

## HILLTOWN TOWNSHIP ORDINANCE NO. 88 - 3

AN ORDINANCE OF HILLTOWN TOWNSHIP ADOPTING A PLUMBING CODE TO GOVERN DESIGN AND INSTALLATION OF PLUMBING SYSTEMS, INCLUDING SANITARY AND STORM DRAINAGE, SANITARY FACILITIES, WATER SUPPLIES, STORM WATER AND SEWAGE DISPOSAL, AND BUILDING HEATING AND COOLING SYSTEMS AND TO PROVIDE FOR ISSUANCE OF PERMITS, COLLECTION OF FEES, INSPECTIONS, AND PENALTIES FOR VIOLATION.

BE IT ENACTED AND ORDAINED BY THE BOARD OF SUPERVISORS OF HILLTOWN TOWNSHIP AS FOLLOWS:

SECTION I. Adoption of Plumbing Code - Hilltown Township hereby adopts, for the purpose of establishing rules and regulations for the design and installation of plumbing systems, including administration, plumbing permits, and penalties, the plumbing code known as the "BOCA Basic Plumbing Code, 1987, Seventh Edition," save and except such portions as are hereinafter deleted, modified or amended, and the same are hereby adopted and incorporated as fully as if set out at length herein, and from the date on which this ordinance shall take effect, the provisions thereof shall be controlling in the design and installation of plumbing systems within Hilltown Township.

SECTION II. Amendments Made in Plumbing Code The plumbing code hereby adopted is amended as follows:

1. Hilltown Township shall be inserted wherever the words "Name of Municipality" appear in brackets therein;

Whenever the term "legal officer" or "legal representative" is used in this code, it shall be held to mean the Hilltown Township Solicitor.

2. Section P-100.4 is hereby added as follows:

P-100.4. Effective Date. This code shall take effect on August 27, 1988.

3. Section P-104.1 is hereby amended to read as follows:

P-104.1 Continuation. The legal use and occupancy of any structure existing on August 27, 1988, or for which it had been heretofore approved, may be continued without change except as may be specifically covered in this code or deemed necessary by the plumbing official for the general safety and welfare of the occupants and the public.

4. Section 114.2 is hereby amended to read as follows:

P-114.2 Fee Schedule. For approving plans and issuing a permit therefor, to include inspection of the work during its progress and for final inspection and supervision of the rest of the work to be made by the plumber on plumbing installations, the administrative authority shall be entitled to receive filing fees and permit fees as shall be established from time to time by Hilltown Township by separate Fee Resolution.

5. Section 117.4 is hereby amended to read as follows:

P-117.4 Violation Penalties. Any person, copartnership or corporation violating any of the provisions of this ordinance hereby adopted shall, upon summary proceedings brought in the name of the Township before any Justice of the Peace, be fined upon conviction in an amount not exceeding Six Hundred (\$600.00) Dollars, or in default thereof, be sentenced and committed to the county jail for a period not exceeding thirty (30) days.

Whenever any such person specified in the paragraph above who violates this Ordinance will be issued a Cease and Desist form by the Building Inspector. The Cease and Desist form will list the violations and correction of the violation shall commence within five (5) days after notice and correct all violations within thirty (30) days of notice. If corrections are not commenced within five (5) days or completed within thirty (30) days, each day that a violation continues shall be considered a separate offense punishable by the like fine or penalty, and additional written notice shall not be necessary.

The application of the above penalties shall not be held to prevent the enforced removal of prohibited conditions, by an action at law or in equity instituted by the Township of Hilltown.

6. Section 118.2 is hereby amended to read as follows:

P-118.2 Unlawful Continuance. Any person who shall continue any work in or about the structure after having been served with a stop work order pursuant to this code or to any other ordinance of Hilltown Township, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable to a fine not exceeding Six Hundred (\$600.00) Dollars, or in default thereof be sentenced and committed to the county jail for a period not exceeding thirty (30) days.

The application of the above penalties shall not be held to prevent the enforced removal of prohibited conditions, by an action at law or in equity instituted by the Township of Hilltown.

7. Section P-201.0 is hereby amended to read as follows:

P-201.0 Administrative Authority: The person appointed by the Township of Hilltown to the position of Building Inspector with authority to administer and enforce the provisions of this code.

8. Section P-303.2 is hereby amended to read as follows:

P-303.2 Public Systems Available. A public water supply system or public sewer system shall be deemed available to premises used for human occupancy if such premises are within one hundred fifty (150) feet, measured along a street, alley or easement, of the public water supply or sewer system, and a connection conforming with the standards set forth in this code may be made thereto. This provision however is and shall be superseded by any separate ordinance of Hilltown Township concerning public water supply systems or public sewer systems, and more particularly Ordinance Numbers 87.2 and 87.3.

9. Section P-308.3 is hereby amended to read as follows:

P-308.3 Freezing. Water service piping and sewers shall be installed below recorded frost penetration but not less than three (3) feet below grade for water piping and three (3) feet below grade for sewers. Plumbing piping in exterior building walls shall be adequately protected against freezing by insulation or heat or both.

SECTION III. State Law and Regulations - In all matters that are regulated by the laws of the Commonwealth of Pennsylvania or by regulations of departments or agencies of the Commonwealth promulgated by authority of law, such laws or regulations, as the case may be, shall control where the requirements thereof are the same as or more limiting than the provisions of this ordinance. The code shall control in all cases where the State requirements are not as strict as those contained in this ordinance.

SECTION IV. Validity - The invalidity of any section or part of this ordinance shall not affect the remaining sections.

SECTION V. Provisions to be Continuation of Existing Regulations - The provisions of this ordinance, so far as they are the same as those of ordinances and/or codes in force immediately prior to the enactment of this ordinance, are intended as a continuation of such ordinances and codes and not as new enactments. The provisions of this ordinance shall not affect any act done or liability incurred, nor shall they affect any suit or prosecution pending or to be instituted to enforce any right or penalty or to punish any offense under the authority of any of the repealed ordinances.

SECTION VI. Hearing - Every applicant and owner of the premises and other parties in interest shall have the right to demand in writing a hearing before the Board of Supervisors of Hilltown Township to contest any decision or order made by them. Such demand for a hearing shall be signed by the contesting party stating what portions of the Building Inspector's decision on orders are contested and his, or her, or their interest in the premises.

1. The Building Inspector shall fix a time and place for the hearing not less than ten (10) days nor more than thirty (30) days after receiving such demand for a hearing and cause a notice of the hearing to be served personally or by regular mail on the contestant, owner of the premises and other parties in interest.

2. The contestant, owner of the premises and other parties in interest shall have the right to appear in person, or otherwise, and give testimony at the hearing. Rules of evidence prevailing in the courts shall not be controlling.

3. The Board of Supervisors of Hilltown Township, within a reasonable time after such hearing, shall make their decision in writing with a finding of the facts and decision personally or by regular mail on the contestant, owner of the premises and other parties in interest.

4. The decision of the Board of Supervisors of Hilltown Township shall be final.

SECTION VII. Severability - If any sentence, clause, section, or part of this ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts of this ordinance. It is hereby declared as the intent of the Township of Hilltown that this ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein.

SECTION VIII. Repealer - All ordinances or parts of ordinances which are inconsistent herewith are hereby repealed. The following ordinances or parts thereof are specifically repealed:

SECTION IX. Effective Date - This ordinance shall become effective five (5) days after enactment hereof.

ENACTED AND ORDAINED this 20th day of August, A.D., 1988, by the Board of Supervisors of Hilltown Township.

HILLTOWN TOWNSHIP  
BOARD OF SUPERVISORS

  
  
