

**BOROUGH OF HUMMELSTOWN
DAUPHIN COUNTY, PENNSYLVANIA**

ORDINANCE NO.: 2023-05

AN ORDINANCE OF THE BOROUGH OF HUMMELSTOWN AMENDING CHAPTER 4 (BUILDINGS), PART 4 (PENNSYLVANIA CONSTRUCTION CODE AND UNIFORM CONSTRUCTION CODE), SECTION 4-403 (ADOPTION OF UNIFORM CONSTRUCTION CODE), TO PROVIDE FOR MODIFICATIONS OF THE UNIFORM CONSTRUCTION CODE; REPEAL REFERENCES TO SUPERSEDED BUILDING CODES; AND CHAPTER 11 (HOUSING), PART 2 (PROPERTY MAINTENANCE) TO ADOPT THE 2018 EDITION OF THE INTERNATIONAL PROPERTY MAINTENANCE CODE.

WHEREAS, the Borough Council of Hummelstown Borough, Dauphin County, Pennsylvania is vested with the legislative authority to adopt ordinances to secure the safety of persons and property within its borders. *See* 8 Pa.C.S. § 1202; *and*

WHEREAS, pursuant to the authority set forth by the Pennsylvania Construction Code Act, 35 P.S. § 7210.101 *et seq.*, and specifically in Section 7210.503 thereof, Borough Council hereby modifies the requirements of the Uniform Construction Code in furtherance of the Health, safety, and welfare of Hummelstown residents; *and*

WHEREAS, the Borough Council, after due consideration of the proposed ordinance amendment at a duly advertised public meeting, has determined that the health, safety, and general welfare of the residents of the Borough of Hummelstown will be served by the proposed amendments.

NOW, THEREFORE, IT IS HEREBY ORDAINED AND ENACTED, by the authority of the Borough Council of the Borough of Hummelstown, Dauphin County, Pennsylvania, that the Code of Ordinances of Hummelstown Borough, Chapter 4 (Buildings) and Chapter 11 (Housing), is amended as follows with bracketed and struck text to be deleted, underlined text to be added, and ellipses to show sections of code remaining unchanged:

SECTION 1: ORDINANCE AMENDMENTS.

Chapter 4 Buildings

- A. Chapter 4, Buildings, Part 1, Building Construction, is repealed hereby in full and replaced with the following by adding the underlined text:

Part 1 (Reserved).

- B. Chapter 4, Buildings, Part 2, Electrical Code, is amended as follows by adding the underlined text and deleting the struck text:

Section 4-201 Adoption of Electrical Code.

The Borough of Hummelstown hereby adopts, for the purpose of establishing rules and regulations for the installation, renewal, extension and receipt of electrical wiring and electrical apparatus in existing buildings, structures or outdoor electrical displays or signs, or in the construction, reconstruction, alteration or repair of buildings, structures or outdoor electrical displays or signs, the electrical code known as the "National Electric Code, [1993] 2017 Edition," as recommended by the National Fire Protection Association, of which not less than three copies have been and are now filed in the Office of the Borough Manager, and the same are hereby adopted and incorporated as fully as if set out in length herein. From the date by which this Part shall take effect, the provisions thereof shall be controlling for all existing and future electrical wiring and apparatus in buildings, structures or outdoor electrical displays or signs within the corporate limits of the Borough of Hummelstown.

- C. Chapter 4, Buildings, Part 3, Plumbing Code, is repealed hereby in full and replaced with the following by adding the underlined text:

Part 3 (Reserved).

- D. Chapter 4, Buildings, Part 4, Pennsylvania Construction Code and Uniform Construction Code, is amended as follows by adding the underlined text and deleting the struck text:

Section 4-403 Adoption of the Uniform Construction Code.

1. 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 reference as the Municipal Building Code of the Borough of Hummelstown.
2. Section 403.1(a)(2) of the Uniform Construction Code is hereby amended by adding the following subsections:
 - a. The following acts or the causing of these acts shall be required to comply with this Chapter. Any actor who performs the act and the owner(s) of the property or premises shall be responsible for applying for and obtaining a building permit from Hummelstown Borough before commencing or allowing the action of the following:
 - i. The addition of a sleeping area within a property or its structures, which increases the total number of sleeping areas lawfully permitted under the structure's certificate of occupancy.
 - ii. The conversion of the subgrade portion of a residential structure into a Dwelling Unit.
 - iii. The modification of any existing residential accessory structure, which increases the gross square footage of the structure in excess of 500 gross square feet.

- iv. Any project involving the construction of a new residential accessory structure which exceeds 500 gross square feet.

Chapter 11 Housing

E. Chapter 11, Housing, Part 2, Property Maintenance, is amended as follows by adding the underlined text and deleting the struck text:

Section 11-201 Adoption of the Property Maintenance Code.

That a certain document, three copies of which are on file in the office of the Borough Manager of the Borough of Hummelstown, being marked and designed as the International Property Maintenance Code, [2012] 2018 Edition, as published by the International Code Council be and is hereby adopted, for 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 the structures are safe sanitary and fit for occupation and use; 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 the collection of fees therefor; and all of the regulations, provisions, penalties, conditions and terms of said Property Maintenance Code, on file in the office of the Borough of Hummelstown are hereby referred to, adopted, and made a part hereof, as if fully set forth in this Part, with the additions, insertions, deletions and changes, if any, as prescribed in this Part. From the date by which this Part shall take effect, the provisions thereof shall be controlling in the maintenance of all structures, and in all other subjects therein contained, within the corporate limits of the Borough of Hummelstown.

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Section 11-204 Amendments to the Code.

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E. Section 302.4 - Weeds. The first sentence is revised to read: All premises and exterior property shall be maintained from weeds or plant growth in excess of "[10] 8 inches."

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SECTION 2. SEVERABILITY. If any section, subsection, provision, regulation, limitation, restriction, sentence, clause, phrase or word in this Ordinance is declared by any reason to be illegal, unconstitutional or invalid by any court of competent jurisdiction, such decision shall not affect or impair the validity of this Ordinance or affected Chapters of the Hummelstown Borough Code of Ordinances as a whole, or any other section, subsection, provision, regulation, limitation, restriction, sentence, clause, phrase, word or remaining portion of this Ordinance or Chapter of the Borough Code. The Borough Council hereby declares that it would have adopted this Ordinance and each section, subsection, phrase and word thereof, irrespective of the fact that any one or more of those sections, subsections, provisions, regulations, limitations, restrictions, sentences, clauses, phrases or words may be declared illegal, unconstitutional or invalid.

SECTION 3. REPEALER. All ordinances or parts of ordinances that are inconsistent herewith shall be and the same expressly are repealed.

SECTION 4. EFFECTIVE DATE. This Ordinance shall become effective in accordance with applicable law.

BE IT DULY ORDAINED AND ENACTED into law this 17 day of August, 2023, by Hummelstown Borough Council, Dauphin County, Pennsylvania, in lawful session duly assembled.

ATTEST:

**BOROUGH COUNCIL
HUMMELSTOWN BOROUGH**

Theresa Eberly

BY: [Signature]
President