

ALBURTIS CODIFIED ORDINANCES

Chapter 30

Uniform Construction Code

Chapter 30 — Uniform Construction Code

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Article I — In General

§ 30-101 Short Title.

This Chapter shall be known, and may be cited, as the “Uniform Construction Code of the Borough of Alburdis.”

§ 30-102 Adoption.

The Uniform Construction Code as set forth in the regulations of the Pennsylvania Department of Labor and Industry at 34 PA. CODE ch. 401-405, as they may be amended from time to time, which are hereby incorporated into this Chapter by reference, and as supplemented by the provisions of this Chapter, is hereby adopted as the building code of the Borough.

§ 30-103 Continuation of Certain Borough Requirements.

(a) **In General.** The following provisions of Borough ordinances which were in effect on or before July 1, 1999 and at the adoption of this Chapter are hereby incorporated into this Chapter by reference, to the extent they equal or exceed the requirements of the Uniform Construction Code (as set forth in the regulations of the Pennsylvania Department of Labor and Industry), and shall continue in full force and effect under this Chapter:

(1) All of the following sections, and the provisions of the 1990 BOCA National Plumbing Code referred to in those sections (as modified by those sections):

- (A) § 32-216 (relating to Availability of Public System);
- (B) § 32-217 (relating to Protection of Pipes from Freezing);
- (C) § 32-218 (relating to Sewer Depth);
- (D) § 32-219 (relating to Water Service Pipe);
- (E) § 32-220 (relating to Permitted Water Service Pipe Materials);
- (F) § 32-221 (relating to Permitted Water Distribution Pipe Materials);
- (G) § 32-222 (relating to Permitted Sanitary Drainage and Vent Piping Materials for Above Ground Installation);
- (H) § 32-223 (relating to Permitted Sanitary Drainage and Vent Piping Materials for Underground Installation);
- (I) § 32-224 (relating to Permitted Sanitary Drainage Piping Materials for the Building Sewer);
- (J) § 32-225 (relating to Connection of the Building Sewer or Lateral to Sewer Main Pipe);
- (K) § 32-226 (relating to Building (House) Traps);

- (L) § 32-227 (relating to Location of Building Sewer Cleanouts);
- (M) § 32-228 (relating to Size of Floor Drains);
- (N) § 32-229 (relating to No Floor Drains Below Grade);
- (O) § 32-230 (relating to Floor Drains in Rooms With Urinals);
- (P) § 32-231 (relating to Size of Water Service Pipe).

(2) Chapter 32, Article III (relating to Plumbing—DRBC Minimum Water Conservation Performance Standards), and the provisions of the 1990 BOCA National Plumbing Code referred to in that Article (as modified by that Article).

(3) Chapter 32, Article IV (relating to Plumbing—Additional Borough Requirements).

(b) **Supersession.** If, at any time, the applicable requirements of the Uniform Construction Code (as set forth in the regulations of the Pennsylvania Department of Labor and Industry, as they may be amended from time to time) (“**State Requirements**”) shall exceed any requirement of any provision under subsection (a) (“**Borough Requirement**”) in any given situation with respect to any given building or structure, then the State Requirements shall supersede the Borough Requirement in that situation and the Borough Requirement shall be deemed amended to conform to the comparable minimum State Requirements in that situation.

(c) **Property Maintenance Code.** The state Uniform Construction Code does not adopt a property maintenance code, and thus has no effect on the Borough’s Property Maintenance Code. Accordingly, the provisions of Chapter 35 (relating to Property Maintenance) continue in full force and effect and are not affected by this Chapter 30.

§ 30-104 Effective Date; Application.

This Chapter applies to the construction, alteration, repair, movement, equipment, removal, demolition, location, maintenance, occupancy, or change of occupancy of every building or structure which occurs on or after April 9, 2004, and all then-existing structures that are not legally occupied at that time, except as otherwise provided in 34 PA. CODE § 403.1. That provision excludes, without limitation—

(a) New buildings or renovations to existing buildings for which an application for a permit was made to the Pennsylvania Department of Labor and Industry or the Borough before April 9, 2004;

(b) New buildings or renovations to existing buildings on which a contract for design or construction was signed before April 9, 2004; and

(c) Construction of a building or structure in accordance with a permit issued under Borough construction regulations before April 9, 2004, so long as construction commences or commenced within two (2) years after issuance of the permit.

§ 30-105 Administration and Enforcement.

(a) **By Borough.** The Borough hereby elects to administer and enforce the provisions of the Pennsylvania Construction Code Act, Act 45 of 1999, 35 PA. STAT. ANN. §§ 7210.101 through 7210.1103, as amended from time to time, and the regulations thereunder, 34 PA. CODE ch. 401-405, as amended from time to time.

(b) **Method.** The Borough shall contract with one or more construction code officials and/or third-party agencies (within the meaning of the Pennsylvania Construction Code Act and the regulations thereunder) to act on behalf of the Borough in the administration and enforcement of this Chapter.

§ 30-106 Notification of Department of Labor and Industry.

The Borough Manager and President of Council shall notify the Pennsylvania Department of Labor and Industry of the initial adoption of this Chapter, in the form provided by that Department, by July 30, 2004.

§ 30-107 Requirements of Other Ordinances.

All applicable requirements of Chapter 21 (relating to Zoning), Chapter 22 (relating to Subdivision and Land Development), Chapter 24 (relating to Floodplain Management), Chapter 25 (relating to Storm Water Management), and all other Borough ordinances shall apply to matters regulated under this Chapter, in addition to the provisions of this Chapter. Each activity regulated under this Chapter shall satisfy the minimum requirements of this Chapter and each other applicable ordinance provision.

Article II — Fees

§ 30-201 In General.

A fee for each plan review or examination, building permit, plumbing permit, electrical permit, mechanical permit, or other permit, and inspection under this Chapter by the Borough or its designated officials and/or agencies shall be paid in accordance with the provisions of this Article II.

§ 30-202 Residential Building Permit Base Fees.

The base fee for a building permit for residential construction (one and two family dwellings) of the types described in this Section, and the standard inspection of the work performed under the permit, shall be as follows. Except as otherwise provided in this Section, these amounts do *not* include the fees for any necessary plumbing, electrical, and mechanical permits and inspections. Gross square footage shall include basement, each floor level, garage, decks, and porches. Measurements shall be made from the exterior face of a wall to the exterior face of a wall:

(a) **For new construction of a single family dwelling (other than manufactured housing):** \$655.00 plus an additional \$9.35 for each 100 gross square feet (or fraction) in excess of 3,500 gross square feet. This amount includes the fee for all necessary mechanical, electrical, and plumbing permits and inspections.

(b) **For a manufactured housing unit (HUD certified):** \$220.00. This amount includes the fee for all necessary mechanical, electrical, and plumbing permits and inspections.

(c) **For an addition:** \$250.00 plus an additional \$9.35 for each 100 gross square feet (or fraction) in excess of 500 gross square feet.

(d) **For a renovation or alteration:** \$140.00. In addition, to the extent more than two (2) inspections are necessary, the fee shall be increased as if each additional inspection was a re-inspection under § 30-212.

(e) **For an accessory structure, deck, covered patio, or utility building:** \$135.00 plus an additional \$9.35 for each 100 gross square feet (or fraction) in excess of 500 gross square feet.

(f) **For a sign:** \$55.00 plus an additional \$55.00 if the sign requires a footing inspection.

(g) **For a pool or hot tub:**

(1) **Above-ground pool:** \$105.00. This amount includes the fee for all necessary electrical permits and inspections, and includes one (1) visit. Each additional visit is charged as an additional inspection under § 30-212.

(2) **In-ground pool:** \$210.00. This amount includes the fee for all necessary electrical permits and inspections, and includes up to two (2) visits. Each additional visit is charged as an additional inspection under § 30-212.

(3) **Hot tub/spa:** \$105.00. This amount includes the fee for all necessary electrical permits and inspections, and includes one (1) visit. Each additional visit is charged as an additional inspection under § 30-212.

(h) **To re-roof a residential unit (non-structural):** \$85.00.

(i) **For demolition of a residential unit:** \$110.00.

(j) **Miscellaneous construction:** For residential construction (one and two family dwellings) not included in the preceding subsections of this § 30-202 (including, without being limited to, cell towers, retaining walls, etc.), two and two-tenths percent (2.2%) of the total cost of construction (materials and labor), but not less than \$80.00.

§ 30-203 Residential Plumbing Permit Base Fees.

The base fee for a plumbing permit for residential construction, and the standard inspection of the work performed under the permit shall be as follows:

(a) **For each dwelling unit (not including any of the other items described in this Section):** \$80.00 plus an additional \$11.00 for each fixture in excess of seven (7) fixtures. For purposes of this Section, the term “fixture” shall mean a receptacle or device which is either permanently or temporarily connected to the water distribution system of the premises, and demands a supply of water therefrom; or discharges used water, waste materials, or sewage either directly or indirectly to the *drainage system* of the premises; or requires both a water supply connection and a discharge to the *drainage system* of the premises. Plumbing appliances as a special class of fixture are further defined. Fixtures shall include, without limitation, automatic clothes washers, bathtubs, bidets, dishwashing machines, drinking fountains, emergency showers, eye wash stations, floor drains, food waste grinders, garbage can washers, garbage disposals, kitchen sinks, laundry trays, lavatories, ornamental pools, service sinks, showers, sinks, slop sinks, special fixtures, toilets, urinals, water closets, and water coolers.

(b) **For each water lateral:** \$80.00.

(c) **For each sanitary sewer lateral:** \$80.00.

(d) **For each storm sewer connection:** \$80.00.

(e) **For each water softener:** \$80.00.

(f) **For water supply and drainage connections to heating/ cooling/sprinkler systems:** \$80.00.

§ 30-204 Residential Mechanical Permit Base Fees.

The base fee for a mechanical permit for residential construction (one and two family dwellings), and the standard inspection of the work performed under the permit, shall be \$80.00 for the first individual appliance (including associated ductwork/piping) installed under the permit for a given dwelling unit, and \$40.00 for each additional individual appliance (including associated ductwork/piping) installed under the permit, except for projects where the fee for a mechanical permit is already included with the fee for a building permit under § 30-202. These amounts do *not* include the fees for any necessary electrical permits and inspections.

§ 30-205 Residential Electrical Permit Base Fees.

The base fee for an electrical permit for residential construction (one and two family dwellings) of the types described in this Section, and the standard inspection of the work performed under the permit, shall be as follows, except for projects where the fee for an electrical permit is already included with the fee for a building permit under § 30-202. These amounts do *not* include the fees for any necessary building, plumbing, and mechanical permits and inspections:

- (a) **For a manufactured housing unit:** \$60.00 service fee plus \$28.00 per feeder.
- (b) **Rough Wiring:** \$33.00 plus \$6.00 for each twenty (20) outlets in excess of twenty (20) outlets.
- (c) **Final Wiring:** \$33.00 plus \$6.00 for each twenty (20) outlets in excess of twenty (20) outlets.
- (d) **For electric service:**
 - (1) **Up to 200 amp service:** \$61.00 (includes one visit only).
 - (2) **Up to 350 amp service:** \$72.00 (includes one visit only).
 - (3) **Up to 1000 amp service:** \$100.00 (includes one visit only).
 - (4) **Up to 1500 amp service:** \$200.00 (includes one visit only).
 - (5) **Over 1500 amp service:** \$275.00 (includes one visit only).
- (e) **For a pool or hot tub:**
 - (1) **Above-ground pool:** \$50.00 (includes one visit).
 - (2) **In-ground pool:** \$100.00 (includes up to two visits).
 - (3) **Hot tub/spa:** \$50.00 (includes one visit).
- (f) **For each heating and/or air conditioning unit:**
 - (1) **30 kW or less:** \$50.00.
 - (2) **Over 30 kW:** \$72.00.
- (g) **For feeders and panel boards:**
 - (1) **Up to 200 amp service:** \$22.00.
 - (2) **Up to 400 amp service:** \$33.00.
 - (3) **Up to 1000 amp service:** \$39.00.
 - (4) **Up to 1500 amp service:** \$44.00.
- (h) **For protective signaling systems:**
 - (1) **In general:** \$55.00.
 - (2) **For 115 volt hard wired stand-alone smoke detectors:** \$22.00.
- (i) **For motors, generators, and transformers:**
 - (1) **Up to 30 hp or Kv:** \$39.00 for the first unit, plus an additional \$11.00 for each additional unit.
 - (2) **Up to 100 hp or Kv:** \$50.00 for the first unit, plus an additional \$11.00 for each additional unit.

(j) For transformers, vaults, enclosures:

- (1) Up to 200 Kv:** \$77.00.
- (2) Up to 500 Kv:** \$110.00.
- (3) Up to 1000 Kv:** \$155.00.
- (4) Over 1000 Kv:** \$220.00.

(k) For signs: \$39.00 for the first sign, and \$6.00 for each additional sign.

(l) For minor alterations and additions (up to 25 outlets and one service up to 200 amp, one visit only): \$72.00.

§ 30-206 Nonresidential Plan Review Base Fees.

The base fee for a reviewing plans for construction projects other than those described in §§ 30-202 through 30-205 shall be sixty-six percent (66.00%) of the applicable plan review fees calculated as set forth in the current International Code Council (ICC) code books. The fees are due in full at the time the application is filed.

§ 30-207 Nonresidential Building Permit Base Fees.

The base fee for a building permit for construction projects other than those described in §§ 30-202 through 30-205, and the standard inspection of the work performed under the permit, shall be as set forth below, *plus* the plan review fees set forth in § 30-206. (This Section includes, but is not limited to, commercial projects and residential projects other than one and two family dwellings.) The fees are due in full at the time the application is filed. Except as otherwise provided in this Section, these amounts do *not* include the fees for any necessary plumbing, electrical, and mechanical permits and inspections. Gross square footage shall include basement, each floor level, garage, decks, and porches. Measurements shall be made from the exterior face of a wall to the exterior face of a wall:

(a) For new construction: \$25.50 for each 100 gross square feet (or fraction), but not less than \$550.00. This amount includes the fee for all necessary mechanical, electrical, and plumbing permits and inspections (but not the mechanical, electrical, and plumbing plan review fees).

(b) For an addition: \$25.50 for each 100 gross square feet (or fraction), but not less than \$550.00. This amount includes the fee for all necessary mechanical, electrical, and plumbing permits and inspections (but not the mechanical, electrical, and plumbing plan review fees).

(c) For a renovation or alteration: one and sixty-five hundredths percent (1.65%) of the total cost of construction, but not less than \$400.00. This amount includes the fee for all necessary mechanical, electrical, and plumbing permits and inspections (but not the mechanical, electrical, and plumbing plan review fees).

(d) For a pool or hot tub:

(1) Above-ground pool: \$105.00. This amount includes the fee for all necessary electrical permits and inspections (but not the electrical plan review fees), and includes one (1) visit. Each additional visit is charged as an additional inspection under § 30-212.

(2) In-ground pool: \$210.00. This amount includes the fee for all necessary electrical permits and inspections (but not the electrical plan review fees), and includes up to two (2) visits. Each additional visit is charged as an additional inspection under § 30-212.

(3) Hot tub/spa: \$105.00. This amount includes the fee for all necessary electrical permits and inspections (but not the electrical plan review fees), and includes one (1) visit. Each additional visit is charged as an additional inspection under § 30-212.

(e) To re-roof a unit (non-structural): \$85.00.

(f) For demolition: \$110.00.

(g) Miscellaneous construction: For construction not included in the preceding subsections of this § 30-207 (including, without being limited to, cell towers, retaining walls, etc.), two and two-tenths percent (2.2%) of the total cost of construction (materials and labor), but not less than \$80.00.

§ 30-208 Nonresidential Plumbing Permit Base Fees.

The base fee for a plumbing permit for construction projects other than those described in §§ 30-202 through 30-205, and the standard inspection of the work performed under the permit, shall be as set forth below (except to the extent the fee for a plumbing permit is already included with the fee for a building permit under § 30-207), *plus* the plan review fees set forth in § 30-206. (This Section includes, but is not limited to, commercial projects and residential projects other than one and two family dwellings.) The fees are due in full at the time the application is filed:

(a) Fixtures: \$110.00 plus an additional \$17.00 for each fixture in excess of seven (7) fixtures. For purposes of this Section, the term “fixture” shall mean a receptacle or device which is either permanently or temporarily connected to the water distribution system of the premises, and demands a supply of water therefrom; or discharges used water, waste materials, or sewage either directly or indirectly to the *drainage system* of the premises; or requires both a water supply connection and a discharge to the *drainage system* of the premises. Plumbing appliances as a special class of fixture are further defined. Fixtures shall include, without limitation, automatic clothes washers, bathtubs, bidets, dishwashing machines, drinking fountains, emergency showers, eye wash stations, floor drains, food waste grinders, garbage can washers, garbage disposals, kitchen sinks, laundry trays, lavatories, ornamental pools, service sinks, showers, sinks, slop sinks, special fixtures, toilets, urinals, water closets, and water coolers.

(b) For each water lateral: \$80.00.

(c) For each sanitary sewer lateral: \$80.00.

(d) For each storm sewer connection: \$80.00.

(e) **For each water softener:** \$80.00.

(f) **For water supply and drainage connections to heating/cooling/sprinkler systems:** \$80.00.

§ 30-209 Nonresidential Mechanical Permit Base Fees.

The base fee for a mechanical permit for construction projects other than those described in §§ 30-202 through 30-205, and the standard inspection of the work performed under the permit, shall be as set forth below (except to the extent the fee for a mechanical permit is already included with the fee for a building permit under § 30-207), *plus* the plan review fees set forth in § 30-206. (This Section includes, but is not limited to, commercial projects and residential projects other than one and two family dwellings.) The fees are due in full at the time the application is filed. These amounts do *not* include the fees for any necessary electrical permits and inspections:

(a) **Appliances:** \$110.00 for the first individual appliance (including associated ductwork/piping) installed under the permit, and \$55.00 for each additional individual appliance (including associated ductwork/ piping) installed under the permit.

(b) **Hood and Duct Systems:** \$330.00 per system.

(c) **Fire Sprinkler Systems:** \$385.00, plus \$0.55 for each sprinkler head in excess of 200 sprinkler heads.

(d) **Fire Detection/Alarm System:** \$165.00 plus an additional \$1.10 for each 100 gross square feet (or fraction) in excess of 15,000 gross square feet.

(e) **Alternate Fire Suppression System:** one and sixty-five hundredths percent (1.65%) of the total cost of construction.

§ 30-210 Nonresidential Electrical Permit Base Fees.

The base fee for an electrical permit for projects other than those described in §§ 30-202 through 30-205, and the standard inspection of the work performed under the permit shall be as set forth below (except to the extent the fee for an electrical permit is already included with the fee for a building permit under § 30-207), *plus* the plan review fees set forth in § 30-206. (This Section includes, but is not limited to, commercial projects and residential projects other than one and two family dwellings.) The fees are due in full at the time the application is filed. The fees are cumulative:

(a) **For townhouses:** \$61.00 per dwelling unit, based on groups of five or more units per visit, with roughs and services to be inspected in one visit. If additional visits are necessary due to a failure to satisfy the requirements of the preceding sentence, a fee equal to the amount set forth in § 30-212 shall be added for each additional visit.

(b) **Rough wiring:** \$33.00 plus an additional \$6.00 for each 20 outlets (or fraction) in excess of 20 outlets.

(c) **Final wiring:** \$33.00 plus an additional \$6.00 for each 20 outlets (or fraction) in excess of 20 outlets.

(d) **For electrical service:**

- (1) **Up to 200 amp service:** \$61.00.
- (2) **Up to 350 amp service:** \$72.00.
- (3) **Up to 1,000 amp service:** \$100.00.
- (4) **Up to 1,500 amp service:** \$200.00.
- (5) **Over 1500 amp service:** \$275.00.

(e) **For a pool or hot tub:**

- (1) **Above-ground residential pool:** \$50.00 (includes one visit).
- (2) **In-ground residential pool:** \$100.00 (includes up to two visits).
- (3) **Residential hot tub/spa:** \$50.00 (includes one visit).
- (4) **Nonresidential:** \$200.00 per inspection, pass or fail. This includes three-year Commonwealth of Pennsylvania certification.

(f) **For each heating and/or air conditioning unit:**

- (1) **30 kW or less:** \$50.00.
- (2) **Over 30 kW:** \$72.00.

(g) **For signs:** \$39.00 for the first unit plus an additional \$6.00 for each additional unit inspected at the same time.

(h) **For feeders and panel boards:**

- (1) **Up to 200 amp service:** \$22.00.
- (2) **Up to 400 amp service:** \$33.00.
- (3) **Up to 1000 amp service:** \$39.00.
- (4) **Up to 1500 amp service:** \$44.00.

(i) **For protective signaling systems:**

- (1) **In general:** \$66.00.
- (2) **For 115 volt hard wired stand-alone smoke detectors:** \$22.00.

(j) **For motors, generators, and transformers:**

- (1) **Up to 30 hp or Kv:** \$39.00 for the first unit, plus an additional \$11.00 for each additional unit.
- (2) **Up to 100 hp or Kv:** \$50.00 for the first unit, plus an additional \$11.00 for each additional unit.

(k) For transformers, vaults, enclosures:

- (1) Up to 200 Kv:** \$77.00.
- (2) Up to 500 Kv:** \$110.00.
- (3) Up to 1000 Kv:** \$155.00.
- (4) Over 1000 Kv:** \$220.00.

(l) For minor alterations and additions (up to 25 outlets and one service up to 200 amp, one visit only): \$72.00.

§ 30-211 Additional Fees for Engineering and Legal Costs.

(a) In General. In addition to the base fees for any building, plumbing, electrical, mechanical, or other permit issued under this Chapter, the Borough shall recover from the applicant all properly-chargeable engineering and legal costs incurred by the Borough in connection with the work covered by the permit.

(b) Escrow. If any engineering or legal costs are foreseeable (in the reasonable opinion of the Borough Manager) or required by law or ordinance in connection with the work covered by any permit, the applicant shall deposit with the Borough the amount of such costs as reasonably estimated by the Borough Manager before the permit is issued as security for the payment of additional fees under this Section, and shall replenish any sums drawn against the escrow upon demand.

§ 30-212 Additional Inspection Fees.

If additional inspections or visits are required with respect to the work covered by any building, plumbing, electrical, mechanical, or other permit issued under this Chapter because the permittee failed an inspection, requested an inspection on incomplete work, failed to provide appropriate access to the inspector on a scheduled inspection (including, without limitation, no provision of ladders where stairs are not yet installed), requires the inspection of additional items not previously listed, or otherwise, the permittee shall pay a fee of Eighty Dollars (\$80.00) for each such additional inspection or visit, except that in the case of residential construction (one and two family dwellings), the fee shall be only Forty Dollars (\$40.00) for the first such additional inspection or visit. This fee must be paid in full prior to the additional inspection or visit.

§ 30-213 State Fee For Education and Training Programs.

In addition to all other fees imposed by the Borough for any construction or building permit issued by or on behalf of the Borough under this Chapter, an applicant for a construction or building permit shall pay a fee of Four Dollars (\$4.00) or such higher amount as may be required under section 703 of the Pennsylvania Construction Code Act, as amended, 35 PA.

STAT. ANN. § 7210.703, to fund the state Municipal Code Official Training Account and/or the Construction Contractor Training Account.

Article III — Board of Appeals

§ 30-301 Establishment.

A Board of Appeals, in conformance with the requirements of the Uniform Construction Code (as set forth in regulations of the Department of Labor and Industry) and for the purposes set forth therein, has been established by joint action of the Borough and the Borough of Macungie, the Township of Lower Milford, and the Township of Upper Milford (*see* § 6-601), and is the Borough's Board of Appeals for all appeals, requests for variances, and requests for extension of time concerning the administration and enforcement of this Chapter (other than for matters relating to accessibility). If the joint Board terminates or the Borough withdraws from the joint Board, the Borough shall establish its own Board of Appeals.

Appendix

¶ 30-A Source Ordinances.

Ordinance 424	06-30-2004
Ordinance 431	12-29-2004
Ordinance 434	03-30-2005
Ordinance 464	12-12-2007
Ordinance 468	12-26-2007
Ordinance 473	04-30-2008
Ordinance 526	01-28-2015

§ 30-B Prior Ordinances Concerning Related Subject Matter.

See Chapters 31 (relating to Building Construction) and 32 (relating to Plumbing).