

UPPER BERN TOWNSHIP
BERKS COUNTY, PENNSYLVANIA

ORDINANCE NO. 1111

AN ORDINANCE ESTABLISHING MINIMUM REGULATIONS GOVERNING THE DESIGN, CONSTRUCTION, ALTERATION, ENLARGEMENT, REPAIR, DEMOLITION, REMOVAL, MAINTENANCE AND USE OF ALL BUILDINGS AND STRUCTURES; PROVIDING FOR THE ISSUANCE OF PERMITS, COLLECTION OF FEES, MAKING OF INSPECTIONS; AND PROVIDING PENALTIES FOR THE VIOLATION THEREOF BY ADOPTING "THE BOCA NATIONAL BUILDING CODE/1990", TOGETHER WITH CERTAIN AMENDMENTS CONSISTING OF ADDITIONS AND DELETIONS THERETO.

BE IT ENACTED AND ORDAINED by the Board of Supervisors of the Township of Upper Bern, Berks County, Pennsylvania, and IT IS HEREBY ENACTED AND ORDAINED, that the BOCA National Building Code, Eleventh Edition, 1990 along with certain additions and deletions as set forth hereinbelow is adopted as the Building Code of the Township of Upper Bern, Berks County, Pennsylvania.

Section 1. INCONSISTENT ORDINANCES REPEALED. That all ordinances or parts of ordinances in conflict with the Building Code are hereby repealed, provided, however, that the CABO ONE AND TWO FAMILY DWELLING CODE, 1989, as adopted by Upper Bern Township shall survive, supersede and control all matters specifically addressed by the CABO ONE AND TWO FAMILY DWELLING CODE, 1989.

Section 2. ADDITIONS, INSERTIONS AND CHARGES. That the following sections of the BOCA National Building Code, Eleventh Edition, 1990 are revised as follows:

Section 100.1. That the words "Township of Upper Bern" shall be inserted whenever the words "name of jurisdiction" appear in brackets therein.

Section 103.4. That the date of enactment of this Ordinance shall be inserted for the language in brackets in this section.

Section 4. That Section 114.3.1 entitled "Fee Schedule" is hereby amended to provide as follows:

114.3.1 Fee Schedule. A fee for each plan examination, building permit and inspection shall be paid in accordance with the following schedule:

Section 5. That Section 117.4 entitled "Violation Penalties" is hereby amended to provide as follows:

117.4 Violation Penalties. Any person who shall violate a provision of this Code or shall fail to comply with any of the requirements thereof or who shall erect, construct, alter or repair a building or structure in violation of an approved plan or of this Code, shall be guilty of an offense, punishable by a fine of not more than \$300.00, or by imprisonment not exceeding 90 days, or by both such fine and imprisonment. Each day that a violation continues shall be deemed a separate offense.

Section 6. That Section 118.2, entitled "Unlawful Continuance" is hereby amended to provide as follows:

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, except such work as that person is directed to perform to remove a violation or unsafe conditions, shall be liable to a fine of not less than \$300.00 nor more than \$1000.00.

Section 7. That Section 123.3, entitled "Compensation of Board of Survey" is hereby amended to provide as follows:

123.3 Compensation of Board of Survey. The third member of the Board shall receive for services a fee of \$50.00 per day to be paid by the appellant.

Section 8. That Section 2906.2, entitled "Filing" is hereby amended to provide as follows:

2906.1 Filing. A person shall not erect, install, remove, rehang or maintain over public property any sign for which a permit is required under the provisions of this Code until an approved bond has been filed in the sum of \$500,000.00 as herein acquired or until an insurance policy has been filed for public liability in the amount of \$500,000.00 per accident and for property damage in the amount of \$50,000.00 as herein required.

Section 9. Savings Clause. That nothing in this Ordinance or in the Building code hereby adopted shall be construed to effect 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 Section 4 of this ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this Ordinance.

Section 10. Date of Effect. That the Secretary of Upper Bern Township shall certify to the adoption of this Ordinance and cause the same to be published as required by law; and this Ordinance shall take full force and effect from and after its approval as required by law.

ENACTED AND ORDAINED this 3 day of June, 1992.

BOARD OF SUPERVISORS
UPPER BERN TOWNSHIP

Evan Stealy Jr

Tom R. ...

...

Attest: [Signature]
Secretary