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Part 1

BOCA Building Code

§101. Adoption of Building Code.

The City of St. Marys hereby adopts the BOCA National Building Code/1999, 14th Edition, with the additions and modifications set forth below, as the rules and regulations for the construction, alteration, equipping, fire protection and safety of buildings and structures within the City. From November 15, 1999, the provisions of said building code shall be controlling in the design, construction, alteration, enlargement, repair, demolition, removal, maintenance and use of all buildings and structures, and in all other subjects therein contained, whether a permit is required or not, within the corporate limits of the City of St. Marys. (Ord. 107, 11/15/1999)

§102. Amendments Made in Building Code.

The building code hereby adopted is amended as follows:

- A. Section 101.1. Insert: City of St. Marys.
- B. Section 104.2. Amend to read: "The Code Enforcement Officer shall be appointed by the city Council to serve during the pleasure of City Council."
- C. Section 104.4. Amend to read: "During the temporary absence or disability of the Code Enforcement Officer, the City Council shall designate an acting Code Enforcement Officer."
- D. Section 112.3.1. Insert: "As set from time to time by resolution of City Council."
- E. Section 116.4. Amend to read: "Any person who shall violate any provision of this Code or who shall fail to comply with any requirement thereof or who shall erect, construct, alter or repair a building or structure in violation of an approved plan or directive of the Code Enforcement Officer, or of a permit or certificate issued under the provisions of this Code, shall be guilty of a summary offense, punishable by a fine of not more than one thousand dollars (\$1,000), or by imprisonment not exceeding thirty (30) days, or both such fine and imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense."
- F. Section 117.2. Amended to read as follows: "Any person who shall continue any work 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 condition, shall be liable for a fine not in excess of one thousand dollars (\$1,000)."

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- G. Section 118.4. Amended to read:

§118.4. Posting of Certificate: An occupancy permit shall be posted near the main entrance to any building having an Occupancy Group A and E along with the maximum number of persons permitted under the described occupancy. The owner of an existing structure shall obtain and post such an occupancy certificate within a sixty (60) days of the adoption of this Section.

- H. Section 3408.2. Insert: November 15, 1999.

- I. Section 503.3.1 is hereby added to read as follows:

Section 503.1. Height of Roadway. No building or structure shall be erected higher than seventy (70) feet above the grade of the nearest roadway adjacent to it."

- J. Section 701.4 is hereby added to read as follows:

Section 701.4 Fire Apparatus Access. Any multi-story building used for Occupancy Groups A, B, E, I, M, R-1 and R-2 must have curb side access for fire apparatus on a minimum of one side. The building must be located in relation to the curb side so as to permit access to the highest point of the structure with the aerial apparatus in use by the fire department at time the building is designed."

(Ord. 107, 11/15/1999)

§103. 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 shall control whether the requirements thereof are the same as or in excess of the provisions of this Part. The building code shall control in all cases where the State requirements are not as strict as those contained in this Part. (Ord. 107, 11/15/1999)

§104. Provisions to be Continuation of Existing Regulations.

The provisions of this Part 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 prior ordinance. (Ord. 107, 11/16/1999)

Part 2

BOCA National Fire Prevention Code

§201. Adoption of Fire Prevention Code.

The City of St. Marys hereby adopts the BOCA National Fire Prevention Code/1999, 11th Edition, as the Fire Prevention Code for the City of St. Marys, for the purpose of prescribing regulations governing the safeguarding of life and property from the hazards of fire and explosion resulting from the storage, handling and use of hazardous substances, materials and devices; and from conditions hazardous to life or property in the use or occupancy of buildings or premises. (Ord. 4, 1/31/1994; as amended by Ord. 108, 11/15/1999)

§202. Amendments Made in Fire Prevention Code.

The fire prevention code hereby adopted is amended as follows:

- A. "City of St. Marys" shall be inserted wherever the words "Name of Jurisdiction" appear in brackets therein.
- B. Wherever the term "legal officer" or "legal representative" is used in this code, it shall be held to mean the City Solicitor.
- C. Section 111.2 is hereby amended to read as follows:

§111.2. Unlawful continuance: Any person who refuses to leave, interferes with the evacuation of other occupants or continues any operation after having been given an evacuation order except such work as that a person is directed to perform to remove a violation or unsafe condition shall, upon conviction thereof, be sentenced to a fine of not more than one thousand dollars (\$1,000.00) plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed thirty (30) days.

- D. Section 112.3 is hereby amended to read as follows:

§112.3 Penalty for violations.

- A. Any person who shall violate any provision of this code shall, upon conviction thereof, be sentenced to pay a fine not exceeding one thousand dollars (\$1,000.00) plus costs and, in default of said fine and costs, to a term of imprisonment not to exceed thirty (30) days. Each day a violation of this code continues shall constitute a separate offense.

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- B. The application of the above penalty shall not be held to prevent the enforced removal of prohibited conditions.

(Ord. 4, 1/31/1994)

§203. Limits of Storage.

The limits within which the storage of the following materials is prohibited are hereby established as follows:

- A. Establishment of Limits of Districts in which Storage of Explosives and Blasting Agents Prohibited.
 - (1) Bursselles Street, from its intersection with South St. Michael Street on the west to a point in said street 750 east, both sides; Erie Avenue, from its intersection with Diamond Street on the west and its intersection with Fourth Street on the east, north side only; Washington Street, from its intersection with Diamond Street on the west and its intersection with Fourth Street on the east, south side only; Diamond Street, from Washington Street on the north to Erie Avenue on the south, both sides; Fourth Street, from its intersection with Washington Street on the north to its intersection with Erie Avenue on the south, both sides; Mill Street, from its intersection with South St. Marys Street on the west to its intersection with Chestnut Street on the east, north side only.
 - (2) St. Marys Street, from Washington Street to Mill Street, both sides; St. Michael Street, from Center Street to Brusselles Street, both sides; Erie Avenue, from St. Michael Street to Diamond Street, both sides; Railroad Street, from St. Marys Street to St. Michael Street; Depot Street, from St. Michael Street to a point in said Depot Street 425 feet east, both sides; Market Street from St. Michael Street to Mill Street, both sides; Washington Street, from St. Marys Street to Diamond Street, both sides; Lafayette Street, from Washington Street to Erie Avenue, both sides; Chestnut Street, from Brusselles Street to Mill Street, both sides.
 - (3) North St. Michael Street, from its intersection with Center Street on the south and its intersection with Maurus Street on the north.
- B. Establishment of Limits of Districts in Which Storage of Flammable Liquids in Outside Aboveground Tanks is to be Prohibited.
 - (1) Brussels Street, from its intersection with South St. Michael Street on the west to a point in said street seven hundred fifty (750) feet east, both sides; Erie Avenue, from its intersection, with Diamond Street on the west and its intersection with Fourth Street on the east,

north side only; Washington Street, from its intersection with Diamond Street on the west and its intersection with Fourth Street on the east, south side only; Diamond Street, from Washington Street on the north to its intersection with Erie Avenue on the south, both sides; Mill Street, from its intersection with South St. Marys Street on the west to its intersection with Chestnut Street on the east, north side only.

- (2) St. Marys Street, from Washington Street to Mill Street, both sides; St. Michael Street, from Center Street to Brussels Street both sides; Erie Avenue, from St. Michael Street to Diamond Street, both sides; Railroad Street, from St. Marys Street to St. Michael Street; Depot Street, from St. Michael Street to a point in said Depot Street, four hundred twenty-five (425) feet east, both sides; Market Street, from St. Michael Street to Mill Street, both sides; Washington Street from St. Marys Street to Diamond Street, both sides; Lafayette Street, from Washington Street to Erie Avenue, both sides; Chestnut Street, from Brussels Street to Mill Street, both sides.
- (3) North St. Michael Street, from its intersection with Center Street on the south and its intersection with Maurus Street on the north.

C. Establishment of Limits in Which Bulk Storage of Liquefied Petroleum Gases is to be Prohibited.

- (1) Brussels Street, from its intersection with South St. Michael Street on the west to a point in said street, seven hundred fifty (750) feet east, both sides; Erie Avenue, from its intersection with Diamond Street on the west and its intersection with Fourth Street on the east, north side only; Washington Street, from its intersection with Fourth Street on the east, south side only; Diamond Street, from Washington Street on the north to Erie Avenue on the south, both sides; Fourth Street, from its intersection with Washington Street on the north to its intersection with Erie Avenue on the south, both sides; Mill Street, from its intersection with South St. Marys Street on the west to its intersection with Chestnut Street on the east, north side only.
- (2) St. Marys Street, from Washington Street to Mill Street, both sides; St. Michael Street, from Center Street to Brussels Street, both sides; Erie Avenue, from St. Michael Street to Diamond Street, both sides; Railroad Street, from St. Marys Street to St. Michael Street; Depot Street from St. Michael Street to a point in said Depot Street four hundred twenty-five (425) feet east, both sides; Market Street, from St. Michael Street to Mill Street, both sides; Washington Street from St. Marys Street to Diamond Street, both sides; Lafayette Street, from Washington Street to Erie Avenue, both sides; Chestnut Street, from Brussels Street to Mill Street, both sides.

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- (3) North St. Michael Street, from its intersection with Center Street on the south and its intersection with Maurus Street on the north.

(Ord. 4, 1/31/1994)

§204. State Laws 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 Part. The code shall control in all cases where the State requirements are not as strict as those contained in this Part. (Ord. 4, 1/31/1994)

§205. Provisions to be Continuation of Existing Regulations.

The provisions of this Part, so far as they are the same as those of ordinances and/or codes in force immediately prior to the enactment of this Part, are intended as a continuation of such ordinances and codes and not as new enactments. The provisions of this Part 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 authority of any of the repealed ordinances. (Ord. 4, 1/31/1994)

Part 3

BOCA National Mechanical Code

§301. Adoption of Mechanical Code.

The City of St. Marys hereby adopts the International Mechanical Code, 1998 Edition, of the International Code Council, Inc., as the mechanical code for the City of St. Marys, for the purpose of providing reasonable safeguards to protect the public health and safety against the hazards of inadequate, defective or unsafe mechanical systems and installations. (Ord. 109, 11/15/1999)

§302. Amendments Made in Mechanical Code.

The mechanical code hereby adopted is amended as follows:

- A. Section 101.1. Insert: City of St. Marys.
- B. Section 106.5.2. Insert: "As determined from time to time by resolution of City Council."
- C. Section 106.5.3. Insert: "50%" in both places.
- D. Section 108.4. Amend to read:

"Any person who violates any provision of this Code or fails to comply with any of the requirements thereof or who erects, installs, alters or repairs mechanical work in violation of the approved construction documents or any directive of the Code Official, or of a permit or certificate issued under the provisions of this Code, shall be guilty of a summary offense, punishable by a fine of not more than one thousand dollars (\$1,000.00) or by imprisonment not exceeding thirty (30) days, or both such fine and imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense."

- E. Section 108.5. Amend to read:

"Upon notice from the Code Official that mechanic work is being done contrary to the provisions of this Code or in a dangerous or unsafe manner, such work shall immediately cease. Such notice shall be in writing and given to the owner of the property, or to the owner's agent, or to the person doing the work. The notice shall state the conditions under which work is authorized to resume. Where an emergency exists, the Code Official shall not be required to get a written notice prior to stopping the work. Any person who shall continue any work on the system having been served with a stop work order, except such work as that person is directed to perform to

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remove a violation or unsafe condition, shall be liable for a fine not exceeding one thousand dollars (\$1,000.00)

- F. Chapter 16, Codes. Insert: "BOCA National Building Code/1999 and BOCA National Fire Prevention Code/1999."

(Ord. 109, 11/15/1999)

Part 4

BOCA National Property Maintenance Code

§401. Adoption of Property Maintenance Code.

The City of St. Marys hereby adopts the International Property Maintenance Code, 1998 Edition, published by the International Code Council, Inc., as the Property Maintenance Code for the City of St. Marys for the purpose of establishing minimum regulations governing the condition and maintenance of all property, buildings and structures to assure that such structures are safe, sanitary and fit for occupation and use. (Ord. 110, 11/15/1999)

§402. Amendments to Property Maintenance Code.

The Property Maintenance Code is amended as follows:

- A. Section 101.1. Insert: City of St. Marys.
- B. Section 103.6. Insert: "As adopted from time to time by resolution of City Council."
- C. Section 303.15. Insert the dates: March 1 and November 1.
- D. Section 602.3. Insert the dates: October 1 to May 11.
- E. Section 602.4. Insert the dates: October 1 to May 1.
- F. Chapter 8. Codes. Insert: BOCA National Building Code/1999 and BOCA National Fire Prevention Code/1999.

(Ord. 110, 11/15/1999)

§403. Penalties.

Any person who violates any of the provisions of this Part shall be subject to a penalty of not less than one hundred dollars (\$100) nor more than one thousand dollars (\$1,000) for each violation. Each day that a violation continues shall be considered a separate violation. (Ord. 143, 8/20/2001)

Part 5

National Electrical Code

§501. Adoption of National Electrical Code.

The National Electrical Code, 1999 Edition, published by the National Fire Protection Association, Inc., is hereby adopted as the Electrical Code for the City of St. Marys for the purpose of establishing rules and regulations for the installation and maintenance of all electrical facilities and all buildings and structures within the City. (Ord. 13, 5/23/1994, §501; as amended by Ord. 111, 11/15/1999, §1)

§502. Prohibition.

No person shall install, repair or replace any electrical equipment or facilities in any building or structure in the City of St. Marys except in the manner and according to the standards set forth in the Electrical Code. (Ord. 13, 5/23/1994, §502)

§503. Penalties.

Any person who violates any of the provisions of this Part, upon conviction in a summary proceeding, shall be subject to a penalty not exceeding six hundred dollars (\$600.00) or imprisonment not exceeding thirty (30) days, or both, at the discretion of the court. Each day that violation continues after due notice of such violation to the owner or occupant of the building shall be considered a separate violation. (Ord. 13, 5/23/1994, §503)

§504. Notice of Violation.

1. Upon receipt of a complaint or discovery of a violation, the Code Enforcement Officer shall, except in case of emergency, provide the owner or occupant of any structure or building in which a violation exists, notice to cure said violation within ten (10) days after receipt of notice, or be subject to the penalties set forth in this Part.
2. Where the Code Enforcement Officer determines that any condition in violation of this Part represents a clear and present danger of injury to person or property, the Code Enforcement Officer may require the owner or occupant of the building or structure to immediately cure the violation, and the owner or occupant shall be subject to prosecution under this Part for failure to comply with the order without the necessity of further notice.
3. In addition to the other remedies provided under this Part, the City shall have the right to obtain injunctive relief to prevent or prohibit a violation.

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(Ord. 13, 5/23/1994, §504)

§505. Saving Clause.

The provisions of this Electrical Code shall be considered the minimum requirements for all electrical facilities in any building or structure in the City. Any provision of the St. Marys City Code, or any regulations adopted thereunder imposing a stricter standard, shall continue in effect. (Ord. 13, 5/23/1994, §505)

Part 6

BOCA National Plumbing Code

§601. Adoption of Plumbing Code.

The City of St. Marys hereby adopts the International Plumbing Code, Publication Date: April, 1998, published by the International Code Council, Inc., as the Plumbing Code of the City of St. Marys for the purpose of providing reasonable safeguards for sanitation to protect the public health against the hazards of inadequate, defective or unsanitary plumbing installations. (Ord. 106, 11/15/1999)

§602. Amendments to Plumbing Code.

The Plumbing Code is amended as follows:

- A. Section 101.1. Insert: City of St. Marys.
- B. Section 106.5.2. Insert: "As established from time to time by resolution of City Council."
- C. Section 106.5.3. Insert: "50%" in both locations.
- D. Section 108.4. Amend to read as follows: "Any person who shall violate any provision of this Code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter or repair plumbing work in violation of the approved construction documents or directive of the Code Official, or of a permit or certificate issue under the provisions of this Code, shall be guilty of a summary offense, punishable by a fine of not more than one thousand dollars (\$1,000.00) or by imprisonment not exceeding thirty (30) days, or both such fine and imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense.
- E. Section 108.5. Amend to read as follows: "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 condition, shall be liable for a fine not in excess of one thousand dollars (\$1,000.00)
- F. Section 305.6.1. Insert: "36 inches" in both locations.
- G. Section 904.1. Insert: "12 inches".
- H. Chapter 14, Codes. Insert: "BOCA National Building Code/1999 and International Mechanical Code/1998."

Part 7

Uniform Construction Code

§701. Adoption of the Uniform Construction Code.

1. Saint Marys hereby elects to administer and enforce the provisions of the Pennsylvania Construction Code Act, Act 45 of 1999, as amended from time to time and its regulations.
2. The Uniform Construction Code, contained in 34 Pa. Code, Chapters 401-405, as amended from time to time, is hereby adopted and incorporated herein by references as the municipal building code of Saint Marys.
3. Administration and enforcement of the Code within Saint Marys shall be undertaken in any of the following ways as determined by the governing body of Saint Marys from time to time by resolution.
 - A. By the designation of an employee of Saint Marys to serve as the municipal code official to act on behalf of Saint Marys;
 - B. By the retention of one or more construction code officials or third-party agencies to act on behalf of Saint Marys.
 - C. By agreement with one or more other municipalities for the joint administration and enforcement of this Act through an intermunicipal agreement.
 - D. By entering into a contract with another municipality for the administration and enforcement of this Act on behalf of Saint Marys.
 - E. By entering into an agreement with the Pennsylvania Department of Labor and Industry for plan review, inspections and enforcement of structures other than one-family or two-family dwelling units and utility and miscellaneous use structures.
4. A Board of Appeals shall be established by resolution of the governing body of Saint Marys in conformity with the requirements of the relevant provisions of the Code, as amended from time to time, and for the purposes set forth therein. If at any time enforcement and administration is undertaken jointly with one or more other municipalities, the Board of Appeals shall be established by joint action of the participating municipalities.
5. Other Ordinances.
 - A. All building code ordinances or portions of ordinances which were adopted by Saint Marys on or before July 1, 1999, and which equal or exceed the requirements of the Code shall continue in full force and effect until such time

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as such provisions fail to equal or exceed the minimum requirements of the Code, as amended from time to time.

- B. All building code ordinances or portions or ordinances which are in effect as of the effective date of this Part and whose requirements are less than the minimum requirements of the Code are hereby amended to conform with the comparable provisions of the Code.
 - C. All relevant ordinances, regulations and policies of Saint Marys not governed by the Code shall remain in full force and effect.
6. Fees assessable by Saint Marys for the administration and enforcement undertaken pursuant to this Part and the Code shall be established by the governing body by resolution from time to time.
 7. This Part shall be effective July 8, 2004. After said date UCC will be in full force and effect. [Ord. 185]
 8. If any section, subsection, sentence or clause of this Part is held, for any reason to be invalid, such decision or decisions shall not affect the validity of the remaining portions of this Part.

(Ord. 181, 2/16/2004; as amended by Ord. 185, 5/17/2004)