

**PENNSYLVANIA UNIFORM CONSTRUCTION CODE**

2009 International Building Code

2009 International Residential Code

2009 International Fire Code

2009 International Plumbing Code

2009 International Mechanical Code

2009 International Existing Building Code

2009 International Electrical Code

2009 International Urban-Wildland Interface Code

***As modified, by the following ordinances:***

**ORDINANCE 2009- 783**

**PURPOSE:**

**WHEREAS**, the purpose of this ordinance is to promote the general health, safety and welfare of the citizens of Upper Merion Township and to conform to the requirements of the Pennsylvania Construction Code Act and regulations to the act promulgated by the Pennsylvania Department of Labor and Industry (hereinafter sometimes collectively referred to as the (sic) “Code;” and

**WHEREAS**, the Pennsylvania Construction Code requires the enactment of an appropriate ordinance by municipalities electing to administer and enforce the building code provisions of the Code.

**ADOPTION OF UNIFORM CONSTRUCTION CODE:**

1. Upper Merion Township 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, was adopted and incorporated herein by reference as the municipal building code of Upper Merion Township.

3. All building code ordinances or portions or ordinances which are in effect as of the effective date of this ordinance and whose requirements are less than the minimum requirements of the Code are hereby amended to conform with the comparable provisions of the Code.
4. The UCC regulations adopted definitions in section 103; the following amendment to those definitions are hereby adopted by Upper Merion Township.

**AMEND** the definition of “utility and miscellaneous structures to read:

Buildings or structures of an accessory character and miscellaneous structures not classified by the International Code Council in any specific use group. The term includes carports, detached private garages, greenhouses, shed and recreational structures having a building area of less than 120 square feet.

5. The UCC regulations adopted the 2009 ICC International Building Code. The following amendments to that code are hereby adopted by Upper Merion Township.

**ADD** section 117, **Time Restrictions**, to read:

**(95-638      adopted 19 October 95)**

**117.1 Time Restrictions:** Any work done pursuant to the permit issued under this Code, or ancillary thereto, and occurring in residential districts, or on any property which adjoins a residential district may proceed only between the hours of 0700 and 2100 hours (7:00am to 9:00pm), prevailing time. This shall include site work, approved under the subdivision or development plan, as well as building construction.

**EXCEPTIONS:**

1. Work which produces no more than the hearing threshold (3db above ambient) at the property line.
2. Work of an emergency nature.
3. On Saturdays and Sundays, such work may proceed only between the hours of 0800 and 2100 (8:00am and 9:00pm), prevailing time.

4. Upon written approval of the Board of Supervisors, these times may be modified for specific jobs and specific locations.

**ADD** section 402.7.4 **Floor/Ceiling Assemblies**

**(90-577 adopted 16 July 90)**

**402.7.4** - Floor/ceiling assemblies and their supporting columns and beams within multi-level covered malls shall be of one-hour fire resistant rated noncombustible construction.

**AMEND** Section 403.1 to read: **Applicability**

**(2000-706 adopted 16 November 00)**

**403.1** - The provisions of this section shall apply to all buildings having occupied floors located more than 35 feet above the lowest level of fire department vehicle access.

**Exception:** The provisions of this section shall not apply to the following buildings and structures:

1. Airport traffic control towers conforming to the requirements of Section 412.0.
2. Open parking structures (see Section 406.0).
3. Buildings with an occupancy in Use Group A-5 (see Section 303.1).
4. Low-hazard special occupancies where approved by the code official (see Section 503.1.1).
5. Buildings with an occupancy in Use Group H-1, H-2 or H-3 (see Section 307.3 & 307.5).

**ADD** Section 403.7 to read: **Resource Centers:**

**(2000-706 adopted 11 November 00)**

**403.7.1** - In buildings greater than seventy-five (75) feet in height, at five (5) floor intervals, starting with the fifth (5<sup>th</sup>) floor, the building shall be equipped with a room comprising of a minimum of 10 square feet. This room shall be used by the fire department to store

equipment that might be needed in the event of an emergency. These resource centers shall be located adjacent to a stair tower.

**403.7.2** - The equipment to be stored in these rooms shall be determined by the fire department and provided by the building owner.

**403.7.3** - The rooms shall be equipped with locksets the key to which will be stored in a Knox Box<sup>®</sup> keybox located at the discretion of the fire department.

**403.7.4** - These room shall be signed “FOR FIRE DEPARTMENT USE ONLY – NO UNAUTHORIZED ACCESS”

**403.7.5** - These rooms shall be equipped with access alarms that will be connected to the fire alarm system required in Section 907.2.12.1.1.

**ADD** the following definitions to Section 902.1:

**(2000-706 adopted 16 November 00)**

**Addressable System:**

A fire alarm system where each alarm device is indicated individually on the annunciator panel(s).

**Addressable Device:**

A fire alarm system component with discrete identification that can have its status individually identified or that is used to individually control other functions.

**Alarm Silence:**

Shutting down the audible alarm devices connected to a fire alarm system, but leaving the annunciator panels in such condition that the zone

from which the alarm is received still indicates the problem.

**Alarm Reset:**

Clearing all indicators of an alarm system such that all alarm and trouble signals are cleared and the system is returned to normal operating condition.

**Trouble Signal:**

A signal indicating a fault in a monitored circuit or component.

**AMEND** section 903.2 to read:

**(87-500 adopted 11 May 87)**

**903.2** - Automatic fire suppression systems shall be installed and maintained in full operating condition in the locations indicated in sections 903.2.1 through 903.2.2.

**AMEND** section 903.2.1 to read:

**(87-500 adopted 11 May 87)**

**Use Groups A, B, E, F, H, I, M, R, S and U:**

In all buildings or structures or portions thereof when more than two thousand (2,000) square feet or more than 35 feet in height.

**Exception:** Open parking structures as defined in section 406.

**RENUMBER** section 903.2.11 to 903.2.2 (et al).

**AMEND** Section 907.9.1 to read: Visible Alarms

**(2000-706 adopted 11 November 00)**

**907.9.1** - Visible alarm notification appliances shall be provided in accordance with Sections 907.5.2.3.1 through 907.5.3.

**AMEND** Section 907.2.13.1: Fire Alarm Systems:

**(2000-706 adopted 11 November 00)**

**907.2.13.1.** -All high-rise buildings shall be protected with an addressable fire alarm system meeting the requirements of the current edition of NFPA Standard 72. Each individual alarm-initiating device shall annunciate to a panel in the lobby of the building.

**ADD** Section 907.5.3 to read:

**(2000-706 adopted 11 November 00)**

**907.5.3** - Where buildings are provided with both a fire alarm and an automatic fire sprinkler system, a visible alarm appliance shall be installed on the outside wall, above the fire department connection for the sprinkler system.

**ADD** section 1011.1.1 to read:

**(87-500 adopted 11 May 87)**

**1011.1.1** - In addition to the exit signs and lights required in section 1011.1, internally illuminated exit signs shall be provided on the wall immediately adjacent to the exit, the bottom of the sign within eight (8) inches of the floor.

**ADD** Section 1807.4:

**(2004-736 adopted 17 June 2004)**

**1807.4** - Where retaining walls with differences in grade level of 30 inches are located closer than 2 feet to a walk, path, parking lot or driveway on the high side, such retaining walls shall be provided with guards that are constructed in accordance with Section 1013, or other approved protective measures.

**ADD** Section 3107.2 to read:

**(87-500 adopted 11 May 87)**

**3107.2** - Permits shall be required for all signs, unless otherwise provided for in the Zoning Code. Construction documents shall be prepared and filed in accordance with Sections 107.1 and 107.2.

6. The UCC regulations adopted the 2009 ICC International Fire Code. The following amendments to that code are hereby adopted by Upper Merion Township.

**ADD** the following definitions to section 202:

**(87-511 adopted 01 June 87)**

**High-Rise Building** - A building whose roof is thirty-five (35) or more feet from the lowest level of fire department access.

**Occupied** - As applied to a building or portion thereof, shall be construed as though followed by the words, "or intended, arranged or designed to be occupied, or having a certificate of use and occupancy.

**ADD** section 304.1.1 to read:

**(2001-715 adopted 06 September 01)**

**307.4.1.1 - Bonfire Permits:** All permits shall be requested by, and issued to, the owner of the land upon which the bonfire is to be kindled. In the event a special events permit is required (Section 139 of the Upper Merion Township Code), a separate fire prevention permit shall not be required, however, written approval of the Department of Environmental Protection must be received by Upper Merion Township prior to the issuance of a permit.

**ADD** section 506.3 to read:

**(2004-736 adopted 17 June 2004)**

**Standard Box** – The Standard Key Box for Upper Merion Township will be manufactured the Knox

Company of Irvine, California and shall be of the hinged type.

**DELETE** section 510 in its entirety.

**ADD** section 903.2.11.4 to read:

**(87-511 adopted 01 June 87)**

**903.2.10.4 - Fire Suppression Systems in High-Rise Buildings:** All existing high-rise buildings which contain a mix of occupancies shall be equipped with an automatic fire suppression system in those areas, other than those classified as R-1 and R-2, when such use occurs on the same floor as the residential use or on a floor beneath the residential use.

**AMEND** section 907.2.13.1.1 to read:

**(87-511 adopted 01 June 87)**

Fire Alarm Systems in High-Rise Buildings:

**907.2.13.1.1 -** All high-rise buildings, except those buildings protected throughout with an automatic fire suppression system, shall have all exit access corridors protected with an automatic fire alarm system. This system shall include smoke detectors as its primary initiating device and shall annunciate to a panel in the lobby of the building.

**ADD** Section 907.2.13.1.3

**(87-511 adopted 01 June 87)**

**907.2.13.1.3 -** A minimum of one single-station, line-operated smoke detector shall be installed in each guestroom, suite or sleeping area in occupancies R-1 and R-2.

**INSERT** “all residential districts in Section 3404.2.9.6.1.

**INSERT** “all residential districts” in Section 3406.2.4.4.

**INSERT** “all residential districts” in Section 3506.2.

**INSERT** “all residential districts” in Section 3804.2.

**ADD** Section D103.6.3 to read:

**(2004-736 adopted 17 June 2004)**

**Placement of Signs** – No Parking by Order of the Fire Marshal signs shall be erected no greater than 300’ apart on the same side of the road.

7. The UCC regulations adopted by reference, the 2009 ICC International Plumbing Code. The following amendments to that code are hereby adopted by Upper Merion Township.

**INSERT** “36 inches” in Section 305.6.1.

**ADD** Section 405.2.1 to read:

**(94-629 adopted 03 November 94)**

**405.2.1** - In the all use groups, with the exception of the non-public areas in Use Group R, water closets and lavatories shall be supported entirely off the floor without stress or strain on the wall.

**INSERT** “24 inches” in Section 904.1.

**ADD** Section 1003.3.4.3 to read:

**(2004-736 adopted 17 June 2004)**

**1003.3.4.3** - The use of chemical/biological additives shall be prohibited. The cleaning method utilized shall be of the suction type, and flushing of traps shall be prohibited. A record of said cleaning shall be kept on file at the site of the grease trap and presented for inspection to the Code Official upon request.

8. The UCC regulations adopt, by reference, the 2009 ICC International Residential Code. The following amendments to that code are hereby adopted by Upper Merion Township. As noted, a number of these amendments were in effect prior to the passage of Act 45:

**AMEND** Table 301.2(1) concerning climatic and geographic design criteria to:

Roof Snow Load	30 psf
Wind Pressure	90 mph
Topographic Effects	No
Seismic Condition	B
Weathering	severe
Frost Line Depth	36 inches
Termite Protection	yes
Decay	yes
Winter Design Temp.	15° F
Ice Barrier Required	yes
Air Freezing Index	689
Mean Annual Temp.	53.1° F
Radon Resistant	yes
Flood Hazards	FEMA Map dated 09 Aug. 99

**AMEND** Table 302.6 to read:

**Garages located less than three (3) feet from a dwelling unit on the same lot:** The garage shall be completely separated from the residence by means of one (1) hour rated construction of the abutting dwelling wall to the underside of the ridge and on the garage ceiling abutting the living area above.

**AMEND** Section R313.1 to read:

**(88-544 adopted 05 December 1988)**

**R313.1 Automatic Sprinklers:** An automatic residential sprinkler system shall be installed in all new One and Two Family Dwellings and Townhouses.

**Exception:** An automatic residential fire sprinkler system shall not be required when additions or alterations are made to existing buildings that are

not already provided with an automatic residential sprinkler system.

**DELETE** Section R313.2.

**DELETE** Section R313.2.1.

#### **SECTION 4. SEVERABILITY**

The provisions of this Ordinance are severable, and if any section, sentence, clause, part of provision hereof shall be held illegal, invalid or unconstitutional by any court of competent jurisdiction, such decisions of the court shall not affect or impair the remaining sections, sentences, clauses part or provisions of this Ordinance. It is hereby declared to be the intent of the Board that this Ordinance would have been adopted if such illegal, invalid or unconstitutional section, sentence, clause part or provision had not been included herein.

#### **SECTION 5. SAVING CLAUSE.**

That nothing in this Ordinance or in the building code hereby adopted shall be construed to affect 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 2 of this Ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this Ordinance.

#### **SECTION 6. DATE OF EFFECT.**

That the Township Manager 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 at xxx hours on 31<sup>st</sup> of December 2009.

**ENACTED AND ORDAINED by the Board of Supervisors of Upper Merion Township on the 19<sup>th</sup> of November 2009.**

**UPPER MERION TOWNSHIP**

BY:

\_\_\_\_\_ signed \_\_\_\_\_  
**Scott Sibley, Chairman**

ATTEST:  
\_\_\_\_\_ signed \_\_\_\_\_  
**Ronald G.  
Wagenmann, Secretary**

Ordinance advertised in "The Times Herald" on: 2009	04 & 11 November
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