

**WEST POTTS GROVE TOWNSHIP
MONTGOMERY COUNTY, PENNSYLVANIA**

ORDINANCE NO. 2023-1

AN ORDINANCE OF WEST POTTS GROVE TOWNSHIP REPEALING THE 2009 EDITIONS OF THE INTERNATIONAL CODE COUNCIL CODES AND ADOPTING THE 2018 EDITIONS OF THE INTERNATIONAL CODE COUNCIL CODES AS AMENDED AND MODIFIED BY THE PENNSYLVANIA UNIFORM CONSTRUCTION CODE; REPEALING THE 2009 EDITION OF THE INTERNATIONAL EXISTING BUILDING CODE AND ADOPTING THE 2018 EDITION OF THE INTERNATIONAL EXISTING BUILDING CODE; REPEALING THE 2009 EDITIONS OF APPENDICES E, G, AND H OF THE 2009 INTERNATIONAL BUILDING CODE AND ADOPTING THE 2018 EDITION OF APPENDICES E, G, AND H OF THE 2018 INTERNATIONAL BUILDING CODE; REPEALING THE 2006 EDITION OF THE INTERNATIONAL PROPERTY MAINTENANCE CODE AND ADOPTING THE 2021 EDITION OF THE INTERNATIONAL PROPERTY MAINTENANCE CODE; PROVIDING CERTAIN REVISIONS TO THE 2021 INTERNATIONAL PROPERTY MAINTENANCE CODE AS THEY ARE APPLICABLE TO WEST POTTS GROVE TOWNSHIP; AND PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES THEREFORE.

NOW, THEREFORE, BE IT ENACTED AND ORDAINED by the West Pottsgrove Township Board of Commissioners, Montgomery County, Pennsylvania, and it is hereby *ENACTED* and *ORDAINED* by the authority of same as follows:

SECTION 1. Chapter 7, Article I, Section 7-5.A.1 of the West Pottsgrove Township Code of Ordinances, as amended, adopting by reference the 2009 Edition of the International Building Code is hereby repealed in its entirety and replaced with the following:

1. Adoption of International Building Code, 2018 Edition.

Except as amended and modified by the Pennsylvania Uniform Construction Code (Act 45 of 1999), 34 Pa. Code Chapters 401 through 405, a certain document being marked and designated as the International Building Code, 2018 Edition (hereinafter the "2018 IBC"), as published by the International Code Council, Inc., be and is hereby adopted as the Building Code of the Township of West Pottsgrove, Montgomery County, in the Commonwealth of Pennsylvania, for the control of buildings and structures as herein provided, and each and all of the regulations, provisions, penalties, conditions, and terms of said 2018 IBC, are hereby referred to, adopted, and made a part hereof, as if fully set out in the article, as set forth herein. Three (3) copies of the 2018 IBC are on file at the West Pottsgrove Township Building.

SECTION 2. Chapter 7, Article I, Section 7-5.A.2 of the West Pottsgrove Township Code of Ordinances is hereby REPEALED.

SECTION 3. Chapter 7, Article I, Section 7-5.A.3 of the West Pottsgrove Township Code of Ordinances, as amended, adopting by reference the 2009 Edition of the International Energy Conservation Code is hereby repealed in its entirety and replaced with the following:

3. Adoption of the International Energy Conservation Code, 2018 Edition.

Except as amended and modified by the Pennsylvania Uniform Construction Code (Act 45 of 1999), 34 Pa. Code Chapters 401 through 405, a certain document being marked and designated as the International Energy Conservation Code, 2018 Edition (hereinafter the “2018 IECC”), as published by the International Code Council, Inc., be and is hereby adopted as the Energy Conservation Code of the Township of West Pottsgrove, Montgomery County, in the Commonwealth of Pennsylvania, for regulating the energy efficiency of mechanical, lighting, and power systems in the Township; providing for the issuance of permits and collection of fees therefore; and each and all of the regulations, provisions, conditions, and terms of such 2018 IECC published by the International Code Council on file in the office of West Pottsgrove Township are hereby referred to, adopted, and made a part hereof, as if fully set out in the article, as set forth herein. Three (3) copies of the 2018 IECC are on file at the West Pottsgrove Township Building.

SECTION 4. Chapter 7, Article I, Section 7-5.A.4 of the West Pottsgrove Township Code of Ordinances, as amended, adopting by reference the 2009 Edition of the International Existing Building Code for Buildings and Facilities is hereby repealed in its entirety and replaced with the following:

4. Adoption of the International Existing Building Code, 2018 Edition.

Except as amended and modified by the Pennsylvania Uniform Construction Code (Act 45 of 1999), 34 Pa. Code Chapters 401 through 405, a certain document being marked and designated as the International Existing Building Code, 2018 Edition (hereinafter the “2018 IEBC”), as published by the International Code Council, Inc., be and is hereby adopted as the Existing Building Code of the Township of West Pottsgrove, Montgomery County, in the Commonwealth of Pennsylvania, for regulating the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use, or maintenance of existing buildings and facilities in the Township;

providing for the issuance of permits and collection of fees therefore; and each and all of the regulations, provisions, conditions, and terms of such 2018 IEBC published by the International Code Council on file in the office of West Pottsgrove Township are hereby referred to, adopted, and made a part hereof, as if fully set out in the article, as set forth herein. Three (3) copies of the 2018 IEBC are on file at the West Pottsgrove Township Building.

SECTION 5. Chapter 7, Article I, Section 7-5.A.5 of the West Pottsgrove Township Code of Ordinances, as amended, adopting by reference the 2009 Edition of the International Fire Code is hereby repealed in its entirety and replaced with the following:

5. Adoption of the International Fire Prevention Code, 2018 Edition.

Except as amended and modified by the Pennsylvania Uniform Construction Code (Act 45 of 1999), 34 Pa. Code Chapters 401 through 405, a certain document being marked and designated as the International Fire Prevention Code, 2018 Edition (hereinafter the “2018 IFPC”), as published by the International Code Council, Inc., be and is hereby adopted as the Fire Prevention Code of the Township of West Pottsgrove, Montgomery County, in the Commonwealth of Pennsylvania, for regulating the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use, or maintenance of fire prevention systems in the Township; providing for the issuance of permits and collection of fees therefore; and each and all of the regulations, provisions, conditions, and terms of such 2018 IFPC published by the International Code Council on file in the office of West Pottsgrove Township are hereby referred to, adopted, and made a part hereof, as if fully set out in the article, as set forth herein. Three (3) copies of the 2018 IFPC are on file at the West Pottsgrove Township Building.

SECTION 6. Chapter 7, Article I, Section 7-5.A.6 of the West Pottsgrove Township Code of Ordinances, as amended, adopting by reference the 2009 Edition of the International Fuel Gas Code is hereby repealed in its entirety and replaced with the following:

6. Adoption of the International Fuel Gas Code, 2018 Edition.

Except as amended and modified by the Pennsylvania Uniform Construction Code (Act 45 of 1999), 34 Pa. Code Chapters 401 through 405, a certain document being marked and designated as the International Fuel Gas Code, 2018 Edition (hereinafter the “2018 IFGC”), as published by the International Code Council, Inc., be and is hereby adopted as the Fuel Gas Code of the Township of West Pottsgrove, Montgomery County, in the Commonwealth of Pennsylvania, for regulating the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use, or maintenance of fuel gas systems in the Township; providing for the issuance of permits and collection of fees therefore; and each and all of the regulations,

provisions, conditions, and terms of such 2018 IFGC published by the International Code Council on file in the office of West Pottsgrove Township are hereby referred to, adopted, and made a part hereof, as if fully set out in the article, as set forth herein. Three (3) copies of the 2018 IFGC are on file at the West Pottsgrove Township Building.

SECTION 7. Chapter 7, Article I, Section 7-5.A.7 of the West Pottsgrove Township Code of Ordinances, as amended, adopting by reference the 2009 Edition of the International Mechanical Code is hereby repealed in its entirety and replaced with the following:

7. Adoption of the International Mechanical Code, 2018 Edition.

Except as amended and modified by the Pennsylvania Uniform Construction Code (Act 45 of 1999), 34 Pa. Code Chapters 401 through 405, a certain document being marked and designated as the International Mechanical Code, 2018 Edition (hereinafter the “2018 IMC”), as published by the International Code Council, Inc., be and is hereby adopted as the Mechanical Code of the Township of West Pottsgrove, Montgomery County, in the Commonwealth of Pennsylvania, for regulating the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use, or maintenance of mechanical systems in the Township; providing for the issuance of permits and collection of fees therefore; and each and all of the regulations, provisions, conditions, and terms of such 2018 IMC published by the International Code Council on file in the office of West Pottsgrove Township are hereby referred to, adopted, and made a part hereof, as if fully set out in the article, as set forth herein. Three (3) copies of the 2018 IMC are on file at the West Pottsgrove Township Building

SECTION 8. Chapter 7, Article I, Section 7-5.A.8 of the West Pottsgrove Township Code of Ordinances, as amended, adopting by reference the 2009 Edition of the International Plumbing Code is hereby repealed in its entirety and replaced with the following:

8. Adoption of the International Plumbing Code, 2018 Edition.

Except as amended and modified by the Pennsylvania Uniform Construction Code (Act 45 of 1999), 34 Pa. Code Chapters 401 through 405, a certain document being marked and designated as the International Plumbing Code, 2018 Edition (hereinafter the “2018 IPC”), as published by the International Code Council, Inc., be and is hereby adopted as the Plumbing Code of the Township of West Pottsgrove, Montgomery County, in the Commonwealth of Pennsylvania, for regulating the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use, or maintenance of plumbing systems in the Township; providing for the issuance of permits and collection of fees therefore; and each and all of the regulations, provisions, conditions, and terms of such 2018 IPC published by the International Code

Council on file in the office of West Pottsgrove Township are hereby referred to, adopted, and made a part hereof, as if fully set out in the article, as set forth herein. Three (3) copies of the 2018 IPC are on file at the West Pottsgrove Township Building.

SECTION 9. Chapter 7, Article I, Section 7-5.A.9 of the West Pottsgrove Township Code of Ordinances, as amended, adopting by reference the 2009 Edition of the International Residential Code for One- and Two-Family Dwellings is hereby repealed in its entirety and replaced with the following:

9. Adoption of the International Residential Code for One- and Two-Family Dwellings, 2018 Edition.

Except as amended and modified by the Pennsylvania Uniform Construction Code (Act 45 of 1999), 34 Pa. Code Chapters 401 through 405, a certain document being marked and designated as the International Residential Code, 2018 Edition (hereinafter the “2018 IRC”), as published by the International Code Council, Inc., be and is hereby adopted as the Residential Building Code of the Township of West Pottsgrove, Montgomery County, in the Commonwealth of Pennsylvania, for the control of buildings and structures as herein provided, and each and all of the regulations, provisions, penalties, conditions, and terms of said 2018 IRC, are hereby referred to, adopted, and made a part hereof, as if fully set out in the article, as set forth herein. Three (3) copies of the 2018 IRC are on file at the West Pottsgrove Township Building.

SECTION 10. Chapter 7, Article I, Section 7-5.A.10 of the West Pottsgrove Township Code of Ordinances, as amended, adopting by reference the 2009 Edition of the International Wildland-Urban Interface Code is hereby repealed in its entirety and replaced with the following:

10. Adoption of the International Wildland-Urban Interface Code, 2018 Edition.

Except as amended and modified by the Pennsylvania Uniform Construction Code (Act 45 of 1999), 34 Pa. Code Chapters 401 through 405, a certain document being marked and designated as the International Wildland-Urban Interface Code, 2018 Edition (hereinafter the “2018 IWUIC”), as published by the International Code Council, Inc., be and is hereby adopted as the Wildland-Urban Interface Code of the Township of West Pottsgrove, Montgomery County, in the Commonwealth of Pennsylvania, for addressing fire spread, accessibility, defensible space, water supply, and more for buildings and structures constructed near wildland areas as herein provided, and each and all of the regulations, provisions, penalties, conditions, and terms of said 2018 IWUIC, are hereby referred to,

adopted, and made a part hereof, as if fully set out in the article, as set forth herein. Three (3) copies of the 2018 IWUIC are on file at the West Pottsgrove Township Building.

SECTION 11. Chapter 7, Article I, Section 7-5.A.11 of the West Pottsgrove Township Code of Ordinances, as amended, adopting by reference Appendix E of the 2009 IBC is hereby repealed in its entirety and replaced with the following:

11. Adoption of Appendix E of the International Building Code, 2018 Edition.

Except as amended and modified by the Pennsylvania Uniform Construction Code (Act 45 of 1999), 34 Pa. Code Chapters 401 through 405, Appendix E of the 2018 IBC entitled “Supplementary Accessibility Requirements” (hereinafter “2018 IBC Appendix E”), as published by the International Code Council, Inc., be and is hereby adopted as the Supplementary Accessibility Requirements for the Building Code of the Township of West Pottsgrove, Montgomery County, in the Commonwealth of Pennsylvania, for the control of buildings and structures as herein provided, and each and all of the regulations, provisions, penalties, conditions, and terms of said 2018 IBC Appendix E, are hereby referred to, adopted, and made a part hereof, as if fully set out in the article, as set forth herein. Three (3) copies of the 2018 IBC Appendix E are on file at the West Pottsgrove Township Building.

SECTION 12. Chapter 7, Article I, Section 7-5.A.12 of the West Pottsgrove Township Code of Ordinances, as amended, adopting by reference Appendix H of the 2009 IBC is hereby repealed in its entirety and replaced with the following:

12. Adoption of Appendix H of the International Building Code, 2018 Edition.

Except as amended and modified by the Pennsylvania Uniform Construction Code (Act 45 of 1999), 34 Pa. Code Chapters 401 through 405, Appendix H of the 2018 IBC entitled “Signs” (hereinafter the “2018 IBC Appendix H”), as published by the International Code Council, Inc., be and is hereby adopted as the Outdoor Sign Building Code of the Township of West Pottsgrove, Montgomery County, in the Commonwealth of Pennsylvania, for the construction and protection of outdoor signs as herein provided, and each and all of the regulations, provisions, penalties, conditions, and terms of said 2018 IBC Appendix H, are hereby referred to, adopted, and made a part hereof, as if fully set out in the article, as set forth herein. Three (3) copies of the 2018 IBC Appendix H are on file at the West Pottsgrove Township Building.

SECTION 13. Chapter 7, Article I, Section 7-5.A.13 of the West Pottsgrove Township Code of Ordinances, as amended, adopting by reference Appendix G of the 2009 IBC is hereby repealed in its entirety and replaced with the following:

13. Adoption of Appendix G of the International Building Code, 2018 Edition.

Except as amended and modified by the Pennsylvania Uniform Construction Code (Act 45 of 1999), 34 Pa. Code Chapters 401 through 405, Appendix G of the 2018 IBC entitled "Flood-Resistant Construction" (hereinafter the "2018 IBC Appendix G"), as published by the International Code Council, Inc., be and is hereby adopted as the Flood-Resistant Construction Building Code of the Township of West Pottsgrove, Montgomery County, in the Commonwealth of Pennsylvania, for the control of buildings and structures as herein provided, and each and all of the regulations, provisions, penalties, conditions, and terms of said 2018 IBC Appendix G, are hereby referred to, adopted, and made a part hereof, as if fully set out in the article, as set forth herein. Three (3) copies of the 2018 IBC Appendix G are on file at the West Pottsgrove Township Building.

SECTION 14. Chapter 7, Article I, Section 7-5.C of the West Pottsgrove Township Code of Ordinances, as amended, is hereby repealed in its entirety and replaced with the following:

- C. All relevant ordinances, regulations, and policies of the Township not governed by the Uniform Construction Code shall remain in full force and effect. In addition, the codes referenced in Section 7-5.A shall include not only the 2018 editions of said codes, but shall also include all future amendments, editions, and errata as published by the International Code Council.

SECTION 15. Chapter 7, Article I, Section 7-8 of the West Pottsgrove Township Code of Ordinances, as amended, adopting by reference the 2006 International Property Maintenance Code is hereby repealed in its entirety and replaced with the following:

SEC. 7-8. ADOPTION OF INTERNATIONAL PROPERTY MAINTENANCE CODE.

A certain document being marked and designated as the International Property Maintenance Code, 2021 Edition (hereinafter the "2021 IPMC"), as published by the International Code Council, Inc., be and is hereby adopted as the Property Maintenance Code of the Township of West Pottsgrove, Montgomery County, in the Commonwealth of Pennsylvania, for the purpose of regulating and governing the conditions and maintenance of all properties, buildings, and structures; by providing the standards for supplying utilities and facilities and other physical things and conditions essential to ensure that the structure is safe, sanitary, and fit for occupation and use; and the condemnation of buildings and

structures unfit for human occupancy and use, and the demolition of such existing structures, as provided herein; providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, penalties, conditions, and terms of said 2021 IPMC, with the additions, insertions, deletions, and changes, if any, prescribed in Section 7-9 of this Ordinance, are hereby referred to, adopted, and made a part hereof, as if fully set out in the article, as set forth herein. Three (3) copies of the 2021 IPMC are on file at the West Pottsgrove Township Building.

SECTION 16. Chapter 7, Article I, Section 7-9 of the West Pottsgrove Township Code of Ordinances, as amended, making Township specific revisions to certain sections of the 2006 International Property Maintenance Code is hereby repealed in its entirety and replaced with the following:

SEC. 7-9. REVISIONS TO THE 2021 INTERNATIONAL PROPERTY MAINTENANCE CODE.

The following sections of the 2021 IPMC are hereby revised:

Section 101.1. The name of the jurisdiction shall be West Pottsgrove Township.

Section 103. Administration.

Section 103.1. This section is deleted in its entirety.

Section 103.2. Appointment. The Code Officials designated by West Pottsgrove Township to administer the Pennsylvania Uniform Construction Code shall be designated as the Code Official to administer the International Property Maintenance Code herein adopted, and such Code Official shall include their designees and deputies, including the Township Engineer.

Section 104. Fees.

Section 104.1. Fees. The fees for activities and services performed by the Code Official or their designees shall be as established from time to time by the Board of Commissioners of West Pottsgrove Township by Resolution.

Section 104.2. Refunds. This section is deleted in its entirety.

Section 109.3. Prosecution of Violation. Any person failing to comply with a notice of violation or order served in accordance with Section 111.4 of the Property Maintenance Code of West Pottsgrove Township shall be deemed guilty of a summary offense, and the violation shall be deemed a *strict liability* offense. If the notice of violation is not complied with, the Code Official shall institute the appropriate proceeding at law or in equity or

restrain, correct, or abate such violation, or to require the removal or termination of the unlawful occupancy of the structure in violation of the provisions of this Property Maintenance Code or of the order or direction made pursuant thereto. Expenses and other costs incurred by any action taken by the authority having jurisdiction on such premises shall be charged against the real estate upon which the structure is located together with a penalty of ten percent (10%) of such expenses and costs, and with the maximum interest allowed by law, and the Code Official may institute suit to recover such expenses, costs, penalties, and interest to be charged against the property as a lien.

Section 109.4. Violation Penalties. Any person who shall violate a provision of this Property Maintenance Code, or fail to comply therewith, or with any of the requirements thereof, shall be prosecuted within the limits provided by the laws of the Commonwealth of Pennsylvania. Any person who violates any of the provisions of this Property Maintenance Code shall be guilty of a summary offense, and upon conviction thereof, shall be punished as prescribed in Section 1-9 of the Code of Ordinances of the Township of West Pottsgrove Township, Pennsylvania.

Section 302.4. Weeds. The required height related to weeds in this Section shall be six (6) inches.

Section 304.14. Insect Screens. The required time frame for screens is beginning May 15th and ending September 15th.

Section 602.3. Heat Supply. Heat shall be supplied during the period from September 1st to June 1st.

Section 602.4. Occupiable Work Spaces. Heat shall be supplied during the period from October 1st to April 30th.

SECTION 17. SEVERABILITY. If a Court of competent jurisdiction declares any provisions of this Ordinance to be invalid, in whole or in part, the effect of such decision shall be limited to those provisions expressly stated in the decision to be invalid, and all other provisions of the Code of Ordinances of the Township of West Pottsgrove, Pennsylvania shall continue to be separately and fully effective.

SECTION 18. RE-ENACTMENT AND REPEALER. The remaining provisions of the Code of Ordinances of the Township of West Pottsgrove, Pennsylvania, and as in force immediately before the enactment of this Ordinance, are intended to be continued and, to the extent

not inconsistent herewith, are hereby re-enacted and re-ordained; any Sections inconsistent with the amendments hereinbefore referenced are hereby repealed as referenced.

SECTION 19. **EFFECTIVE DATE.** This Ordinance, and all of its terms and provisions, shall become effective as provided by law.

**WEST POTTS GROVE TOWNSHIP
BOARD OF COMMISSIONERS**

BY:



Thomas A. Palladino, Vice President

ATTEST:



Courtney Harris, Secretary