

**BOROUGH OF SHARON HILL
DELAWARE COUNTY, PENNSYLVANIA**

ORDINANCE NO. 1398

AN ORDINANCE OF THE BOROUGH OF SHARON HILL, DELAWARE COUNTY, PENNSYLVANIA ENACTING SUPPLEMENTAL STANDARDS TO THE UNIFORM CONSTRUCTION CODE IN THE BOROUGH (1) ADOPT THE 2015 INTERNATIONAL RESIDENTIAL CODE, AND (2) PROVIDING A DEFINITION OF "ORDINARY REPAIRS" FOR IMPLEMENTATION OF THE UNIFORM COMMERCIAL CODE AND INTERNATIONAL RESIDENTIAL CODE.

WHEREAS, on November 10, 1999, the Pennsylvania Legislature passed the Pennsylvania Construction Code Act, ("Act 45"); and

WHEREAS, pursuant to Act 45, The Pennsylvania Department of Labor and Industry adopted certain uniform codes as the Uniform Construction Code ("UCC") for the Commonwealth; and

WHEREAS, Act 45 requires municipalities who desire to enforce the UCC to adopt it by ordinance; and

WHEREAS, pursuant to Act 45, this Council adopted the UCC in the Borough of Sharon Hill and its later amendments by enactment of Ordinance No. 1298 on April 22, 2004; and

WHEREAS, on July 1, 2004, The Pennsylvania Legislature passed Act 92 of 2004 ("Act 92"), amending Act 45 to exempt regulation of repairs and alterations of residential buildings and any regulation of utility and miscellaneous use structures less than 1,000 square feet from the Act, and

WHEREAS, ACT 92 also amends Act 45 to permit municipalities to adopt ordinances placing additional code requirements upon the alteration and repair of residential buildings; and

WHEREAS, ACT 92 also amends Act 45 to permit municipalities to adopt ordinances enacting stricter code requirements for the regulation of utility and miscellaneous use structures; and

WHEREAS, the Borough being densely populated and containing numerous residential

housing types, this Council deems it in the best interest of the health, safety and welfare of the residents to regulate alterations and repairs to residential buildings; and

WHEREAS, the Borough of Sharon Hill wishes to provide guidance to its Code Enforcement Officials in its interpretation of the undefined term “ordinary repair(s)” under the UCC and the 2015 International Residential Code to avoid disagreements which may result in needless litigation or improper inconveniencing of its residents;

NOW, THEREFORE, Borough of Sharon Hill hereby ordains:

SECTION 1. Regulation of Alterations and Repairs to Residential Buildings.

In addition to the minimum standards contained within the Act, the Borough shall also enforce the International Residential Code 2015, as it applies to the Alteration and Repair of Residential Buildings, and property owners shall be required to obtain permits for all such alterations and repairs.

SECTION 2. Definition of “Ordinary Repairs”

In addition to the minimum standards contained within the Act, to aid the implementation and interpretation of the UCC as stated in Pa.Code Section 403.62. and the International Residential Code 2015 by the Code Enforcement Officials of the Borough of Sharon Hill, hereby adopts the following definition of “ordinary repair(s)” to be understood in the implementation of the enforcement and interpretation of

- a. “Ordinary repair(s)”. shall include all interior and exterior changes to a building which do not involve structural changes to the characteristics of the building, and which are not specifically excluded under Section 2.b. below.

“Ordinary repairs(s)” specifically includes the following:

1. Painting;
2. Papering;
3. Carpeting;
4. Masonry Pointing;
5. Water Heater Replacement; and
6. Changing Interior or Exterior Doors which does not involve a

structural change to a door frame.

b. "Ordinary repair(s)" does not include the following activities which will specifically require a permit:

1. Any and all repairs and/or replacement of a roof in excess of 50 square feet net of roof area;
2. Any and all repairs and/or replacement of house siding in excess of 100 square feet net of wall area;
3. Kitchen renovations which involve any mechanical or structural changes
4. Floor tiling;
5. Repair and replacement of driveways and walkways;
6. Window replacement that involves changes to existing structure;
7. Installation of roof gutter systems;
8. Installation of drywall that will alter existing building structure;
9. Repair and/or replacement of stairs and stairwells; and
10. Repair and/or replacement of flooring.

SECTION 3. Other Ordinances.

Nothing in this Ordinance shall be interpreted to relieve any individual from compliance with all other ordinances, resolutions, laws and regulations of the Borough, of the County of Delaware, the Commonwealth of Pennsylvania or the United States.

SECTION 4. Repealer.

All ordinances, resolutions and parts of ordinances and resolutions inconsistent herewith, are hereby repealed.

SECTION 5. Severability.

The provisions of this ordinance are severable, and if any section, sentence, clause, part, or provision hereof shall be held illegal, invalid or unconstitutional by any court of competent jurisdiction, such decision of the court shall not affect or impair the remaining sections, sentences, clauses, or parts of this Ordinance. It is hereby declared to be the intent of

the Borough Council that this Ordinance would have been adopted if such illegal, invalid, or unconstitutional sections, sentence, clause, part, or provision had not been included therein.

SECTION 6. Adoption.

This ordinance shall be effective immediately upon the date of enactment.

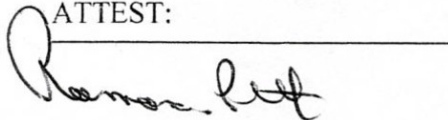
ENACTED AND ORDAINED, by the Borough of Sharon Hill, Delaware County, Pennsylvania, this _____ day of _____, 2018.

BOROUGH OF SHARON HILL



PRESIDENT OF COUNCIL
TERRENCE OLIVER

ATTEST:



SECRETARY
RAMONA PETTY

Approved this _____ day of _____, 2018.

MAYOR
HARRY DUNFEE

