

## Chapter 59

## BUILDING CONSTRUCTION

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[HISTORY: Adopted by the Borough Council of the Borough of Alburdis 3-17-75 as Ord. No. 174, approved 3-17-75. Section 59-5 amended at time of adoption of Code; see Ch. 1, General Provisions, Art. I. Other amendments noted where applicable.]

## GENERAL REFERENCES

Plumbing — See Ch. 92.  
Sewer use and rents — See Ch. 102.

## § 59-1. Adoption of standards.

The regulations known as the "BOCA Basic Building Code, Fifth Edition, 1970" and 1973 Accumulative Supplement, published by the Building Officials Conference of America, Inc., hereby are adopted, as follows, by the Borough of Alburdis, to be known as and hereinafter referred to as the "Building Code."

## § 59-2. Section identification schedule.

Those specific regulations of the BOCA Basic Building Code, Fifth Edition, 1970, and 1973 Accumulative Supplement, as originally adopted or as later changed or removed by amendment, will appear upon a section identification schedule accompanying

this chapter and a part of this chapter.<sup>1</sup> Those sections not originally adopted or later changed or removed by amendment will show interlineation and date of deletion or change.

§ 59-3. Revisions, amendments and deletions.

The following sections of the BOCA Basic Building Code, Fifth Edition, 1970, and 1973 Accumulative Supplement, which are revised, amended, changed or deleted by the terms of this chapter, are:

- A. In Section 100.1, page 1, second line and seventh line; Section 107.1, page 4, second line; Section 200.0, page 22, third line; Section 200.2, page 22, third line; Section 300.0, page 47, second line; Section 1408.2, page 355, fourth line; Section 1703.1, page 388, third line; and Section 1900.4, page 400, third line, insert as name of municipality "the Borough of Alburtis."
- B. Section 107.5, page 4, delete as printed; changed to read as follows:  

**Qualifications of Building Official:** To be eligible for appointment, the Building Official shall have demonstrated to the satisfaction of the appointing authority such competence, experience and familiarity with construction, design and sound engineering practice as to enable him to understand and apply the provisions of this code.
- C. Section 107.6, page 4, delete as printed; changed to read as follows:  

**Qualifications of Assistants:** To be eligible for appointment as a technical assistant, the applicant must meet the same standard as set for the Building Official.
- D. Section 118.7, page 12, delete as printed. (Deals with refunds of fees for permits due to revocation or non-completion of work)
- E. Section 127.21, page 19, delete as printed; changed to read as follows:

<sup>1</sup> Editor's Note: The section identification schedule referred to herein is on file in the office of the Borough Secretary.

**Membership of Board:** The members of the Zoning Hearing Board of the Borough of Alburty are authorized and empowered to act in the capacity of a Board of Appeals under this code.

F. Section 127.22, page 19, delete as printed. (Deals with qualifications of Board of Survey members)

G. Section 127.43, page 20, delete as printed; changed to read as follows:

When three (3) qualified members are not present to consider a specific appeal, either the appellant, the Building Official or their representatives may request a postponement of the hearing.

H. Section 127.51, page 20, delete as printed; changed to read as follows:

**Action of Board:** The Board shall affirm, modify or reverse the decision of the Building Official on a majority vote.

I. Section 127.53, page 20, delete as printed. (Covered by Sections 127.43 and 127.51)

J. Sections 425.0 through and including 425.52 shall be deleted in their entirety. (Deals with mobile home parks and recreational vehicles)

K. Article 17. The sections of this Article shall be enforced and supplement the text of the borough's Plumbing Code.<sup>2</sup>

L. Section 118.3, page 12, delete as printed.

M. Section 118.4, page 12, delete as printed.

N. Section 122.3, page 15, delete as printed; changed to read as follows:

Any person who shall violate a provision of the Basic Code or shall fail to comply with any of the requirements thereof, or who shall erect, construct, alter or repair a building or structure in violation of an approved plan or directive,

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<sup>2</sup> Editor's Note: See Ch. 92, Plumbing.

Building Official or of a permit or certificate issued under the provisions of the Basic Code, shall be subject to a fine of not more than three hundred dollars (\$300.) and costs of prosecution for each offense or, upon default in payment of the fine and costs, to imprisonment in the county jail for not more than thirty (30) days. Each day that a violation continues shall be deemed a separate offense. The imposition of a penalty or penalties hereunder shall be by summary proceeding before a District Justice.<sup>3</sup>

- O. Section 123.2, page 16, delete as printed; changed to read as follows:

**Unlawful Continuance:** Any person who shall continue any work in or about a building after having been served with a stop order shall be subject to a penalty provided in Section 122.3 heretofore provided.

- P. Section 126.3, page 18, delete as printed.

**§ 59-4. Procedure for amendment.**

No change, alteration or amendment shall be made to the Basic Code herein adopted unless the same shall be done after published notice and, if deemed necessary by the Council, public hearing upon the same.

**§ 59-5. Effective date.<sup>4</sup>**

The provisions of this chapter and the Building Code shall be deemed to be effective from and after the 17th day of March 1975.

**§ 59-6. Copies on file.**

Copies of the BOCA Basic Building Code, Fifth Edition, 1970, shall be at all times maintained in the office of the Borough

<sup>3</sup> Editor's Note: Amended at time of adoption of Code; see Ch. 1, General Provisions, Art. I.

<sup>4</sup> Editor's Note: Amended at time of adoption of Code; see Ch. 1, General Provisions, Art. I.

Secretary and the Zoning Officer for their use and for examination by the public. Such copies shall be marked: BOROUGH OF ALBURTIS - OFFICIAL, and shall bear the date of authentication, with the section identification schedule accompanying this chapter.