permit fee shall be established by resolution of the Executive Committee of the Board of Directors of the CKCOG. The inspection frequency and Permit renewal schedule shall be established by resolution of the *Municipality*.

**802.5 Issuance or refusal.** The *code official* shall issue an initial Permit to the applicant upon proof that all of the following requirements have been satisfied:

1. Zoning use permit has been issued for the purpose for which it will be used or that no Zoning approval is required;
2. The *structure* complies with the provisions of this Chapter and all other applicable codes and/or ordinances, including the Property Maintenance Code;
3. The initial Permit fee has been submitted.

**802.6 Renewal.** Permits shall be renewed in accordance with the adopted schedule of the municipality, on or before the Permit expiration, by completing a Permit renewal application and submitting the Permit renewal fee and receiving a *satisfactory rental housing inspection Report*. A Permit shall be suspended upon the Permit holder's failure to submit the required completed renewal application and Permit renewal fee. No reduction shall be made for fractional yearly permits.

**802.7 Late fee.** A late fee charge, per unpaid unit(s), shall be imposed for any renewal fees not paid within 90 days of the date of the initial renewal letter.

**802.8 Transferability.** Permits shall be transferable upon change of *ownership*, providing the permitted use has not changed. The new *owner* is required to notify the CKCOG of any *ownership* change. Failure to notify the CKCOG of transfer within 15 calendar days will result in the revocation of the existing Permit.

**802.9 Applications.** Applications for Permits and shall be filled out completely and accurately including addresses and telephone numbers for both the *owner(s)*, and *person-in-charge*. The Permit shall not be issued or renewed if an application does not contain all required information. The CKCOG shall be notified in writing of any changes to information required by this Section within 15 calendar days.

**802.9.1 Contact address.** The *owner* and *person-in-charge* contact addresses provided to the CKCOG on such application must be a valid address for the receipt of United States mail and shall be checked by the *owner* or *person-in-charge* on a regular basis not to exceed 1 week.

**802.9.2 Telephone number.** The *owner* and *person-in-charge* telephone numbers provided to the CKCOG on such application must be valid telephone numbers capable of receiving and recording voice mail at all times. A response to a voice mail left on this number by a representative of the *Municipality* or the CKCOG shall

be returned or responded to within the time frame requested.

**802.9.3 E-Mail address.** Whenever possible, a valid e-mail address for the *owner* and *person-in-charge* shall be provided to the CKCOG. A response to an e-mail sent to this address by a staff member of the CKCOG or the *municipality* shall be responded to within the time frame requested.

**802.10 Display and use.** The Permit should be displayed in a common area of the *structure* of a multi-family dwelling. In single-family units or those without common areas, the Permit must be made available to the Code Officer, the Municipality, or current or prospective tenants upon request. The issuance of a Rental Permit to an *owner* or *person-in-charge* shall constitute consent for an inspection. The Rental Permit is and shall remain the property of CKCOG. Replacement of a lost or damaged Rental Permit shall be assessed a replacement fee in accordance with Section 107.4.1.

## SECTION 803 PERSON-IN-CHARGE

**803.1 Designation.** All *owners* of *residential rental property* shall designate a *person-in-charge* for each of their residential properties. This *person-in-charge* may be the *owner*, however, if the *owner* resides on a regular or permanent basis more than thirty (30) miles from the property, a *person-in-charge* must be designated that resides within thirty (30) miles of the subject property.

**803.2 Authorization.** The *person-in-charge* shall be authorized to receive all notifications and correspondence and is authorized to make decisions regarding the property and its occupants to ensure compliance with this Code and all other applicable municipal Ordinances.

**803.3 Duties.** It shall be the duty of every *person-in-charge* to keep and maintain all regulated rental units in compliance with this Code and all other applicable municipal Ordinances, including:

1. To maintain the *premises* in good and safe condition;
2. To respond promptly to reasonable complaints and inquiries from occupants.
3. To comply fully with all provisions of this Code.

**803.4 Occupancy.** The *person-in-charge* shall maintain all rental property under their control in compliance with the *occupancy* limits, as specified in the Zoning Ordinance of the *Municipality* or as determined after inspection by the *code official*.

**803.5. Notification.** The *person-in-charge* shall promptly notify the *owner* of such rental property of any and all *violations* or *citations* issued against said property by the *code official*.

## SECTION 804 TENANT NOTIFICATIONS

**804.1 Tenant Information Packet.** The *person-in-charge* shall be required to distribute to each *tenant*, a Tenant Information Packet (hereinafter referred to as the “packet”). The packet shall be distributed annually and/or with each new lease or *occupancy*. Contents of the packet shall be developed by the CKCOG, in cooperation with the *Municipality*, and made available in electronic format to property *owners* and *persons-in-charge* to distribute.

The packet shall be separate from any written lease and shall include the following:

1. *Occupancy* limits of the rental property, where applicable;
2. Municipal codes and Ordinances regarding refuse, litter, parking, weeds, grass, and the removal of snow and ice from sidewalks;
3. Specific information regarding the CKCOG requirements including:
  - a. Basic property maintenance code requirements;
  - b. Contact information for the CKCOG to include telephone numbers, hours of operation, email addresses, and website address.
4. Fire safety certification in accordance with Section 708.1, where applicable;
5. Regulations regarding tampering with fire protection equipment;
6. A signature form acknowledging receipt of the packet. A signed copy of the form shall be maintained by the *person-in-charge* and shall be made available to the *tenant*, *code official*, or *municipality* upon request.

## SECTION 805 INSPECTIONS REQUIRED

**805.1 Inspections.** The *code official* shall make all of the required inspections, or shall accept reports of inspection by *approved* agencies or individuals. All reports of such inspections shall be in writing and be certified by a responsible officer of such *approved* agency or by the responsible individual. The *code official* is authorized to engage such expert opinion as deemed necessary to report upon unusual technical issues that arise, subject to the approval of the *Municipality*.

**Exception:** Any residential rental unit that is subject to an inspection by any other government agency whose inspection standards are **equal to or greater than** this Codes may be exempted from the inspection schedule for a period determined by the *code official*, not to exceed 36 months; provided, however, that inspection may occur as set forth in this Chapter if a violation of this Code occurs. Written verification of such inspection will be required. This exemption is only for the inspection of the unit, a Rental Permit must still be obtained and kept current in accordance with the *Municipality’s* adopted schedule. This exemption does not exclude the property from being subject to any of the *Municipality’s* Ordinances. This exemption **does not** apply to any non-residential occupied space attached to such rental unit.

**805.1.1 Initial Rental Permit inspection.** Within 60 calendar days following the acceptance of an application for a Permit, the residential unit and any connected non-residential spaces shall be inspected for compliance with the requirements of this Code and any other applicable ordinances of the *Municipality*.

**805.1.2 Rental Permit inspection frequency after Permit issuance.**

1. All residential rental properties and any attached nonresidential spaces or uses shall be inspected in accordance with the adopted ordinance of the appointing municipality, or a minimum of once every 36-months. The next regular inspection will be scheduled 36-months or sooner from the last regular inspection.
2. If a property fails to receive a *satisfactory rental housing inspection* during any regular inspection, that property may be inspected annually thereafter until such time as the property has

received a satisfactory inspection report during three (3) consecutive annual inspections. The *owner* shall be charged for each additional inspection required under this section. A satisfactory rental housing inspection is defined as two (2) or fewer life safety deficiencies or five (5) or fewer property maintenance deficiencies per permit.

3. Nothing in this Code shall prevent the *code official* from conducting more frequent inspections of a *premises*. More frequent inspections may occur when any of the following occurs:

3.1 For the purpose of re-inspection to ensure the correction of any *deficiencies* in existence at a previous inspection;

3.2 When a complaint is made, and the *code official* has reasonable cause to believe that the complaint is valid;

3.3 At the request of the *owner* or *tenant*;

3.4 By recurrent *deficiencies*, such that any rental unit which has been found to have a high incidence of recurrent or uncorrected *deficiencies*:

3.4.1 Three (3) or more *life safety deficiencies* (See Appendix B); and/or

3.4.2 Six (6) or more *property maintenance deficiencies* (see Appendix B) in a calendar year;

3.5 When an alteration of the *premises* results in the increase or decrease in habitable space;

3.6 When there is a change of use in any attached non-residential portion of the building;

3.7 By area, such that all rental units in a predetermined geographical area will be inspected simultaneously, or within a short period of time;

3.8 By Municipal Ordinance requiring a more frequent inspection schedule.

4. Transfer of complaint inspection fees. No *owner* or *person-in-charge* shall transfer or attempt to transfer fees imposed for complaint inspections to the *tenant* making the complaint unless the *owner* or *person-in-charge* was not given a reasonable opportunity to repair the *deficiency*

prior to the complaint or the *tenant* was responsible for the *deficiency* which gave rise to the complaint;

#### 805.2 No-show fee.

1. If the *owner* or *person-in charge* fails to be present or to provide interior access for an inspection within ten minutes after the start time of the scheduled inspection, the *owner* shall be considered a *no show* and subject to a *no-show* fee, except for good cause shown.

2. Following the first *no show*, the inspection shall be rescheduled, and the *code official* shall give notice of the time and date for the rescheduled inspection. If the *owner* or *person-in-charge* fails to be present and/or to provide interior access for the second inspection, the *owner* or *person-in-charge* shall be considered a second *no show* and shall be subject to an additional *no show* fee and shall be in *violation* of this Chapter.

2.1 Each day that the *owner* or *person-in-charge* fails to be present and/or provide interior access for an inspection shall constitute a separate *violation*.

2.2 If the inspection has not been completed within ninety (90) days of the first scheduled inspection as a result of the *owner* or *person-in-charge* not being present and/or failing to provide interior access for a scheduled or rescheduled inspection, the rental permit may be suspended in accordance with Section 807.

**805.3 Report of Inspection Findings.** The property *owner* or *person-in-charge* shall be notified in writing of the existence of any *deficiencies* found during an inspection of a *premises*.

This report shall be sent by first class mail to the address(s) for the *owner* or *person-in-charge* contained in the rental unit license application or renewal application. All *deficiency* notices shall provide a reasonable time limit within which the *deficiencies* must be corrected.

**805.4 Right of entry.** Where it is necessary to make an inspection to enforce the provisions of this code, or whenever the *code official* has reasonable cause to believe that there exists in a *structure* or upon a *premises* a condition in *violation* of this code, the *code official* is

authorized to enter the *structure* or *premises* at reasonable times to inspect or perform the duties imposed by this code, subject to applicable laws, provided that if such *structure* or *premises* is occupied the *code official* shall present credentials to the *occupant* and request entry. If such *structure* or *premises* is unoccupied, the *code official* shall first make a reasonable effort to locate the *owner* or *person-in-charge* of the *structure* or *premises* and request entry. If entry is refused, the *code official* shall have recourse to the remedies provided by law to secure entry.

**805.5 Identification.** The *code official* shall carry proper identification when inspecting *structures* or *premises* in the performance of duties under this code.

**805.6 Notices and orders.** The *code official* shall issue all necessary notices or orders to ensure compliance with this code.

**805.7 Department records.** The *code official* shall keep records of all business and activities of the department specified in the provisions of this code. Such records shall be retained for the period required for retention of public records as established by the Commonwealth of Pennsylvania.

## SECTION 806

### RENTAL PERMIT SUSPENSION FOR IMMINENT HAZARD

**806.1 Imminent hazard.** Whenever an imminent hazard to community health, safety, or welfare exists at a property, the *Building Code official* is authorized and empowered to order and require any *structure* on the property vacated immediately. A *placard* shall be posted at each entrance to the *structure(s)* stating that the *structure* is “*Uninhabitable*” or “*Condemned*” depending on the severity of the hazard, and that *occupancy* of the *structure* is unlawful and any *person* occupying the *structure* will be prosecuted. The *Building Code official* shall schedule a hearing with the property *owner* or *person-in-charge* within 10 calendar days from the date of the order. The purpose of the hearing will be to review the vacation order with the property *owner* or *person-in-charge* and to establish an abatement plan.

**806.2 Imminent Hazard Suspension Procedures.**

**806.2.1 Notification.** The CKCOG shall notify the property *owner* and *person-in-charge* of a Rental Permit

suspension by written notice sent by a method that provides proof of delivery *or* delivered and posted on the *structure* in person. The notice shall advise the property *owner* of the property address, the effective dates of the suspension, the term of the suspension, the reason for the suspension, the effect of the suspension on the property, penalties that can be imposed for *violation* of the suspension, and appeal rights and procedures.

**806.3 Appeal procedure for placarding initiated by the Building Code Official.** Appeal of the placarding of a property as “*Condemned*” or “*Uninhabitable*” initiated by the *Building Code official* shall be heard by the CKCOG Board of Appeals in accordance with the procedures established for appeals to that Board, as referenced in Section 111. The Board of Appeals is empowered to sustain, withdraw, or modify the *placarding*.

**806.4 Appeals to the Court of Common Pleas.** Appeals by the property *owner* of the CKCOG Board of Appeals decision shall be made to the appropriate Court of Common Pleas.

**806.5 Effect of suspension.** While under suspension, the residential unit subject to suspension shall be vacated. If such suspension is to last more than thirty (30) calendar days, the *structure* must be secured in accordance with Section 108 and 109 of this Code.

## SECTION 807

### RENTAL PERMIT SUSPENSION FOR OUTSTANDING VIOLATIONS

**807.1 Outstanding violations.** The *code official* may suspend the Rental Permit when a violation of this Chapter has not been corrected after a period of 90 calendar days. This includes:

1. Refusal to permit the inspection of the *premises* when required;
2. Failure to abate deficiencies reported after inspection;
3. Failure to complete required forms and/or pay required fees.

**807.2 Outstanding Violation Rental Permit Suspension Procedures.**

**807.2.1 Notification.** The CKCOG shall notify the property *owner* and *person-in-charge* of a suspension by written notice sent by a method that provides proof of delivery *or* delivered and posted on the *structure* in person. The notice shall advise the property *owner* of the property address, the effective dates of the suspension, the term of the suspension, the reason for the suspension, the effect of the suspension on the property, penalties that can be imposed for *violation* of the suspension, and appeal rights and procedures.

**807.3 Appeal procedure for outstanding violation suspension initiated by the *code official*.** Any affected *owner* may appeal a suspension notice by first filing an appeal to the CKCOG Director. All appeals must be filed in writing within 15 calendar days of receipt of the suspension notice. The CKCOG Director shall hold a hearing within 30 calendar days of receiving the *owner's* appeal, and shall notify the *owner* of the date, time, and location of the hearing. Following the conclusion of the inquiry, the CKCOG Director is empowered to take any of the following actions:

1. Sustain the suspension;
2. Overturn the suspension upon a finding that proper procedure was not followed or that the available evidence does not support suspension;
3. Enter into a consent agreement with the *owner* and stay the effective dates of the suspension pursuant to Section 807.4. Consent Agreement.

The CKCOG may charge an administrative fee to recover the costs of conducting the administrative inquiry. This fee shall be based on the current hourly rate as set by the Executive Committee of the Board of Directors of the CKCOG.

**807.4 Consent agreement and stay of suspension.** The CKCOG Director is empowered during the course of an administrative inquiry on suspension of a Permit to enter into a consent agreement with the *owner*. The consent agreement may set forth steps and conditions designed to bring the property into compliance with this Chapter and any applicable Municipal Ordinances and to maintain the property in a proper manner. In conjunction with the consent agreement, the CKCOG Director may stay the effective date of the suspension to afford the *landowner* an opportunity to complete the steps as set forth in the agreement and to comply with any further conditions outlined in the agreement. If during the stay, a *violation* of the consent agreement occurs or additional violations

accrue, the stay shall be immediately lifted, and the suspension reinstated.

**807.4.1** As part of the consent agreement, the CKCOG Director is authorized to require that additional financial penalties be included in the agreement for failure to comply with the terms of the agreement.

**807.5 Appeal procedure for suspension initiated by the *Code official* and upheld by the CKCOG Director after a hearing.** Appeals of suspension initiated by the *code official* and upheld by the CKCOG Director shall be heard by the CKCOG Board of Appeals in accordance with the procedures established for appeals to that Board, as referenced in Section 111. The Board of Appeals is empowered to sustain, withdraw, or modify the suspension.

**807.6 Appeals to the Court of Common Pleas.** Appeals by the property *owner* of the CKCOG Board of Appeals decision shall be made to the appropriate Court of Common Pleas.

**807.7 Effect of suspension.** While under suspension, the residential unit subject to suspension shall be vacated. If such suspension is to last more than thirty (30) calendar days, the *structure* must be secured in accordance with Section 108 and 109 of this Code.

## SECTION 808 ENFORCEMENT

**808.1. Occupancy without a Permit.** No *person* shall occupy, and no *owner* or *person-in-charge* shall allow Code unless a Permit has been issued and remains in effect. Each day that a *violation* exists shall constitute a separate offense.

**808.2 False statements.** No *person* shall knowingly make any false statement or provide any false information on a rental unit license application to any employee of the CKCOG or other authorized *person* in relation to any investigation of a *violation* of this Part.

**808.3 Coercive conduct.** No *person* shall coerce, threaten, or intimidate any *person* into failing to report, or as a result of reporting, a *violation* of this Code, or to waive any rights established by law.

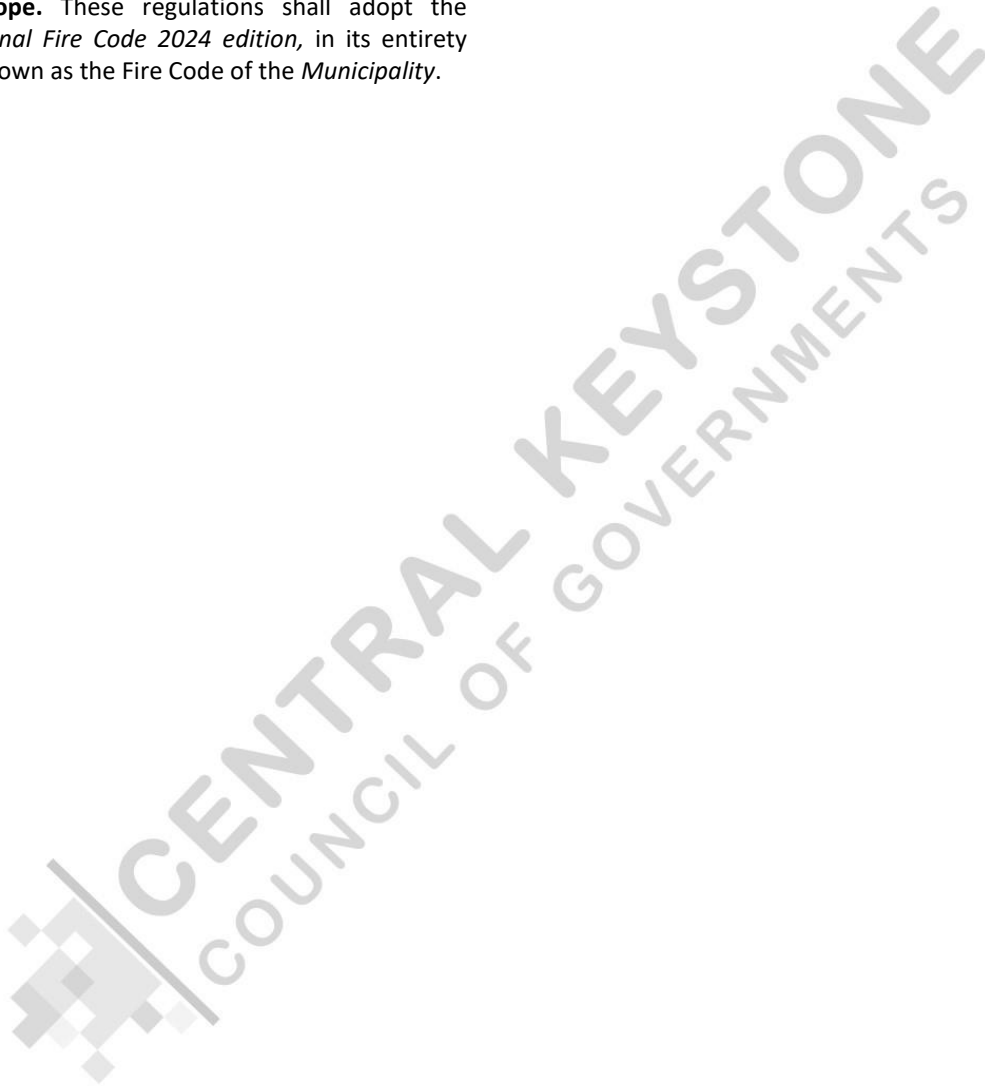
**808.4 Penalty.** Penalties for noncompliance with orders and notices shall be as set forth in Section 106.



## CHAPTER 9 FIRE CODE

### SECTION 901 SCOPE

**901.1 Scope.** These regulations shall adopt the *International Fire Code 2024 edition*, in its entirety and be known as the Fire Code of the *Municipality*.



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# CHAPTER 10

## REFERENCED STANDARDS

This chapter lists the standards that are referenced in various sections of this document. The standards are listed herein by the promulgating agency of the standard, the standard identification, the effective date and title and the section or sections of this document that reference the standard. The application of the referenced standards shall be as specified in Section 102.7.

### ASME

American Society of Mechanical Engineers  
Three Park Avenue  
New York, NY 10016-5990

Standard reference number	Title	Referenced in code section number
ASME A17.1 -2022/CSA B44	Safety Code for Elevators and Escalators	606.1

### ASTM

ASTM International  
100 Barr Harbor Drive  
West Conshohocken, PA 19428-2959

F1346—91 (2010)	Performance Specifications for Safety Covers and Labeling Requirements for All Covers for Swimming Pools, Spas and Hot Tubs	303.2
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### ICC

International Code Council  
500 New Jersey Avenue, NW  
6th Floor  
Washington, DC 20001

Standard reference number	Title	Referenced in code section number
IBC-2018	International <i>Building Code</i>	102.3, 201.3, 304.1.1, 305.1.2, 306.1.1, 307.1.2, 307.1.3, 401.3, 402.1, 404.5.2.3, 604.3.1.1, 604.3.2.1, 702.1.1, 702.3, 702.3.1, 702.5, 702.6, 702.7, 703.2.1, 703.2.2, 704.2.5, 711.1, 713.1, A102.1, A102.2, A102.3
IEBC-2018	International Existing <i>Building Code</i>	102.3, 201.3, 304.1.1, 305.1.2
IFC-2018	International Fire Code	102.3, 201.3, 604.3.1.1, 702.1, 702.2, 704.1, 704.1.2, 704.1.3, 704.3, 704.3.1, 704.4.2, 704.4.3, 704.5.1, 704.6.4, 705.1
IFGC-2018	International Fuel Gas Code	102.3, 201.3, 603.1
IMC-2018	International Mechanical Code	102.3, 201.3, 403.1, 603.1, 603.5
IPC-2018	International Plumbing Code	102.3, 201.3, 502.5, 505.1, 602.2
IPMC-2021	International Property Maintenance Code	704.2.4, 704.2.6
IRC-2018	International Residential Code	102.3, 201.3, 303.2, 603.1, 702.6.1, 704.2.5

### NFPA

National Fire Protection Association  
1 Batterymarch Park  
Quincy, MA 02269

Standard reference number	Title	Referenced in code section number
10-22	Standard for Portable Fire Extinguishers	Table 704.2
12-22	Standard on Carbon Dioxide Extinguishing Systems	Table 704.3
12A-22	Standard on Halon 1301 Fire Extinguishing Systems	Table 704.3
17-21	Standard for Dry Chemical Extinguishing Systems	Table 704.3

17A-21	Standard for Dry Chemical Extinguishing Systems	Table 704.3
25-23	Inspection, Testing and Maintenance of Water-based Fire Protection Systems	Table 704.3
70-23	National Electrical Code	102.3, 201.3, 604.2
72-22	National Alarm and Signaling Code	Table 704.3
80-22	Fire Doors and Other Opening Protectives	703.3.3, 703.4
105-22	Installation of Smoke Door Assemblies and Other Opening Protectives	703.1.2
204-21	Standard for Smoke and Heat Venting	Table 704.3
720-21	Standard for the Installation of Carbon Monoxide (CO) Detection and Warning Equipment	705.2
750-23	Standard on Water Mist Fire Protection Systems	Table 704.3
2001-22	Standard on Clean Agent Fire Extinguishing Systems	Table 704.3

## UL

Underwriters Laboratory Inc.  
333 Pfingsten Road  
Northbrook, IL 60062

Standard reference number	Title	Referenced in code section number
268-2016	Smoke Detectors for Fire Alarm Systems	704.6.4

## UCC

Pennsylvania Department of Labor and Industry  
651 Boas Street, Room 1613  
Harrisburg, PA 17121-0750

Standard reference number	Title	Referenced in code section number
PA-UCC	Uniform Construction Code of Pennsylvania	102.3, 102.7, 105.1, 404.5.2.3, 704.10, 802.1

# APPENDIX A

## BOARDING STANDARD

### A101 GENERAL

**A101.1 General.** All windows and doors shall be boarded in an *approved* manner to prevent entry by unauthorized *persons* and shall be painted to correspond to the color of the existing *structure*.

### A102 MATERIALS

**A102.1 Boarding sheet material.** Boarding sheet material shall be minimum of ½ inch thick wood structural panels complying with the *International Building Code*.

**A102.2 Boarding framing material.** Boarding framing material shall be minimum nominal two (2) inches by four (4) inches solid sawn lumber complying with the *International Building Code*.

**A102.3 Boarding fasteners.** Boarding fasteners shall be minimum 3/8-inch diameter carriage bolts of such a length as required to penetrate the assembly and as required to adequately attach the washers and nuts. Washers and nuts shall comply with the *International Building Code*.

### A103 INSTALLATION

**A103.1 Boarding installation.** The boarding installation shall be in accordance with Figures A103.1(1) and A103.1(2) and Sections A103.2 through A103.5.

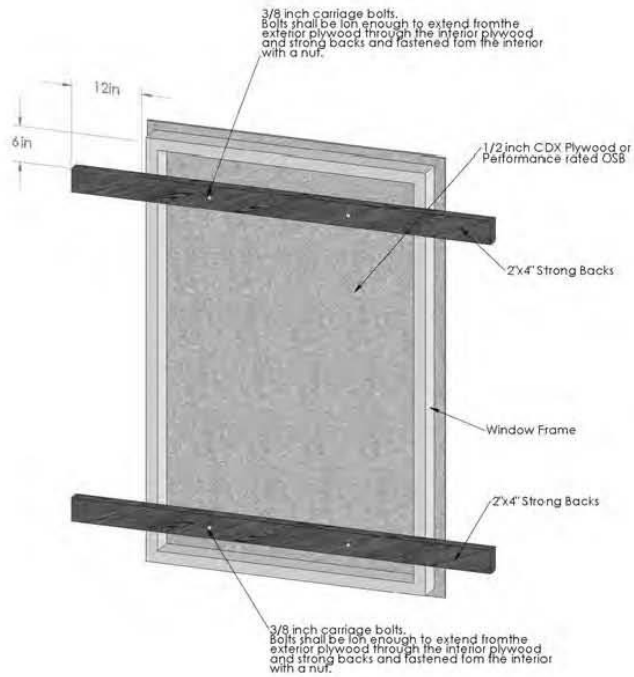
**A103.2 Boarding sheet material.** The boarding sheet material shall be cut to fit the door or window opening neatly or shall be cut to provide an equal overlap at the perimeter of the door or window.

**A103.3 Windows.** The window shall be opened to

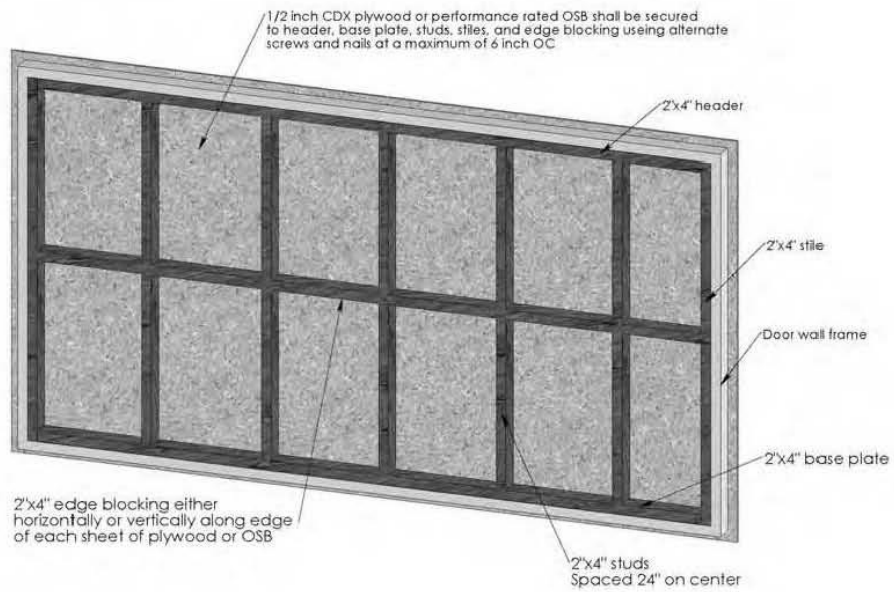
allow the carriage bolt to pass through or the window sash shall be removed and stored. The two (2) inches by four (4) inches strong back framing material shall be cut minimum two (2) inches wider than the window opening and shall be placed on the inside of the window opening six (6) inches minimum above the bottom and below the top of the window opening. The framing and boarding shall be predrilled. The assembly shall be aligned and the bolts, washers and nuts shall be installed and secured.

**A103.4 Door walls.** The door opening shall be framed with minimum two (2) inches by four (4) inches framing material secured at the entire perimeter and vertical members at not more than 24 inches on center. Blocking shall also be secured at not more than 48 inches on center vertically. Boarding sheet material shall be secured with screws and nails alternating every six (6) inches on center.

**A103.5 Doors.** Doors shall be secured by the same method as for windows or door openings. One door to the *structure* shall be available for authorized entry and shall be secured and locked in an *approved* manner.



**FIGURE A103.1(1)  
BOARDING OF DOOR OR WINDOW**



**FIGURE A103.1(2)  
BOARDING OF DOOR WALL**

# APPENDIX B

## INSPECTION CHECKLISTS

### RENTAL UNIT OCCUPANCY

#### Pre-Inspection Checklist

- Is there a working smoke detector in EACH bedroom (or other room used for sleeping), in the hallway(s) outside of the bedrooms and on each level, including the basement and attic? (704.2)
  - Is the Smoke Detector LESS than 10 years old? All Smoke Detectors must be replaced 10 years from the manufacture date (date will be on the outside of the unit). (IRC 314)
- Is the hot water heater and furnace clear (at least 3 feet away) of boxes, other “junk” or flammable materials? (603.3)
- Are all exits free from obstruction inside and outside (personal belongings, junk, shrubbery etc.)? (702)
- Do they lock and unlock from the **inside** without using a key, tool or special knowledge (i.e., a code or combination)? (304.18.1 & 702.3)
- Does the Water Heater have a temperature and pressure-relief valve and a relief valve discharge pipe (“drip-leg”)? (505.4)
- Is all fuel burning equipment in good repair and safe condition, properly installed and connected to chimneys or vents? (304.11, 603.1, 603.2)
- Do all rooms used for sleeping have a window? Or two means of approved egress from such room? (403.1, 702.4)
- Are carbon monoxide alarms installed in units with fuel burning appliances and/or attached garage as Per manufacturer requirements? (IPMC 705) (must also be less than 10 years old)

#### **Doors & Windows –**

- Do all exterior doors open and close easily? Are they weather tight? (304.13, 304.15)
- Do all windows open and stay open? (304.13.2)
- Do all windows close and lock (1<sup>st</sup> Fl)? Are they weather tight? (304.13.1, 304.18.2)
- Are there any broken or cracked windows? Are screens in place (when required) and free from tears?

#### **Walls, Ceilings and Floor –**

- Are the walls, windowsills and ceilings clean and free from peeling paint or wallpaper? (305.3)
- Are the floors structurally sound? (305.4)
- Is the flooring (carpet, vinyl, wood, etc.) clean and in good condition, i.e., thresholds in place, no rips or other tripping hazards, no missing tiles? No exposed subflooring (plywood or concrete)? (305.4)
- Are there proper globes/diffusers/covers on all light fixtures? (605.1)
- Are there light fixtures in all halls, stairways, laundry rooms and furnace rooms? (605.3)
- Does every set of stairs with more than four steps have a graspable handrail on at least one side? This includes stairs to a basement or attic and exterior stairs. (307.1)
- Are handrails and other railings firmly attached with no loose or missing spindles? (305.5)

#### **Heating, Plumbing & Electrical -**

- Are there working GFCI outlets in the Kitchen & Bathrooms (on outlets >6’ from any water source)? (605.2)

- Is there a working exhaust fan or a window in each bathroom?
- Do all outlets, switches and panel boxes have covers? (605.1)
- Are there two outlets in each room and one in the bathroom? (605.2)
- Do all taps run (hot & cold) and toilets flush? Is the plumbing properly vented? (505.1, 506.1)
- Do any pipes leak or faucets drip? (504.1)

**Exterior –**

- Does each unit have address numbers that are clearly visible from the street (at least 4" high)? (304.3)
- Is the yard maintained (grass under 6", no tall weeds)? (302.4) (NOTE: height may vary by Municipality)
- Is all rubbish stored in appropriate containers and removed regularly? (308)
- Is the exterior in good repair? Siding, brick or paint free of chips or deterioration? (304.2)
- Is the roof in good repair with no leaks? No overhanging tree limbs or branches? (304.7)
- Is the chimney in good repair and safe condition? (304.11)
- Is the foundation in good repair, level with no cracking or deterioration? (304.5)
- Are the gutters and downspouts free of debris and directing water away from the structure? (304.7)
- Are the premises free of infestation such as insects, rats and/or other vermin? (302.5)
- If the property has a swimming pool, is it protected by a 48" barrier or fence in good repair, with a self-latching, self-closing gate? (303)
- Are all residents' vehicles properly registered and licensed? (302.8)
- Are any accessory structures (garages, sheds, fences) structurally sound and in good repair? (302.7)

**Recommended but not required in existing buildings –**

- Attached garages ½" drywall on garage side between house and garage and 1¾" solid core or fire rated door.
- GFCI on all receptacles within six feet of a water source, in the garage, on the exterior and in any unfinished basement areas



## Multi-Family / Use Group R-2\* / Mixed-Use Supplemental Pre-Inspection Checklist

In addition to the requirements for Use Group R-3, multi-Family structures, Use Group R-2 structures, and mixed-use Commercial structures with an attached Residential use must also comply with the Fire Safety Requirements found in Chapter 7 of the CMC

**This list shows commonly found violations. It is NOT intended to be a comprehensive list of all Fire Safety violations that could be found. If you have questions about a specific situation, please call the Central Keystone COG at 1-877-457-9401 or 570-522-1326.**

NOTE: The number shown in parentheses ( ) is the referenced code section of the CKCOG Property, Fire Safety and Existing Building Maintenance Code unless otherwise noted. IFC = 2018 International Fire Code, IRC = 2018 International Residential Code, IBC = 2018 International Building Code.

### **Administration –**

- Is Emergency Contact information clearly posted? (701.2)
- Is the Building Fire Safety Plan readily available? (IFC 404.1)
- Are Evacuation and Egress routes displayed in all required locations and up to date? (IFC 404)
- Is the Occupancy Load for each structure clearly posted? (713.2)
- Are the maintenance records and testing results for all fire protection system inspections up to date and available for review? (704.1, IFC 901.6)
- Is your Hazardous Materials Inventory Statement and Hazardous Materials Management Plan (when required) and available and up-to-date? (IFC 407.5)
- Are Safety Data Sheets for all hazardous materials readily available in either paper or electronic format? (IFC 407.1)

### **Exterior -**

- Is the building clearly addressed with the correct 911 address? Are secondary structures or offices also clearly identified? (304.3, 304.3.1)
- Is the Fire Department Connection (FDC) clearly visible? If not visible, has the required signage been installed? (704.5)
- Is the access to the FDC clear of obstructions? This includes fences, bushes, trees, dumpsters or any other movable or non-movable object. (704.5.1)
- Is a clear space of not less than 36 inches in width, 36 inches in depth, and 78 inches in height maintained around FDC's? (705.5.2)
- Are required fire apparatus lanes and roadways clearly marked and free of obstructions? (503.1, 503.2)
- Are all exterior doors, discharge areas and areas of refuge clear of obstructions or other hazards? (702.1)

### **Exits and Egress –**

- Is a safe, continuous, unobstructed and accessible egress route provided to the exterior? (702.1)
- Are all means of egress doors and openings readily openable from the inside? Does all egress door hardware conform to that permitted by the International Building Code? (702.3)
- Are doors required for fire blocking or smoke barrier clearly marked with the appropriate signage? (703.4.1)
- Is all required EXIT signage illuminated? Is all required emergency lighting in operation? (702.1.1)
- Are all stairways clearly identified with floor identifications and exit discharge level? (IFC 1009.9)

**Fire Protection Systems -**

- Are portable Fire Extinguishers provided where required? Are they the correct type for use and location? Have they been tested and maintained by a certified technician? (704.8, 704.8.1, 710)
- Have all fire protections systems; automatic fire alarms, manual fire alarms, sprinkler systems, fire extinguishers and automatic fire extinguishing systems been tested in accordance with NFPA standards? (704.2.3)
- Are all pull-stations, horns, strobes, smoke/carbon monoxide detectors and sprinkler heads free of debris, operable and unobstructed? (IFC 901)

**Fire Prevention –**

- Are all storage clearances maintained? 36” minimum is required around all fuel burning appliances and heat sources. (603.3)
- Are all doors into all rooms that contain building utilities identified with a plainly visible and legible sign? (707.1)
- Are rooms containing utilities free of combustible materials? (IFC 315.3.3)
- Are all refuse holding containers (dumpsters) with a capacity of more than 1.5 cubic yards placed more than 5 feet from any structure not protected by a sprinkler system? (IFC 304.3.3)
- Are “No Smoking” signs placed in areas where flammable or combustible materials are stored? (IFC 310.3)

**Electrical -**

- Is all wiring permanent, free of hazards, and in good condition? (IFC 604.3, 604.5)
- Are all working clearances around service panels, fuse boxes, and electrical equipment maintained free of obstruction and other materials? (IFC305.1, IFC 604.3)
- Are all panelboards and breakers clearly labeled? (605.1)

**Other -**

- Is the kitchen hood (ANSUL) system up to date on inspections, cleaned and operable? Are these records readily available? (IFC607.3)

**\*310.3 Residential Group R-2.**

**Residential Group R-2 occupancies containing *sleeping units* or more than two *dwelling units* where the occupants are primarily permanent in nature, including:**

- Apartment houses
- Congregate living facilities (nontransient) with more than 16 occupants
- Boarding houses (nontransient)
- Dormitories
- Fraternities and sororities
- Hotels (nontransient)
- Motels (nontransient)
- Vacation timeshare properties

**\*310.4 Residential Group R-3.**

**Residential Group R-3 occupancies where the occupants are primarily permanent in nature and not classified as Group R-1, R-2, R-4 or I, including:**

- Buildings that do not contain more than two *dwelling units*
- Congregate living facilities (nontransient) with 16 or fewer occupants
- Boarding houses (nontransient)
- Dormitories
- Fraternities and sororities
- Congregate living facilities (transient) with 10 or fewer occupants
- Boarding houses (transient)
- Lodging houses (transient) with five or fewer guest rooms and 10 or fewer occupants

# FIRE SAFETY INSPECTION

## Pre-Inspection Checklist

Your Municipality has adopted an Ordinance requiring that all Commercial, Industrial and Multi-Family structures obtain and maintain a Fire Safety Permit. This Permit is issued by the Code officer after they have conducted an inspection of your premises and determined that is substantially in compliance with the CKCOG Property, Fire Safety, and Building Maintenance Code. This report reflects violations of this code observed at the time of the inspection. Violations of other codes may exist that were not observed at the time of the inspection.

If conditions are found that violate this Fire Code, could contribute to or cause a fire, or endanger life or property, the inspector will notify the owner or person-in-charge immediately. If any of the conditions are not immediately correctable, a written report stating the time limit to correct the conditions will be sent to the owner or person-in-charge within 10 days. This report reflects violations of this code observed at the time of the inspection. Violations of other codes may exist that were not observed at the time of the inspection.

**This list shows commonly found violations. It is NOT intended to be a comprehensive list of all Fire Safety violations that could be found. If you have questions about a specific situation, please call the Central Keystone COG at 1-877-457-9401 or 570-522-1326.**

NOTE: The number shown in parentheses ( ) is the referenced code section of the CKCOG Property, Fire Safety and Existing Building Maintenance Code unless otherwise noted. IFC = 2018 International Fire Code, IRC = 2018 International Residential Code, IBC = 2018 International Building Code.

### **Administration –**

- Is Emergency Contact information clearly posted? (701.2)
- Is the Building Fire Safety Plan readily available? (IFC 404.1azx)
- Are Evacuation and Egress routes displayed in all required locations and up to date? (IFC 404)
- Is the Occupancy Load for each structure clearly posted? (713.2)
- Are the maintenance records and testing results for all fire protection system inspections up to date and available for review? (704.1, IFC 901.6)
- Is your Hazardous Materials Inventory Statement and Hazardous Materials Management Plan (when required) and available and up-to-date? (IFC 407.5)
- Are Safety Data Sheets for all hazardous materials readily available in either paper or electronic format? (IFC 407.1)

### **Exterior -**

- Is the building clearly addressed with the correct 911 address? Are secondary structures or offices also clearly identified? (304.3, 304.3.1)
- Is the Fire Department Connection (FDC) clearly visible? If not visible, has the required signage been installed? (704.5)
- Is the access to the FDC clear of obstructions? This includes fences, bushes, trees, dumpsters or any other movable or non-movable object. (704.5.1)

- Is a clear space of not less than 36 inches in width, 36 inches in depth, and 78 inches in height maintained around FDC's? (705.5.2)
- Are required fire apparatus lanes and roadways clearly marked and free of obstructions? (503.1, 503.2)
- Are all exterior doors, discharge areas and areas of refuge clear of obstructions or other hazards? (702.1)

**Exits and Egress –**

- Is a safe, continuous, unobstructed and accessible egress route provided to the exterior? (702.1)
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- Are doors required for fire blocking or smoke barrier clearly marked with the appropriate signage? (703.4.1)
- Is all required EXIT signage illuminated? Is all required emergency lighting in operation? (702.1.1)
- Are all stairways clearly identified with floor identifications and exit discharge level? (IFC 1009.9)

**Fire Protection Systems -**

- Are portable Fire Extinguishers provided where required? Are they the correct type for use and location? Have they been tested and maintained by a certified technician? (704.8, 704.8.1, 710)
- Have all fire protections systems; automatic fire alarms, manual fire alarms, sprinkler systems, fire extinguishers and automatic fire extinguishing systems been tested in accordance with NFPA standards? (704.2.3)
- Are all pull-stations, horns, strobes, smoke/carbon monoxide detectors and sprinkler heads free of debris, operable and unobstructed? (IFC 901)

**Fire Prevention –**

- Are all storage clearances maintained? 36" minimum is required around all fuel burning appliances and heat sources. (603.3)
- Are all doors into all rooms that contain building utilities identified with a plainly visible and legible sign? (707.1)
- Are rooms containing utilities free of combustible materials? (IFC 315.3.3)
- Are all refuse holding containers (dumpsters) with a capacity of more than 1.5 cubic yards placed more than 5 feet from any structure not protected by a sprinkler system? (IFC 304.3.3)
- Are "No Smoking" signs placed in areas where flammable or combustible materials are stored? (IFC 310.3)

**Electrical -**

- Is all wiring permanent, free of hazards, and in good condition? (IFC 604.3, 604.5)
- Are all working clearances around service panels, fuse boxes, and electrical equipment maintained free of obstruction and other materials? (IFC 305.1, IFC 604.3)
- Are all panelboards and breakers clearly labeled? (605.1)

**Other -**

Is the kitchen hood (ANSUL) system up to date on inspections, cleaned and operable? Are these records readily available? (IFC 607.3)

## APPENDIX C FEE SCHEDULES

Fee Schedule for those fees set by the Executive Committee of the Board of Directors of the CKCOG and adopted by Resolution of the member Municipality.

Section	Amount	Reason
106.3.1	\$50.00 for the first additional re-inspection and a fee of \$75.00 for every re-inspection thereafter	Penalty - Failure to abate deficiencies when required
106.3.2 106.4.2 805.2	\$50.00	Penalty – <i>No-Show</i> , failure to be present for inspection
107.4.1	\$5.00	Replacement Fee - of any sign, order, sticker, <i>placard</i> , tag, or seal.
708.2	\$90.00 and up See <i>Table 708.2.1</i>	Permit Fee - Inspection of <i>Premises</i> and Issuance of Fire Permit
802.1.1	\$50.00	Penalty - <i>Occupancy</i> prior to permit issuance
802.4	\$35.00, \$50.00, or \$75.00 See <i>Table 802.4.1</i>	Permit Fee - Issuance or Renewal of Rental Permit,
802.7	\$50.00	Late Fee – Failure to remit fees when due
805.1.2	\$25.00 or \$50.00	Re-inspection Fee – Re-inspection to ensure the correction of any <i>deficiencies</i> in a Residential Rental Unit

**Table 708.2.1**

**FIRE PERMIT FEE SCHEDULE**

Fire Permit fees are determined by the square footage of the structure being inspected, the use of the structure and any special hazards associated with that use, with a minimum of one (1) hour at the CKCOG’s current hourly rate for Fire Code Officials.

Fees for inspection of Non-Residential uses attached to a residential structure receiving a Residential Rental Permit are set by Municipal resolution and are equal to the fee for the Residential Rental Permit.

Fees for special circumstances or uses will be determined at time of application based on the CKCOG’s current hourly rate for Fire Code Officials.

**Table 802.4.1**

**RENTAL PERMIT FEE SCHEDULE\***

Rental Permit fees are PER DWELLING, ROOMING UNIT, or ATTACHED NONRESIDENTIAL USE, paid either annually or every 36 months.

<i>Renewal Frequency</i>	<i>Inspection Frequency</i>
<b>Annual</b>	<b>every 36 Months</b>
\$35.00 per Unit	No additional cost for <i>satisfactory</i> inspection
<b>Triennial</b>	<b>every 36 Months</b>
\$75.00 per Unit	No additional cost for <i>satisfactory</i> inspection

*\*NOTE: Unless superseded by Municipal Ordinance.*

Fees for additional services provided may also be set by Municipal Resolution and will be found with the appropriate adopting Ordinance in Appendix D.

**APPENDIX D**  
**ADOPTING ORDINANCE**  
**(SAMPLE)**

Ordinance No. \_\_\_\_\_

AN ORDINANCE OF THE \_\_\_\_\_ COUNTY OF \_\_\_\_\_, COMMONWEALTH OF PENNSYLVANIA, ADOPTING THE CENTRAL KEYSTONE COUNCIL OF GOVERNMENTS MAINTENANCE CODE, PROPERTY, FIRE SAFETY & BUILDING (CMC), AS PUBLISHED BY THE CENTRAL KEYSTONE COG, OR SUBSEQUENT EDITIONS AS IT MAY BE AMENDED, SUPPLEMENTED OR CHANGED BY THE EXECUTIVE COMMITTEE OF THE BOARD OF DIRECTORS OF THE CKCOG, REGULATING AND GOVERNING THE CONDITIONS AND MAINTENANCE OF ALL PROPERTY, BUILDINGS AND STRUCTURES; BY PROVIDING THE 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; FOR THE PURPOSE OF PRESCRIBING REGULATIONS GOVERNING CONDITIONS HAZARDOUS TO LIFE AND PROPERTY FROM FIRE AND EXPLOSION; AND THE CONDEMNATION OF BUILDINGS AND STRUCTURES UNFIT FOR HUMAN OCCUPANCY AND USE, AND THE DEMOLITION OF SUCH EXISTING STRUCTURES IN THE \_\_\_\_\_ of \_\_\_\_\_; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES THEREFORE; AND REPEALING ALL OTHER ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT THEREWITH.

BE IT ORDAINED AND ENACTED by the \_\_\_\_\_ of \_\_\_\_\_ as follows:

**ARTICLE I**  
**CHAPTER 114**  
**PROPERTY MAINTENANCE**

**§114-1. Adoption and Purpose**

The Central Keystone Council of Governments Maintenance Code, Property, Fire Safety & Building (CMC) as published by the Central Keystone COG, or subsequent editions as it may be amended, supplemented or changed by the Executive Committee of the Board of Directors of the CKCOG, is hereby adopted as the Maintenance Code for Property, Fire Safety & Building of the \_\_\_\_\_ of \_\_\_\_\_, County of \_\_\_\_\_, and Commonwealth of Pennsylvania, for the purpose of regulating and governing the conditions and maintenance of all property, buildings and structures by providing the 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; for the purpose of prescribing regulations governing conditions hazardous to life and property from fire and explosion; 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 of the regulations, provisions, penalties, conditions and terms of said Central Keystone Council of Governments Maintenance Code, Property, Fire Safety & Building (CMC) on file in the office of the \_\_\_\_\_ of \_\_\_\_\_ are hereby referred to, adopted, and made a part hereof, as if fully set out in this ordinance, with the additions, insertions, deletions, and changes, if any, prescribed in Section 114-2 of this ordinance.

**§114.2 Insertions, Revisions and Exclusions**

Central Keystone Council of Governments Maintenance Code, Property, Fire Safety & Building (CMC), as published by the Central Keystone COG, is revised as follows:

Section 103.5 Insert: The \_\_\_\_\_ of \_\_\_\_\_ shall also adopt and maintain the fee schedule as established by the Executive Committee of the Board of Directors of the CKCOG by Municipal Resolution. A copy of this fee schedule shall be retained by the CKCOG and shall be maintained as Appendix C of the CKCOG Maintenance Code, Property, Fire Safety & Building (CMC).

Section 302.4 Insert: Maximum height \_\_\_\_\_ inches **[6"] [8"] [10"] [12"]**

Chapter 7, Section 708. Fire Safety Permits: **[Section Adopted] [Section Excluded from Ordinance]**

Chapter 7, Section 709. Operational Permits: **[Section Adopted] [Section Excluded from Ordinance]**

Chapter 8, Rental Housing Permits: **[Chapter Adopted] [Chapter Excluded from Ordinance]**

Chapter 9, Fire Code: **[Chapter Adopted] [Chapter Excluded from Ordinance]**

**ARTICLE II**  
**Penalties**

Any person violating any provision of this code, or failing to comply forthwith, shall be prosecuted for the same in the same manner as provided for the enforcement of a summary offense under the Pennsylvania Rules of Criminal Procedure, and upon conviction thereof shall be sentenced to pay a fine of not less than one hundred dollars (\$100), nor more than one thousand dollars (\$1000), and/or a term of imprisonment not to exceed thirty (30) days. Each day that a violation continues after due notice has been served shall be deemed a separate offense. Such penalties for violation of any notice to cease violation or notice and order to correct shall begin to accrue on the first day such notice is served, and shall cease on the day the violation is stopped or abated.



**ARTICLE III**

**Repealer**

All ordinances or parts of ordinances in conflict herewith are hereby repealed.

**ARTICLE IV**

**Severability**

That if any section, subsection, sentence, clause, or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The \_\_\_\_\_ of \_\_\_\_\_ hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

**ARTICLE V**

**Applicability**

That nothing in this ordinance or in the CKCOG Maintenance Code, Property, Fire Safety & Building (CMC), 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 in Article III of this ordinance nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance.

**ARTICLE VI**

**Effective Date**

That this ordinance and the rules, regulations, provisions, requirements, orders, and matters established and adopted hereby shall take effect and be in full force and effect immediately upon final passage and adoption.

**DULY ENACTED AND ORDAINED** this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by the \_\_\_\_\_ of the \_\_\_\_\_ of \_\_\_\_\_, \_\_\_\_\_ County, Pennsylvania, in lawful session duly assembled.

ATTEST: \_\_\_\_\_ of \_\_\_\_\_

By: \_\_\_\_\_

By: \_\_\_\_\_

**APPROVED** this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

BY: \_\_\_\_\_

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