

Ordinance 75-7

Building Code

10/9/1975

ORDINANCE NO. 75-7

ORDINANCE ADOPTING A BUILDING CODE FOR  
THE TOWNSHIP OF HOPEWELL, BEAVER COUNTY,  
PENNSYLVANIA

BE IT ENACTED AND ORDAINED by the Board of Commissioners of the Township of Hopewell, Beaver County, Pennsylvania, and it is hereby enacted and ordained by authority of the same as follows:

SECTION I. TITLE AND SCOPE.

1. Title. Hopewell Township Building Code. This Ordinance shall be known as the Hopewell Township Building Code, may be so cited and will be referred to in this Ordinance as this Code.

The administration and enforcement of this Ordinance shall be the duty of the Building Inspector or his successor, who is hereby authorized to take such action as may be reasonably necessary to enforce the purposes of this Code. Such persons may be appointed and authorized as assistants or agents of such Administrative Authority as may be necessary to carry out the provisions of this Code.

2. Scope. The provisions of this Code shall apply to govern and regulate the construction, alteration, removal, demolition, equipment, use and occupancy, location and maintenance of buildings and structures.

SECTION II. BUILDING STANDARDS.

1. Code Adopted. The BOCA Basic Building Code recommended by the Building Officials Conference of America, Inc., being the 1975 edition thereof, Article 1 through 20, save and except such portions thereof as are hereinafter deleted, modified or amended by Section XIII of this Ordinance, together with the Supplement designated Sections A, B, C and D, which sections satisfy the requirements of Section 1910.38 under the National Flood Insurance Program. The same is hereby adopted and all construction, alteration, removal, demolition, equipment, use and occupancy, location and maintenance of buildings and structures shall from the effective date of this

Ordinance be performed in accordance with its provisions.

In the case of discretionary actions and determinations of the Building Inspector or his successor, the relevant facts shall be considered and determinations made in the exercise of reasonable discretion and all such determinations shall be final in absence of abuse of discretion.

2. Official Copy. Three (3) copies of the BOCA Basic Building Code, together with the aforesaid Supplement, shall be kept on file by the Township Manager for inspection by the public and shall be marked with the words, "Hopewell Township Official Copy."

### SECTION III. PERMIT FOR BUILDING WORK.

1. Issuance of Permit. No building work unless excepted in this Section shall be undertaken prior to the issuance of a permit therefore by the Building Inspector or his successor. A permit shall be issued to the owner upon application and submission of plans to the Building Inspector or his successor.

2. Application for Permit. Application for permit shall be made on suitable forms provided by the Building Inspector or his successor. The application shall be accompanied by a fee as determined from a fee schedule adopted by the Board of Commissioners of the Township of Hopewell.

### SECTION IV. REQUIREMENTS FOR BUILDING PERMITS.

1. Plans and Specifications. No permit shall be issued until plans and specifications showing the proposed work in detail, as specified in Section 113.4, 113.5, 113.6 and 113.7 of the BOCA Basic Building Code, have been submitted to the Building Inspector or his successor, and has determined from examination of such plans and specifications that they give assurance that the work will conform to the provisions of this Code. If a permit is denied, the applicant may submit revised plans and specifications without payment of additional fee. If in the course of the work it is found necessary to make any

change from the plans and specifications on which a permit has been issued, amended plans and specifications shall be submitted and a supplementary permit, subject to the same conditions applicable to the original application for permit, shall be issued to cover the change.

2. Permit Approval. Permits shall be granted or refused within fifteen (15) days after the application and the submission of plans and specifications have been received by the Building Inspector or his successor.

3. Permit Cancellation. Every permit shall be considered cancelled if active work is not commenced within a period of six (6) months from the date of its issue and the work completed within fifteen (15) months from said date.

#### SECTION V. ENFORCEMENT.

1. Inspection and Tests. It shall be the duty of the Building Inspector or his successor to enforce the provisions of this Code and to make the inspections and tests required thereunder.

2. Right of Entry. The Building Inspector or his successor shall, after proper identification, have the right to enter any premises for the purpose of inspecting any electrical system at such times as may be reasonably necessary to protect the public health.

#### SECTION VI. MODIFICATIONS.

1. The building Inspector or his successor, shall have the power to modify any of the provisions of the Code hereby adopted upon application in writing by the owner or lessees, or his duly authority agent, when there are practical difficulties in the way of carrying out the strict letter of the Code, provided that the spirit of the Code shall be observed, public safety secured, and substantial justice done. The particulars of such modifications when granted or allowed and the decision of the Building Inspector or his successor thereon shall be entered upon the records of the department and a signed copy shall be furnished the applicant.

SECTION VII. APPEALS.

1. Whenever the Building Inspector or his successor shall disapprove an application or refuse to grant a permit for, or when it is claimed that the provisions of the Code do not apply or that the true intent and meaning of the Code have been misconstrued or wrongly interpreted, the applicant may appeal from the decision of the Building Inspector or his successor to the Board of Review within thirty (30) days from the date of the decision appealed.

SECTION VIII. BOARD OF REVIEW.

1. Creation and Appointment. There is hereby created a Board of Review consisting of five members. One member for a five-year term, one for a four-year term, one for a three-year term, one for a two-year term and one for a one-year term. After each member has served his particular term, the appointment for each new term shall be for five years. Appointments shall be made from residents of the community with a good knowledge of either plumbing, electrical contracting, architecture, engineering, health services, construction industry, and/or other related occupations.

2. Powers and Duties.

(a) The Board of Review shall hear and decide appeals from any order, requirement, decision or determination made by the Building Inspector or his successor in the administration of this Ordinance.

(b) The Board of Review shall hear and decide all matters referred to it or upon which it is required to pass under this Ordinance.

3. Procedure. The procedure of the Board of Review shall be governed by the provisions of the applicable laws of the Code and such rules not inconsistent therewith as the Board may adopt. In general, the procedure for appeal from the action of the Building Inspector shall be as follows:

(a) Any appeal from the requirements of the Building Ordinance shall be taken by filing with the Building Inspector from whom the appeal is taken and with the Board of Review, a notice of appeal specifying the ground thereof. The Building Inspector from whom the appeal is taken shall forthwith transmit to the Board all of the documentary material constituting the record upon which the action appealed was taken.



(b) Any person, firm or corporation may register an appeal with the Board of Review for a review of any decision of the Building Inspector, provided that such appeal is made in writing within ten (10) days after such person, firm or corporation shall have been notified of such decision by the Building Inspector.

(c) Upon receipt of such appeal, the said Board shall proceed to determine whether the action of the Building Inspector complies with this Ordinance and within a reasonable time, shall make a decision in accordance with its findings. Notice of the decision thereof shall be given to all parties in interest. The Board's decision shall be immediately filed in its office and be a public record.

(d) Three members of the Board present at any meeting shall constitute a quorum for the transaction of business but any action taken at any meeting shall require the affirmative vote or at least three (3) members. The Chairman of any meeting of the Board shall vote.

(e) In the exercise of its functions upon such appeals, the Board may in conformity with law, reverse or affirm wholly or partly or modify the order, requirement, decision or determination as in its opinion ought to be made.

(f) Any person aggrieved by any decision of the Board of any administrative officer affected thereby may appeal therefrom within thirty (30) days to the Court of Common Pleas as provided by law.

#### SECTION IX. PENALTIES.

1. Any person who shall violate any of the provisions of the Code hereby adopted or fail to comply therewith, or who shall violate or fail to comply with any order made thereunder, or who shall build in violation of any detailed statement of specifications or plans submitted and approved thereunder, or any certificate or permit issued thereunder, and from which no appeal has been taken or who shall fail to comply with such an order as affirmed or modified by the Building Inspector or

his successor, or by a Court of competent jurisdiction, within the time fixed herein, shall severally for each and every such violation and noncompliance respectively, be guilty of a summary offense, punishable by a fine of not less than Fifty (\$50.00) Dollars nor more than One Hundred (\$100.00) Dollars or by imprisonment for not less than fifteen (15) days nor more than thirty (30) days or by both such fine and imprisonment. The imposition of one penalty for any violation shall not excuse the violation or permit it to continue; and all such persons shall be required to correct or remedy such violations or defects within a reasonable time; and when not otherwise specified, each ten (10) days that prohibited conditions are maintained shall constitute a separate offense.

2. The application of the above penalty shall not be held to prevent the enforced removal of prohibited conditions.

SECTION X. REPEAL OF CONFLICTING ORDINANCES.

1. All former ordinances and Resolutions or parts thereof conflicting or inconsistent with the provisions of this ordinance or of the Code hereby adopted are hereby repealed.

SECTION XI. VALIDITY.

1. The Board of Commissioners of Hopewell Township hereby declared that should any section, paragraph, sentence or word of this ordinance or of the Code hereby adopted be declared for any reason to be invalid, it is the intent of the board of Commissioners of Hopewell Township that it would have passed all other portions of this ordinance independent of the elimination herefrom of any such portion as may be declared invalid.

SECTION XII. DATE OF EFFECT.

1. This ordinance shall take effect and be in force from and after its approval as required by law.

SECTION XIII. AMENDMENTS MADE IN CODE HEREBY ADOPTED.

1. The Standard Code hereby adopted is amended and changed in the following respects:

(a) Section 127.0 is deleted from this Ordinance.

(b) Section 301.1 is amended by adding the following map attached hereto and made a part hereof.

(c) Section 301.2 is deleted from this Ordinance.

2. This Ordinance may be amended from time to time by Resolution and without prior notice, providing the amendment is for no other purpose than to adopt a subsequent annual edition of the aforesaid Code and the Accumulative Supplements thereof.

ENACTED AND ORDAINED this 9<sup>th</sup> day of October,  
1975.

TOWNSHIP OF HOPEWELL

By: Michael Volitech  
President

ATTEST:

Daniel J. King  
Secretary



