

CODE OF THE BOROUGH OF NORTHUMBERLAND

CHAPTER 23 – BUILDING CONSTRUCTION

[History: Adopted by the Council of the Borough of Northumberland 3-10-77 as Ord. No. 328. Amended 12-5-95 by Ord. No. 439, 12-18-97 by Ord. No. 453, 9-30-99 by Ord. No. 462, 4-15-03 by Ord. No. 2003-2, Amended 11-1-2005 by Ord. No. 2005-7, Amended 1-17-2006 by Ord. No. 2006-4]

ARTICLE I – ADOPTION

General References: Housing - Property Maintenance Code - see Ch. 30.
 Property Maintenance - see Ch. 42.
 Zoning - see Ch. 61.

23.1.01 Adoption of standards by reference. (23-1)

[Amended 4-15-03 by Ord. 2003-2; 11-1-05 by Ord. 2005-7.]

That a certain document, on file in the office of the Secretary of the Borough of Northumberland being marked as the latest edition of the current nationally applicable Building Code (presently the International Building Code) is hereby adopted as the "Northumberland Borough Building Code" for the Borough of Northumberland of the Commonwealth of Pennsylvania, for the control of buildings and structures as herein provided; and each and all regulations, provisions, penalties, conditions and terms of said nationally applicable building code are hereby referred to, adopted and made a part thereof as if fully set out in this Ordinance, subject to any Amendments, additions or deletions thereto incorporated herein.

A. Habitual Violation

[Added 11-1-05 by Ord. 2005-7.]

The Borough may adopt policies and procedures regarding habitual violation of the Property Maintenance Code. Such policies and procedures may include, but not be limited to, provisions for the Borough to abate violations, bill the habitual violator for the abatement costs incurred by the Borough, and enter municipal liens against the property where the violation occurs.

23.1.02 Amendments, additions and deletions. (23-2)

[Amended 4-15-03 by Ord. 2003-2; Amended 11-1-2005 by Ord. 2005-7.]

That Ordinance of the Borough of Northumberland adopting The BOCA National Building Code and all other ordinances or parts of ordinances in conflict therewith are hereby repealed.

The following sections of the International Property Maintenance Code, current edition, are hereby amended and revised in the following respects for purposes of incorporation by reference herein:

Section 302.1 Delete in its entirety, and replace with the following: "All owner(s) of all premises and property in the Borough of Northumberland are responsible to keep, and shall keep, the exterior property and premises maintained in a clean, safe and sanitary condition."

Upon failure of the owner(s) of a property to keep the exterior property and premises maintained in a clean, safe and sanitary condition and after service of notice of violation(s) they shall be subject to prosecution in accordance with Section 106.3 and as prescribed by the authority having jurisdiction.

Section 307.1 Delete in its entirety and replace with the following: "All owner(s) of all properties and premises in the Borough of Northumberland shall keep the exterior property and premises and the interior of all structures free from accumulation of rubbish or garbage."

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Upon failure of the owner(s) to remove the rubbish and garbage from the exterior and interior property and after service of a notice of violation(s), they shall be subject to prosecution in accordance with Section 106.3 and as prescribed by the authority having jurisdiction.

Section 307.3 Delete in its entirety and replace with the following: "All owner(s) of all properties in the Borough of Northumberland shall dispose of garbage in a clean and sanitary manner by placing such garbage in an approved garbage disposal facility or approved garbage containers."

23.1.03 Inconsistent ordinances repealed. (23-3)

That Ordinance of the Borough of Northumberland adopting an earlier edition of The BOCA National Building Code and all other ordinances or parts of ordinances in conflict therewith are hereby repealed.

23.1.04 Saving clause. (23-4)

[Amended 4-15-03 by Ord. 2003-2.]

That nothing in this Ordinance in the applicable national building code in effect, currently The International Building Code, latest edition, hereby adopted shall be construed to affect any suit or proceeding impending in any Court, or any rights acquired, or liabilities incurred, or any cause or causes of action acquire or existing, under any act or Ordinance hereby repealed as cited in this Ordinance; nor shall any just or legal right or remedy of any character by lost, impaired or affected by this Ordinance.

23.1.05 Date of effect. (23-5)

That the Borough Secretary shall certify to the adoption of this Ordinance and cause the same to be published as required by law; and this Ordinance shall take full force and effect and be in force from and after its approval as required by law.

23.1.06 Contractor Licensing and Proof of Insurance. (23-6)

[Amended 1-17-2006 by Ord. 2006-4.]

- A. All business entities or individuals performing services as building contractors, remodelers, excavators or erectors, shall have a valid license issued by the Code Office which will have proof of insurance as a requirement. The insurance policy maintained by the applicant for the license shall provide for a minimum of \$300,000.00 payable for each claim or occurrence under the policy.
- B. The license shall be effective until January 1st of the year following the year of issuance of the license, and it shall be renewed on an annual basis each January. The license shall become null and void if the insurance policy expires during the one-year term.
- C. The cost of license shall be an annual fee set by resolution.
- D. The license must be presented at the time of requesting a building permit. Further, the Code Office reserves the right to request a visual inspection of the license at the time of an inspection of the building site. Individuals performing services at their own home shall be exempted from the licensing requirement. If a proposed project has estimated costs of less than \$100,000.00 then the license, along with a minimum insurance policy of \$300,000.00, shall be sufficient to meet the insurance requirements for a building permit. Any project with a cost in excess of \$100,000.00 shall require a review of the insurance requirements on a case-by-case basis by the Code Officer to determine the required amount of insurance beyond the minimum insurance policy amount of \$300,000.00.
- E. The falsification of a license or the failure to have a valid license shall result in the imposition of a fine which shall be set by resolution and not exceed the maximum limit required by law. Violations shall be considered ongoing from the date of notification of a violation, and a violator will be fined for each day that the violation remains unresolved after notification thereof. A stop-work order will be issued to each

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contractor and/or owner with respect to any ongoing project until such time as the required license is obtained.

Repealer. All ordinances and resolutions or parts of ordinances or resolutions, insofar as they are inconsistent herewith, be and the same are hereby repealed.

Severability. If any sentence, clause, section or part of this Ordinance is for any reason found to be unconstitutional, illegal or invalid, it shall not affect or impair any of the remaining provisions, sentences, clauses, sections, or parts of this Ordinance. It is hereby declared as the intention of the Council Members of the Borough of Northumberland, that this Ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included.