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**PART 1**

**PENNSYLVANIA CONSTRUCTION CODE ACT**

**§5-101. Election to Enforce the Pennsylvania Construction Code Act.**

New Britain Township, Bucks County, Pennsylvania hereby elects to administrator and enforce the provisions of the Pennsylvania Construction Code Act, Act 45 of 1999, 35 P.S. §§7210.101-7210-1103; as amended from time to time, and its regulations.

(Ord. 04-06-01, 6/14/2004, §1)

**§5-102. Adoption of the Building Code.**

The Uniform Construction Code, contained within Title 34, Pa. Code, Chapters 401-405, as amended from time to time, is hereby adopted and incorporated herein by reference as the municipal building code for New Britain Township, Bucks County, Pennsylvania.

(Ord. 04-06-01, 6/14/2004, §2)

**§5-103. Administration and Enforcement Provisions.**

Administration and enforcement of the Code within New Britain Township shall be undertaken, as determined by the Board of Supervisors for New Britain Township, Bucks County, Pennsylvania, in accordance with the regulations of the Pennsylvania Construction Code Act.

(Ord. 04-06-01, 6/14/2004, §3)

**§5-104. Building Code Board of Appeals.**

1. Creation of Appeals Board. A Building Code Board of Appeals (hereinafter "Appeals Board") is hereby established in conformity with the requirements of the Pennsylvania Construction Code Act, Act 45 of 1999, 35 P.S. §§7210.101-7210.1103, §501(c) and Title 34 Pa. Code, §403.121. The Appeals Board shall hear and rule on appeals, requests for variances and requests for extensions of time.
2. Appointment of Members. The Appeals Board shall consist of three members appointed by the Board of Supervisors as follows: one member shall serve a three-year term, one member shall serve a two-year term and one member shall serve a one-year term. After the initial appointments, each new member shall serve for three years or until a successor has been appointed.

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3. **Qualifications of Members.** The members of the Appeals Board shall, in the discretion of the Board of Supervisors, be qualified by training and experience to pass on matters pertaining to building construction. Training and experience may consist of licensure as an architect or engineer, experience in the construction industry, or training or experience as an inspector or plan reviewer. No member of the Board of Supervisors or any code inspector employed by the Township may serve on the Appeals Board. If the Board of Supervisors is unable to find a sufficient number of qualified individuals who reside within the Township, it may appoint a qualified person who resides outside of the Township to fill a position.
4. **Alternate Members.** The Board of Supervisors shall appoint two alternate members who shall be called by the Appeals Board Chairperson to hear appeals in the event of the absence or disqualification of a member. Alternate members shall possess the qualifications required for Board membership and shall be appointed for five years or until a successor has been appointed.
5. **Intergovernmental Cooperation.** The Board of Supervisors is hereby authorized to enter into an intergovernmental cooperation agreement with one or more municipalities to create an Appeals Board.
6. **Chairperson and Secretary.** The Appeals Board shall annually elect one of its members to serve as Chairperson and Secretary. The Secretary shall file a detailed record of all proceedings in the office of the Township Manager.
7. **Disqualification of Member.** A member of the Appeals Board shall not hear an appeal in which that member has any personal, professional or financial interest.
8. **Operation of Board of Appeals.** The procedure for conduct of hearing and notices of hearings shall be established by resolution of the Board of Supervisors and shall be consistent with Pennsylvania law and regulations of the Pennsylvania Department of Labor and Industry.

(Ord. 04-06-01, 6/14/2004, §4)

### **§5-105. Existing Ordinances.**

1. All ordinances and/or resolutions, or parts thereof, which have previously been adopted by New Britain Township on or before July 1, 1999, and which are equal to or exceed the requirements of the Code shall remain in full force and effect until such time as the provisions of these ordinances fail to equal or exceed the minimum requirements of the Code, as amended from time to time. These ordinance provisions, which are here saved from repeal, include but are not limited to, Ordinance 99-06-01, adopted June 28, 1999, adopting the BOCA National Building Code. Specific provisions of the BOCA National Building Code and of Ordinance 99-06-01 which are stricter than those set forth in the Uniform Construction Act, and which are saved from repeal include, but are not limited to:

- A. 1999 BOCA National Building Code §107.6, Site Plan Requirements which include the following regulations:

Plot Plan. A plot plan drawn in an accurate scale of not less than 30 feet to the inch and a plan size not less than 11 inches by 17 inches with all elevations established by the builder or owner's engineer or land surveyor shall be submitted with every application for a new residential dwelling building permit. The plan shall show the size and location of all new construction and all existing structures on the site, providing distances to lot lines and being drawn in accordance with an accurate boundary line survey. The owner or builder, in filing application for the new residential dwelling, shall submit to the Township Engineer three copies of a plot plan, prepared by a registered engineer or land surveyor with date and/or revision dates. In addition to the data noted above, the plan shall show the following:

- (1) The name of the person for whom the plan is being prepared, together with lot number, tax parcel number and address, and reference to an approved subdivision plan, if applicable.
- (2) Dimensions and bearings of lot, graphic scale and a North arrow.
- (3) An indication whether property corners are, or will be, marked by stakes, monuments, etc.
- (4) Lot area in square feet and acreage.
- (5) Model name, building footprint, building area and impervious surface area in square feet.
- (6) All easements, restrictions and surrounding properties and streets shall be identified.
- (7) Type of zoning and applicable zoning criteria, including zoning restriction lines indicating front yard(s), side yards and rear yard and other applicable data.
- (8) Street cart way and rights-of-way, etc., shall be properly marked with dimensions and related information.
- (9) Any encroachment into a required setback area or violations of a zoning criteria.
- (10) Topographical site information indicating existing and proposed contours at a contour interval of no less than two feet, based upon a vertical datum to match approved subdivision plans.
- (11) Proposed basement, garage and first floor elevations.

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- (12) The proposed method for collecting, storing and conveying stormwater on and from the premises, including flow arrows and slopes, roof run-off and sump pump discharge, etc.
- (13) Floodplain information.
- (14) Utilities within the lot and along the frontage of the lot, including storm sewer, sanitary sewer and water mains, with all related lot services.
- (15) Driveway slope and setback from property line.

Confirmation Plan. After the building permit is issued, a confirmation plan shall be filed immediately following the building foundation construction to confirm the plot plan, or amend the plan, to the actual basement, top of foundation walls, garage and first floor elevations. The plan shall include locations, elevation, reference points or benchmarks and dates signed and sealed by the registered engineer or land surveyor. No framing shall be permitted until approval is granted.

As-Constructed Plan. Prior to the issuance of a Certificate of Occupancy, and as a condition for all new construction, an as-constructed survey, with all details established in the plot plan shall be filed with the Township Engineer, or designated official. The plan shall indicate information based upon completed construction conditions. Proposed conditions shall be modified to reflect as-constructed conditions.

- B. 1999 BOCA National Building Code §904.1 BOCA which will now replace §F903.2 of the International Building Code and §903.2 of the International Fire Code and reads as follows:

An automatic fire suppression system shall be installed in all newly or re-constructed buildings and structures or additions to existing buildings and structures in all of the following Building Use Groups: A-1, A-2, A-3, A-4, B, E, F-1, F-2, I-1, I-2, I-3, I-4, M, R-1, R-2, R-3, R-4, S-1, S-2. Use Group H shall meet §904.5 of this Code and as per table §904.12. All buildings and structures shall be 100% covered and designed to meet N.F.P.A. 13, 1996 edition, or as amended. Existing non-sprinklered buildings and structures shall meet §§904.2 through 904.12, as amended, when their BOCA Use Group changes.

- C. 1999 BOCA National Building Code §§904.5 and 904.12 2003 which will replace §903.2.4 and Table 903.2.4.2 of the International Building Code and §903.2.4 and Table 903.2.4.2 of the International Fire Code.
- D. 1999 BOCA National Building Code §§904.2 and 904.12 2003, which will now replace §§F903.2.1 through F903.2.13 of the International Building Code and §§F903.2.1 through F903.2.13 of the International Fire Code.

- E. 1999 BOCA National Building Code §904.4 which will now replace §F903.2.2 of the International Building Code and §903.2.2 of the International Fire Code. This Section reads as follows:

Use Group E: An automatic fire suppression system shall be provided throughout all buildings.

- F. 1999 BOCA National Building Code §915.2.1 which will now replace §F905.3.1 of the International Building Code and §905.3.1 of the International Fire Code and shall change “30 feet” to “8 feet” in both references of this Section.

- G. 1999 BOCA National Building Code §3001.0 (General Code Requirement) which shall add an additional Section to the UCC which reads as follows:

**§3001.4 – Size of Elevator Car.** In all buildings with elevators, size of car will be sufficient to handle one standard ambulance litter as per §403.8 of the 1999 BOCA National Building Code.

- H. 1999 BOCA Fire Protection Code §F403.5 which will now replace §F307.3 of the International Fire Code and will read as follows:

The location for any open burning shall not be less than 100 feet from any structure, and not less than 25 feet from any property line or public right-of-way. All other outdoor burning shall require the prior written approval of the Fire Marshal or designate.

- I. 1999 BOCA Fire Protection Code §F503.0 which will now replace §907.3.3 of the International Fire Code and add a new Section.

- J. 1999 BOCA Fire Prevention Code §F503.1.1 which will now appear as §907.3.3 to the International Fire Code and read as follows:

**Existing Buildings.** An automatic fire detection system shall be required in all occupancies in Use Groups A, B, E, F, H, I, M, S, R-1 and R-2. Smoke detectors are required in all egress, access corridors, hallway, stairways, lobbies, vestibules and telephone rooms. All other areas of the building, including attic areas shall be equipped with rate of rise heat detectors. All detectors in the system are to be interlocked and coupled to a means of producing a visual and audible alarm as per §918.8.2 of the Building Code listed in Chapter 44 of this Code. All fire alarm systems shall be installed per NFPA 72, 1996 edition, or as amended, as listed in Chapter 44 of this Code. All fire alarm systems shall be monitored as per §924.2 of the Building Code as listed in Chapter 44 of this Code.

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### Exceptions:

- (1) Sprinklered Buildings. This exception does not apply to Use Groups I-2 and I-3, to High Hazard Use Groups in accordance with §417.5.3 of the Building Code listed in Chapter 44, to special amusement buildings in accordance with §413.0 or to single-station smoke detectors as required in §F503.4.
- (2) Existing Non-Sprinklered Buildings Under 5,000 Square Feet of Total Floor Area. This exception shall include all floors and basement areas within the building or structure. Buildings under 5,000 square feet shall have 110 volt interconnected smoke alarms or heat detectors spaced no more than 30 feet on center and at least one in each room. All detectors will have battery backup. An exterior horn/strobe shall be connected to the smoke detectors.
- (3) Existing Buildings With a Fire Alarm System and Sprinkler System. Existing building with fire alarms and sprinklers may meet exception of subsection (1) above, only after the fire alarm system has been installed for at least five years.
- (4) Existing Non-Sprinklered R-1 and R-2. An automatic fire detection system is not required in buildings that do not have interior corridors serving guest rooms and apartments as their means of egress. These building use groups will be required to met §F503.4 below:

1999 BOCA Fire Protection Code §918.8.2 which will now appear as §907.10 of the International Fire Code.

NFPA 72, 1996 now NFPA 72 2002.

Section 924.2 now §907.15 of the International Fire Code.

- K. 1999 BOCA Fire Protection Code §F506.1 which will now change §901.6 of the International Fire Code to add the following sentence to the end:

All fire suppression systems installed per NFPA 13-D, 1996 edition, or as amended, shall be required to submit an inspection report to the Township every two years so as to verify that the system is in working order.

- L. 1999 BOCA Fire Protection Code §F701.3 which will now change §401.6 of the International Fire Code to read as follows:

**§F701.3, Street Numbers.** The Township shall have final authority as to the assignment of a street number, or address for each structure. Each structure to which a street number has been assigned by the Township shall have the appropriate number displayed in a location and size as to be readily observed and readable from the closet public right-of-way. All street

numbers shall be in Arabic characters at a minimum of six inches in height, and 1/2 inch wide stroke. Structures that are set back more than 50 feet from the public right-of-way shall have the assigned street numbers attached to a post or mail box placed at the end of the driveway on the same side of the road as the structure is located. These numbers shall be at least four inches in height with 1/2 inch wide strokes, and shall be placed on both sides of the post or mail box, at a minimum height of three feet so as numbers can be seen by vehicles traveling from either direction. All street numbers shall be illuminated when possible, and shall be colored in contrast with the background upon which the number is placed. No street numbers may be painted upon any public curbs, streets, signs, posts or sidewalks, without prior written approval of the Township. Any resident wishing to display a street address upon the public curb line, may do so only with the permission and in accordance with the instructions of the Fire Marshal's office. All curb painting shall be in addition to the display of numbers listed above. Any person(s) soliciting for curb painting shall first obtain a Township soliciting permit, as well as prior approval of the Fire Marshal. Commercial contractors may be required to produce evidence of liability and Workers Compensation insurance coverage.

M. The 1998 International Mechanical Code §903.3 which will now change §903.4 of the International Mechanical Code 2003 to require that wood chases surrounding factory-built-fireplaces or chimney flues, shall be protected on the house side of the wood chase with one hour rated sheet rock assembly, taped and finished, as approved by ASTM (American Society for Testing and Material) in order that no wood is exposed. This one-hour rating shall extend four feet to each side of the wood chase.

N. The 1998 International One/Two Family Dwelling Code §120.1 which will add a General Requirement to the International Residential Code 2003 to read as follows:

Application. All dwellings built under this Code must have a sprinkler system installed. All systems must meet at a minimum the NFPA 13-D, 1996 edition, or as amended.

O. The 1998 International One/Two Family Dwelling Code §120.1.1 which will add a General Requirement to the International Residential Code 2003 to read as follows:

One- and two-family dwellings that cannot be serviced by a public water storage system shall install a pump and water storage system in accordance with NAPA 13-D. If a separate pump and tank system is required, the water storage tank must hold at least five minutes of the required water supply. The remainder of the required water supply may be supplied from the well tank and pump so long as the domestic water automatically shuts off when the sprinkler system is activated.

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- P. The 1998 International One/Two Family Dwelling Code §309.2 which will now change §R309.3 of the International Residential Code 2003, to read as follows:

The garage shall be separated from the residence, including all interior and exterior walls and its ceiling or attic area by means of minimum ½ inch type x gypsum board applied to the garage side and fire taped.

- Q. The 1998 International One/Two Family Dwelling Code §316.2 which will now change §R313.1 of the International Residential Code 2003, to add a new subsection (4) which reads as follows:

A heat detector must be installed in all attached garages. All heat detectors must be interconnected with the 110-volt smoke detectors.

- R. The 1998 International One/Two Family Dwelling Code §703.2 which will now amend Table R703.4 of the International Residential Code 2003, specifically column 4 (sheathing paper required) so that all lines read "Yes."

- S. The 1998 International One/Two Family Dwelling Code §1004.2.2 which will now change §1004.5 of the International Residential Code 2003, to require that wood chases surrounding factory-built-fireplaces or chimney flues, shall be protected on the house side of the wood chase one hour rated sheet rock assembly, taped and finished, as approved by ASTM (American Society for Testing and Material) in order that no wood is exposed. This one-hour rating shall extend four feet to each side of the wood chase.

2. All ordinances and/or resolutions, or parts thereof, which have previously been adopted by New Britain Township that 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.
3. All other ordinances, resolutions, regulations and policies of New Britain Township not governed by the Code shall remain in full force and effect.

(Ord. 04-06-01, 6/14/2004, §5)

### **§5-106. Required Insertions to the UCC.**

1. In accordance with the Pennsylvania Construction Code Act, Act 45 of 1999, 35 P.S. §§7210.101-7210.1103, §503, the following changes are made in the Uniform Construction Code:
  - A. International Building Code 2003:
    - (1) Section 1612.3 insert: "New Britain Township."

(2) Section 1612.3 insert: "June 20, 2001."

(3) Section 3410.2 insert: "June 28, 1999."

B. International Residential Code 2003:

(1) Section R101.1 insert: "New Britain Township."

(2) Section R301.2 insert:

(a) Roof snow load: 30 pounds per square foot.

(b) Wind speed: 80 miles per hour.

(c) Seismic zone: 2a.

(d) Weathering: severe.

(e) Frost line depth: 3-foot.

(f) Termite: moderate to heavy.

(g) Decay: slight to moderate.

(h) Winter design temperature: 14.

(i) Ice shield under-layment: yes.

(j) Flood hazards: June 28, 1999.

(k) Air freezing index: 640.

(l) Mean annual temperature: 53.

(3) Section P2603.6.1 insert: "36 inches" in two locations.

(4) Section P3103.1 insert: "12 inches" in two locations.

C. International Plumbing Code 2003:

(1) Section 305.6.1 insert: "36 inches" in two locations.

(2) Section 904.1 insert: "12 inches."

2. This Code may be further changed and/or modified, by the Board of Supervisors of New Britain Township, in accordance with the Pennsylvania Construction Code Act, Act 45 of 1999, 35 P.S. §§7210.101-7210.1103, §530.

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(Ord. 04-06-01, 6/14/2004, §6)

### **§5-107. Fee Schedule.**

A Fee Schedule assessable by New Britain Township for the administration and enforcement undertaken pursuant to the Part and the Code shall be established by the Board of Supervisors of New Britain Township by resolution, from time to time.

(Ord. 04-06-01, 6/14/2004, §7)

### **§5-108. Changes to the Amendable Sections of the Labor and Industry Regulations.**

In accordance with §403.102(1) of Title 34, Pa. Code Part XIV, Chapter 401-405, the following regulations set forth in the Pennsylvania Code are amended as set forth below:

A. 34 Pa. Code §403.82 is hereby amended to read as follows:

A building code official shall follow the following procedures if an inspection of an occupied building reveals a violation of the Uniform Construction Code:

- (1) A construction code official shall discuss the inspection results with the permit holder at the completion of the inspection.
- (2) The building code official may issue a written notice of violations to the permit holder. The notice is to contain a description of the violations and an order requiring correction of the violations within a reasonable period determined by the building code official. When a violation relates to an unsafe building, structure or equipment, a building code official shall act in accordance with §403.84 (relating to unsafe building, structure or equipment).
- (3) After the compliance date contained in the order, the building code official shall inspect the building, structure or equipment to determine whether the violation was corrected. The building code official shall close the order if the violation was corrected. The building code official may issue an order to show cause under §403.83 (relating to order to show cause/order to vacate) to the owner for a violation that was not corrected.

B. Section 403.43(g): delete the words “five years” and replace with the words “three years.”

- C. Section 403.43(h): The permit holder shall keep a copy of the permit on the work site until the completion of the construction or the issuance of a Use and Occupancy Permit, whichever comes later.

(Ord. 04-06-01, 6/14/2004, §8)

**§5-109. Inconsistent Ordinances Repealed.**

All other ordinances and/or resolutions or parts thereof which are in conflict with this Part are hereby repealed.

(Ord. 04-06-01, 6/14/2004, §9)

**§5-110. Saving Clause.**

Nothing in this Part or in the 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 §5-108 of this Part; nor shall any just or legal right of remedy of any character be lost, impaired or affected by this Part.

(Ord. 04-06-01, 6/14/2004, §10)

**§5-111. Activities Requiring Building Permits**

Pursuant to the requirements of this Part, which at §5-105 saved from repeal, to the extent legally permissible, all provisions of the previous New Britain Township Building Codes, the following construction activities require building permits and compliance with Building Codes of New Britain Township as set forth in this Part:

- A. Construction of all attached carports and any residential accessory buildings greater than or equal to 250 square feet;
- B. All basement alterations and renovations; and
- C. All residential roof repairs requiring structural changes. For the purposes of this Section, structural changes include all roof repairs which require replacement of plywood. Replacement of only shingles and roofing paper does not constitute a structural change.

(Added by Ord. 2004-11-01, 11/8/2004)



**PART 2**

**INTERNATIONAL PROPERTY MAINTENANCE CODE**

**§5-201. Adoption of International Property Maintenance Code.**

The 2009 *International Property Maintenance Code*, as published by the International Code Council, Inc., is hereby adopted as the Property Maintenance Code of the Township of New Britain, for the control of building and structures as herein provided; and each and all of the regulations, provisions, penalties, conditions and terms of said *International Property Maintenance Code* are hereby adopted and made a part hereof as if fully set forth in this Part, with the additions, insertions, deletions and changes prescribed in §5-202 of this Part.

(Ord. 2010-02-02, 2/8/2010, Art. 1)

**§5-202. Revisions.**

The following sections of the 2009 *International Property Maintenance Code* are hereby revised to read as follows:

- A. §101.1, Insert: "Township of New Britain."
- B. §103.6, Insert: "New Britain Township Fee Schedule."
- C. §111.2 is hereby amend to reflect that all appeals under the Property Maintenance Code shall be made to and heard by the Appeals Board appointed pursuant to the UCC.
- D. §§111.2.1, 111.2.2, 111.2.3, 111.2.4, and 111.2.5 shall be deleted.
- E. §112.4, Insert: "\$100 and \$1,000."
- F. §302.4, Insert: "six inches."
- G. §302.4, Add the following sentence at the end of first paragraph:  
  
This Section shall apply to within 200 feet of any habitable or occupiable structures or buildings.
- H. §304.14, Insert: "May 1 to November 1 where appropriate."
- I. §304.3, Premises Identification: Shall be amended to read as follows:

The Township shall have final authority as to the assignment of a street number or address for each structure. Each structure to which a street number has been assigned by the Township shall have the appropriate number displayed in a location and size as to be readily observed and readable from the

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closest public right-of-way. All street numbers shall be in Arabic characters at a minimum of six inches in height, and one-half inch wide stroke. Structures that are set back more than 50 feet from the public right-of-way, or any distance when the number cannot be readily seen from the right-of-way, shall have the assigned street numbers attached to a post or mailbox placed at the end of the driveway on the same side of the road as the structure is located. These numbers shall be at least four inches in height with one-half inch wide strokes, and shall be placed on both sides of the post or mailbox, at a minimum height of three feet so as numbers can be seen by vehicles traveling from either direction. All street numbers shall be illuminated when possible, and shall be colored in contrast with the background upon which the number is placed.

No street numbers may be painted upon any public curbs, streets, signs, posts, or sidewalks without prior written approval of the Township. Any resident wishing to display a street address upon the public curb line, may do so only with the permission and in accordance with the instructions of the Fire Marshal's office.

All curb painting shall be in addition to the display of numbers listed above. Any person(s) soliciting for curb painting shall first obtain a Township soliciting permit, as well as prior approval of the Fire Marshal. Commercial contractors may be required to produce evidence of liability and worker's compensation insurance coverage.

- J. §602.3, Insert: "September 1 to May 1 where appropriate."
- K. §602.4, Insert: "September 1 to May 1 where appropriate."

(Ord. 2010-02-02, 2/8/2010, Art. 2)

**PART 3**

**INTERNATIONAL FIRE CODE**

**§5-301. Adoption of International Fire Code.**

The *International Fire Code*, 2009 Edition, as published by the International Code Council is hereby adopted as the Fire Code of New Britain Township, Bucks County, Pennsylvania, regulating and governing the safeguarding of life and property from fire and explosion hazards, and from conditions hazardous to life or property in the occupancy of buildings and premises within New Britain Township, and adopting all other regulations, provisions, penalties, conditions and terms of the *International Fire Code*, 2009 Edition, by reference hereto with those additions, insertions, deletions and changes es set forth in §5-302 of this Part.

(Ord. 2010-02-01, 2/8/2010, Art. 1)

**§5-302. Revisions.**

The following Sections of the *International Fire Code*, 2009 Edition, are hereby revised and edited as follows:

- A. **§101.1 Title.** These regulations shall be known as the “Fire Code of New Britain Township,” hereinafter referred to as “this Code.”
- B. **§104.10 Fire Investigations.** The New Britain Township Fire Marshal and/or Deputy Fire Marshals shall have the authority to investigate the cause and circumstances of any fire, explosion or other hazardous condition. Information that could be related to trade secrets or processes shall not be made part of the public record except as directed by a court of law.
- C. **§104.11** Insert at the end of this Section the following:

The Township Fire Marshal is to direct the operation of the scene if no chief officer has responded from the fire department in charge of the fire district the emergency is located in.
- D. **§109.3 Violation Penalties.** Persons who violate a provision of this Code or shall fail to comply with any of the requirements thereof, or who shall erect, install, alter, repair or do work in violation of the approved construction documents or directive of the Fire Code official, or of a permit or certificate used under the provisions of this Code, shall be guilty of a summary offense, punishable by a fine of not more than \$1,000 or less than \$250, or by imprisonment not exceeding 30 days. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

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- E. **§202 General Definitions: Fire Code Official:** The Township Fire Marshal or Code Enforcement Officer designated authority charged with the administration and enforcement of the Code, or duly authorized representative of the Township.
- F. **§111.4 Failure to Comply.** Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable for a fine of not less than \$250 or more than \$1,000.
- G. **§307.1 General.** No person shall maintain any open burning in New Britain Township, except for the following:
- (1) Bonfires in accordance with §307.4.1.
  - (2) Recreational fires in accordance with §307.4.2.
- H. **§307.4 Location.** The location for open burning shall not be less than 100 feet from any structure, and not less than 25 feet from any property line or public right-of-way. All other outdoor burning shall require the prior written approval of the Fire Marshal or his/her designate. All exceptions are deleted.
- I. **§307.4.1 Bonfires.** A bonfire shall not be conducted within 100 feet of a structure or combustible material unless the fire is contained in a barbecue pit. Conditions which could cause a fire to spread within 100 feet of a structure shall be eliminated prior to ignition.
- J. New §505.1 is hereby added as follows:

**§505.1 Street Numbers.** The Township shall have final authority as to the assignment of a street number, or address for each structure. Each structure to which a street number has been assigned by the Township shall have the appropriate number displayed in a location and size as to be readily observed and readable from the closest public right-of-way. All street numbers shall be in Arabic characters at a minimum of five inches in height, and one-half inch wide stroke. Structures that are set back more than 50 feet from the public right-of-way, or any distance when the number cannot be readily seen from the right-of-way, shall have the assigned street numbers attached to a post or mailbox placed at the end of the driveway on the same side of the road as the structure is located. These numbers shall be at least four inches in height with one-half inch wide strokes, and shall be placed on both sides of the post or mailbox, at a minimum height of three feet so as numbers can be seen by vehicles traveling from either direction. All street numbers shall be illuminated when possible, and shall be colored in contrast with the background upon which the number is placed.

No street numbers may be painted upon any public curbs, streets, signs, posts, or sidewalks, without prior written approval of the Township. Any resident wishing to display a street address upon the public curb line, may do so only

with the permission and in accordance with the instructions of the Fire Marshal's office.

All curb painting shall be in addition to the display of numbers listed above. Any person(s) soliciting for curb painting shall first obtain a Township soliciting permit, as well as prior approval of the Fire Marshal. Commercial contractors may be required to produce evidence of liability and worker's compensation insurance coverage.

- K. **§903.2 Where Required.** An automatic fire suppression system shall be installed in all newly or reconstructed buildings and structures, or additions to existing buildings and structures in all of the following building use groups: A-1, A-2, A-3, A-4, B, E, F-1, F-2, I-1, I-2, I-3, I-4, M, R-1, R-2, R-3, R-4, S-1, and S-2. Use Group H shall meet §904.5 of this Code and as per Table 904.12. All buildings and structures shall be 100 percent covered and designed to meet N.F.P.A. 13, 2002 Edition, or as amended. Existing non-sprinklered buildings and structures shall meet §§903.2.1 through 940.2.13, as amended, when their building use group changes.
- L. §903.2.3 Group E., Subsections 1. and 2., are deleted and replaced as follows:  
**§903.2.3 Group E.** An automatic fire suppression system shall be provided throughout all buildings.
- M **§905.3.1 Building Height.** Class III stand pipe systems shall be installed throughout buildings where the floor level of the highest story is located more than eight feet above the lowest level of the fire department vehicle access where the floor level of the lowest story is located more than 8 feet below the highest level of fire department vehicle access.
- N. §901.6 is amended as follows:  
**901.6 Inspection, Testing and Maintenance.** Fire detection, alarm and distinguishing systems shall be maintained in an operative condition at all times, and shall be replaced or repaired where defective. Non-required fire protection systems and equipment shall be inspected, tested, maintained or removed. All fire suppression systems installed per N.F.P.A. 13-D., 1996 Edition, or as amended, shall be required to submit an inspection report to the Township every two years in order to verify that the system is in working order.
- O. **§3404.2.9.6.1** Insert: "within the Township except within the Industrial (I) and Industrial Office (IO) Zoning District of the Township."
- P. **§3406.2.4.4** Insert: "within the Township except within the Industrial (I) and Industrial Office (IO) Zoning District of the Township."
- Q. **§3506.2** Insert: "within the Township except within the Industrial (I) and Industrial Office (IO) Zoning District of the Township."

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- R. **§3804.2** Insert: “within the Township except within the Industrial (I) and Industrial Office (IO) Zoning District of the Township.”
- S. **§4603.6 Existing Buildings.** An automatic fire detection system shall be required in all occupancies in use groups, A, B, E, F, H, I M, S, R-1 and R-2. Smoke detectors are required in all egress, access corridors, hallways, stairways, lobbies, vestibules and telephone rooms. All other areas of the building, including attic areas, shall be equipped with rate of rise heat detectors. All detectors in the system are to be interlocked and coupled to a means of producing a visual and audible alarm as per §907.6 of this Code. All fire alarm systems shall be installed per N.F.P.A. 72, as listed in Chapter 47 of this Code. All fire alarm systems shall be monitored as per §907.7.5 of this Code.

### **Exceptions:**

1. Sprinklered Buildings. This exception does not apply as required in §907.3 of this Code.
2. Existing non-sprinklered buildings under 5,000 square feet of total floor area. This shall include all floors and basement areas within the building or structure. Buildings less than 5,000 square feet shall have 100 volt interconnected smoke alarms or heat detectors spaced no more than 30 feet on center and at least one in each room. All detectors shall have battery backup. An exterior horn/strobe shall be connected to the smoke detectors.
3. Existing buildings with a fire alarm system and sprinkler system may meet Exception no. 1 above, only after the fire alarm system has been installed for at least five years.
4. Existing Non-Sprinklered R-1 and R-2 Use Groups. An automatic fire detection system is not required in buildings that do not have interior corridors serving guest rooms and apartments as their means of egress. These building use groups will be required to meet §907.3 of this Code.

(Ord. 2010-02-01, 2/8/2010, Art. 2)

**PART 4**

**BAMBOO**

**§5-401. Purpose and Intent.**

The purpose of this Part is to preserve and protect private and public property from the damaging spread of certain bamboo grasses, protect indigenous plant materials from the invasive spread of bamboo, and maintain the general welfare of residents of New Britain Township.

(Ord. 2014-06-03, 6/16/2014, Art. I)

**§5-402. General Provisions.**

**1. Definitions.**

**BAMBOO**—any monopodial (running) tropical or semi-tropical grasses from the genera *Phyllostachys* or *Pseudosasa*, including, but not limited to, *Phyllostachys aureosulcata*—yellow groove bamboo. In addition, this definition includes common bamboo, golden bamboo and arrow bamboo.

**BAMBOO OWNER**—any person who has planted and/or grows bamboo on their property; who maintains bamboo on their property; or who permits bamboo to grow or remain on their property, even if the bamboo has spread from an adjoining property.

**PERSON**—any individual, corporation, partnership, joint venture, unincorporated association, municipal corporation or agency, other group acting as a unit, or combination thereof.

**TOWNSHIP**—the Township of New Britain, County of Bucks, Commonwealth of Pennsylvania.

2. **Applicability.** For purposes of this Part, bamboo found growing upon a property shall constitute presumptive evidence that the bamboo was planted and/or grown by and/or with the consent of the bamboo owner.

3. **Prohibition.** Upon the effective date of this Part, the planting or growing of bamboo shall be prohibited within the Township, unless:

A. The root system of such bamboo plant is entirely contained within a planter, barrier, or other vessel, located entirely above ground level, and of such design, material, and location as to entirely prevent the spread/growth of the bamboo's root system beyond the container in which it is planted.

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B. The root system is contained within a barrier, constructed in accordance with the following specifications, and only after a permit is issued by the Township:

- (1) The barrier shall be composed of high density polypropylene or polyethylene, 40 mil or heavier.
- (2) Portions or sheets of the barrier shall be secured or joined together by the use of stainless steel clamps or stainless steel closure strips designed for such barriers.
- (3) The entire perimeter of the barrier shall be more than 30 inches below ground level and more than three inches above ground level.
- (4) When installed, the barrier shall slant outward from the bottom to the top.

Any person who hereafter plants or grows, or causes to be planted or grown, bamboo within the Township, except as under the conditions set forth in paragraph (A) and (B) above, shall be deemed to be in violation of this Part, and shall be subject to such penalties as are set forth herein.

### 4. Regulation.

- A. Bamboo shall not be planted, maintained, or otherwise be permitted to exist within 40 feet of the edge of the pavement or traveled portion of any public roadway in the Township. Any bamboo owner whose property contains bamboo shall remove and abate the growth of the bamboo within 40 feet of edge of the pavement or traveled portion of a public road in the Township.
- B. Whether planted or growing in a container or contained within a barrier, all bamboo plants shall be located, trimmed, and maintained so that no part of the plant (including stalks, branches, leaves, and/or roots) shall extend nearer than 10 feet to any property line.
- C. When removing and destroying bamboo, all rhizome disposal must be by incineration only. No composting or trash disposal of rhizomes shall be allowed.

### 5. Pre-Existing Bamboo.

- A. Any bamboo that has been planted or otherwise permitted to grow on any property within the Township prior to the effective date of this Part may remain on such property, subject to compliance with this Part.
- B. Each bamboo owner shall be responsible to ensure that the bamboo planted or growing on the property prior to the effective date of this Section does not encroach or grow upon any adjoining or neighboring property, including all public property and right-of-ways. Such bamboo owners shall be required to take such measures as are reasonably expected to prevent such invasion or

encroachment, including, but not be limited to, the installation of sheathing compromised of metal or other material impenetrable by bamboo at a sufficient depth within the property line or lines where the bamboo is planted or is growing to prevent the growth or encroachment upon adjoining or neighboring property by the bamboo.

- C. Replanting Prohibited. Any bamboo existing on a property prior to the effective date of this Part may not be replanted or replaced in kind once such bamboo is or has become, for any reason, dead, destroyed, uprooted, or otherwise removed, except in compliance with the provisions of this Part.

6. Removal from Township Property.

- A. Encroachment. In the event that bamboo growing on a bamboo owner's property invades or grows onto Township property, including, but not limited to right-of-ways, the Township shall notify the bamboo owner in writing that bamboo has invaded the Township property and that the bamboo owner is responsible for the removal of such bamboo from the Township property. This encroachment notice shall be sent by certified mail, return receipt requested, and by regular mail to the last known address of the bamboo owner, and a copy of the notice shall also be posted in a conspicuous location on the bamboo owner's property.
- B. In the event that the bamboo owner does not remove the bamboo from the Township property, or does not make an arrangement with the Township for removal of such bamboo within 30 days from the date the encroachment notice, the Township, at its discretion, may remove such bamboo from the Township property. The bamboo owner shall be liable and responsible to the Township for all costs incurred in removing the bamboo from the Township property. Such costs may be assessed against the property of the bamboo owner, and in the event that the costs remain unpaid more than 30 days after the demand of payment has been made by the Township on the bamboo owner, the Township may lien the property of the bamboo owner for these costs, plus interest, fees, and expenses, as allowed by law.
- C. In the event that the Township is compelled to undertake the removal of bamboo, as provided for above, neither the Township nor its employees, contractors, or agents shall have any liability to the bamboo owner for any damages or other claims arising out of the removal of such bamboo. In the event such removal entails or causes damages to the property of any other person or entity other than the bamboo owner, the bamboo owner shall be responsible for such damages.

(Ord. 2014-06-03, 6/16/2014, Art. I)

**§5-403. Violations and Remedies.**

- 1. Notice of Violation.

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- A. Each bamboo owner shall be responsible to ensure that any bamboo on their property does not violate the provisions of this Part. In the event that there is any bamboo growing in violation of the provisions of this Part, the Township shall notify the bamboo owner in writing of the existence of such violation. Said notice of violation shall be served by handing it directly to the bamboo owner; by mailing it to the last known address of the bamboo owner; or by posting the property at a conspicuous location.
- B. Any bamboo owner receiving a notice of violation shall bring their property into compliance with this Part within 30 days of the owner's receipt of said notice. If the bamboo owner fails to bring their property into compliance with the notice and this Part, then the Township may issue a non-traffic citation against the bamboo owner.
- C. In addition, where a bamboo owner does not remedy and correct the violations set forth in any notice of violation issued to them, the Township may remove any bamboo that is in violation of this Part located upon the bamboo owner's property; take all reasonable action to eradicate its re-growth; and/or restore any real property to its natural condition prior to such removal and eradication. Any costs incurred by the Township in removing any bamboo and/or remedying any violation of this Part shall be at the expense of the bamboo owner, and in the event that the costs remain unpaid more than 30 days after the demand of payment has been made by the Township on the bamboo owner, the Township may lien the property of the bamboo owner for these costs, plus interest, fees, and expenses, as allowed by law.

### 2. Violations, Penalties, and Remedies.

- A. Upon summary conviction before any magisterial district judge, any person violating any of the provisions of this Part shall, in addition to the other charges hereinbefore provided for each offense, pay a fine not exceeding \$1,000, plus all court costs, including reasonable attorney's fees, incurred as a result of the prosecution. Each and every day in which a person shall be in violation of this Part shall constitute a separate offense.
- B. In addition, the Township Board of Supervisors may institute suits, in equity or at law, to restrain, prevent, or abate a violation of this Part. Such proceedings may be initiated before any court of competent jurisdiction. The expense of such proceedings shall be recoverable from the violator in any manner as may now or hereafter be provided by law.

(Ord. 2014-06-03, 6/16/2014, Art. D)