

ORDINANCE NO. 81-7

AN ORDINANCE GOVERNING THE DESIGN, CONSTRUCTION, ALTERATIONS, DEMOLITIONS, AND MOVING OF CERTAIN BUILDINGS AND STRUCTURES AND THE SERVICE EQUIPMENT, ADOPTING THE BOCA BASIC BUILDING CODE OF 1981, 8TH EDITION, WITH ALL SUPPLEMENTS TO DATE, AND TO BE ISSUED IN THE FUTURE, AND MODIFYING AND AMENDING CERTAIN PORTIONS OF THE BOCA CODE, THE REPEALING OF ORDINANCE NO. 78-4, WHICH HAD ADOPTED THE BOCA BASIC BUILDING CODE OF 1978, 7TH EDITION.

BE IT ORDAINED AND ENACTED, by the Board of Supervisors of Hilltown Township, Bucks County, Pennsylvania, and it is hereby Enacted and Ordained by authority of the same:

Section I. The Supervisors repeal Ordinance No. 78-4 and amendments thereto by which the BOCA Basic Building Code of 1978, 7th Edition, was adopted on August 14, 1978, pursuant to the provisions of Section 702, Clause L.I. of the Second Class Township Code, Act of May 24, 1933, P.L. 103 as amended.

Section II. The BOCA Basic Building Code of 1981, as promulgated by the Building Officials and Code Administrators International, Inc., 8th Edition, 1981, with all supplements to date, and there to be issued in the future is adopted with the following additions, insertions, and changes to the Basic BOCA Code.

Section III. Supplements, Deletions, and Modifications.

Section 100.1. Title: The words "Township of Hilltown"

and "Pennsylvania" are inserted in the appropriate places in Section 100.1.

Section 109.2 is deleted as written and amended to read as follows:

Appointment: The building official and deputy shall be appointed by the Board of Supervisors of Hilltown Township, and shall serve at the pleasure and behest of the Board of Supervisors.

Section 109.5 is deleted.

Section 109.6 is deleted.

Section 114.3.1 Fee Schedule is deleted as written and is amended to read as follows:

New Construction and Alterations: The Board of Supervisors from time to time shall establish the fee structure for building permits. The Board shall do the same for demolition permits.

Section 117.4 is deleted as written and is amended to read as follows:

Violation-Penalties: Any person, co-partnership, or corporation violating any of the provisions of this ordinance or of the Building Code hereby adopted shall, upon summary proceedings brought in the name of the Township, be fined upon conviction in an amount not exceeding Three Hundred Dollars (\$300.00) and in default of the payment of such

fine and costs of prosecution shall be imprisoned for not more than thirty (30) days. Each day that a violation continues shall be deemed a separate offense.

Section 123.3 shall be amended by adding One Hundred Dollars (\$100.00).

Section 124.0 Board of Appeals. Sections from 124.0 through 124.8 are deleted and amended to read as follows:

Section 124, Appeals from Decision of Building Officials.

Any party in interest may appeal from the decision of the building official by notifying the Secretary of the Board of Township Supervisors, in writing, of his intention to appeal. Such notice of intention shall be filed with the Secretary of the Board of Supervisors within thirty (30) days of the date of the decision appealed from. The Board of Supervisors shall promptly set a hearing date at which the public may be heard. The Township Supervisors shall either affirm, reverse, or modify the decision of the building official. The decision of the Board of Supervisors shall be final.

Section 124.8, Court Review:

Any person aggrieved by the decision of the Board, whether or not a previous party to the decision, or any Supervisor may apply to the appropriate court to appeal the decision.

Section IV. That a certain document, at least three copies of which are filed in the Hilltown Township Building, known as

the BOCA Basic Building Code of 1981, 8th Edition, published by the Building Officials and Code Administrators International, Inc., 1981, be and the same is hereby made available to review by interested citizens.

Section V. Exclusions.

1. Agricultural buildings shall be exempted from the provisions of the Building Code hereby adopted. Agricultural buildings are defined as buildings used exclusively for one or more of the following purposes:

- a) The storage of crops grown or to be used on the premises;
- b) The housing of poultry or livestock (not including dogs);
- c) The storage of farm machinery, equipment, or supplies for use on the premises;
- d) Any purpose clearly incidental to one or more of the foregoing.

2. Also exempted from the provisions of this Building Code shall be buildings having floor areas (including each floor, basements, and attached garages) of less than one hundred (100) square feet.

3. Also exempted shall be repairs, maintenance, and equipment replacements (as distinguished from new construction) amounting to less than Five Hundred Dollars (\$500.00) for materials.

Section VI. Severability. The provisions of this ordinance shall be severable, and if any of its provisions shall be held to

be unconstitutional, illegal, or invalid, such decisions shall not affect the validity of any of the remaining provisions of this ordinance. It is hereby declared as the legislative intent of this ordinance would have been adopted had such unconstitutional, illegal, or invalid provision not been included herein.

Section VII. Interpretation. The provisions of this ordinance shall be held to be minimum requirements for the promotion, health, safety, and welfare of the residents of the Township. Where the provisions of this ordinance impose greater restrictions than those of any other ordinance, law, or regulation of the Township, County, or the Commonwealth, the provisions of this ordinance shall be controlling. Where the provisions of such other ordinances, laws, or regulations, impose a greater restriction than this ordinance, the provisions of such other ordinances, laws, or regulations shall be controlling.

Section VIII. This ordinance shall take effect and be enforced five (5) days after it is adopted by the Board of Supervisors.

ENACTED AND ORDAINED this 26th day of October A.D., 1981.

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HILLTOWN TOWNSHIP SUPERVISORS

Vincent Pischl
Vincent Pischl, Chairman

Edward L. Wentz
Edward L. Wentz, Vice Chairman

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