

ORDINANCE NO. _____

AN ORDINANCE OF THE TOWNSHIP OF HANOVER, COUNTY OF NORTHAMPTON, COMMONWEALTH OF PENNSYLVANIA AMENDING THE CODE OF ORDINANCES OF THE TOWNSHIP OF HANOVER BY ADDING A NEW CHAPTER 66, SUPPLEMENTAL BUILDING AND CONSTRUCTION CODE PROVISIONS

WHEREAS, on April 27, 2004, the Board of Supervisors of the Township Hanover adopted Ordinance No. 04-07, adopting the Uniform Construction Code ("UCC"); and

WHEREAS, on July 1, 2004, the Pennsylvania Legislature passed Senate Bill 1139 of 2004 ("Act 92") signed into law by Governor Rendell on July 15, 2004, amending Act 45 to exempt any regulation of utility and miscellaneous use structures less than 1,000 square feet from the UCC; and

WHEREAS, Act 92 also amended Act 45 to permit municipalities to adopt ordinances enacting stricter construction and building code requirements than the UCC for the regulation of utility and miscellaneous use structures, and to adopt ordinances placing additional code requirements upon the alteration and repair of residential buildings; and

WHEREAS, Act 92 also allows municipalities to adopt stricter building and construction code requirements for the regulation of certain building construction; and

WHEREAS, the Board of Supervisors of the Township of Hanover desires to address certain issues not otherwise addressed by the UCC;

NOW, THEREFORE, BE IT ORDAINED by the Board of Supervisors of the Township of Hanover, Northampton County, Pennsylvania, that the Code of Ordinances of the Township of Hanover is amended by adding a new Chapter 66 to read as follows:

SECTION 1. Chapter 66, Supplemental Building and Construction Code Requirements, Section 66-1. Permit Requirements shall be established to provide for the following permit standards:

- A. Pursuant to and in accordance with Act 92, Section 104(B), permits are required for all residential alterations and repairs pursuant to the International Residential Code 2009 Chapter 1 Section 105, or any subsequent edition thereof or amendment thereto, unless otherwise exempted by this Section.
- B. Pursuant to and in accordance with Act 92, Section 104(B), building permits are required for utility and miscellaneous use structures *in excess of 200 square feet*.
- C. No water heater shall be installed in any structure without first having procured a plumbing permit for such installation.

- D. Occupancy of any structure which is altered or erected without securing the permits required by this Section is hereby declared unlawful and a violation of the UCC, unless the alteration or erection would otherwise have been exempt from permit requirements pursuant to International Residential Code 2009, Section R 105.2 which is incorporated herein by reference as though fully set forth at length.

SECTION 2. CONFLICT.

Whenever the requirements of this Chapter are in conflict with other requirements of the ordinances of the Township of Hanover, the most restrictive, or those imposing the highest standards shall govern. Privileges granted by this Chapter do not constitute a waiver or impairment of the rights of the Township at law or equity now or henceforth existing to proceed versus Grantee for enforcement of the Chapter or violation of this Chapter or Ordinances of the Township.

SECTION 3. SEVERABILITY.

It is hereby declared to be the intention of the Board of Supervisors of the Township of Hanover that the parts, sections, paragraphs, sentences, clauses and phrases of this Ordinance are severable. If any part, section, paragraph, sentence, clause or phrase of this Ordinance is declared unconstitutional, illegal or otherwise invalid by the judgment or decree of a court of competent jurisdiction, that invalidity shall not affect any of the remaining parts, sections, paragraphs, sentences, clauses or phrases of this codification.

SECTION 4. REPEALER.

All Ordinances and parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistencies.

SECTION 5. EFFECTIVE DATE.

This Ordinance shall become effective five (5) days after enactment by the Board of Supervisors of Hanover Township.

ENACTED AND ORDAINED this _____ day of _____, 2016, at a regular public meeting.

ATTEST:

BOARD OF SUPERVISORS
OF HANOVER TOWNSHIP,
NORTHAMPTON COUNTY

By: _____
Elizabeth D. Ritter, Secretary

By: _____
John N. Diacogiannis, Chairman