

Chapter 5

Code Enforcement

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Part 1**Construction Code****§5-101. Pennsylvania Construction Code Act: Election to Administer and Enforce.**

1. *Title.* This Part shall be known and may be cited as the “Construction Code.” [Ord. 656]

2. *Election.* Pursuant to §501 of the Pennsylvania Construction Code Act, 35 P.S. §7210.501, as amended, the Township hereby elects to administer and enforce the provisions of the Pennsylvania Construction Code Act, 35 P.S. §7210.101 *et seq.*, as amended.

3. *Methods for Administration and Enforcement.* The Township shall administer and enforce the Pennsylvania Construction Code Act under one or more of the methods established in §501(b) of the Pennsylvania Construction Code Act, 35 P.S. §7210.501(b), as amended, as determined from time to time by resolution of the Township Board of Supervisors; provided, that any Township administration and enforcement of the Pennsylvania Construction Code Act through an agreement with one or more municipalities or the Pennsylvania Department of Labor and Industry shall be subject to the requirements of the Intergovernmental Cooperation Act, 53 Pa.C.S.A. §2301 *et seq.*, as amended.

(Ord. 564, 6/2/2004, §1; as amended by Ord. 656, 4/9/2015)

§5-102. Uniform Construction Code Adoption.

1. *Adoption of Uniform Construction Code.* For the purposes described in §102 of the Pennsylvania Construction Code Act, 35 P.S. §7210.102, as amended, and this Part, the Township hereby adopts the Uniform Construction Code, 34 Pa.Code, Part XIV, as amended, and the standardized codes adopted thereunder as promulgated by the Pennsylvania Department of Labor and Industry, as the official Construction Code of Moon Township for regulating and governing the construction, alteration, repair, movement, equipment, removal, demolition, location, maintenance, occupancy or change of occupancy of every building or structure; and each and all of the regulations, provisions, penalties, conditions and terms of said Uniform Construction Code are hereby referred to, adopted, and made apart hereof, as if fully set out in this Part, with any additions, insertions, deletions and changes, if any, prescribed in this Part. [Ord. 656]

2. *Existing Township Building Codes.* Pursuant to §303(b)(1) of the Pennsylvania Construction Code Act, 35 P.S. §7210.303(b)(1), as amended, Township building code ordinances including, but not limited to, the Township ordinances listed below, which were originally adopted prior to July 1, 1999, or reenactments of provisions of simultaneously repealed ordinances which were originally adopted prior to July 1, 1999, which contain provisions which equal or exceed the specific requirements of the regulations promulgated under the Pennsylvania Construction Code Act shall remain in effect until such time as any such provisions fail to equal or exceed the minimum requirements of the regulations promulgated under the Pennsylvania Construction

Code Act.

A. *Ord. 361*, enacted on February 12, 1992,¹ which adopted the 1990 edition of the BOCA National Building Code, the 1990 edition of the BOCA National Mechanical Code, the 1989 edition of the CABO One and Two Family Dwelling Code, the 1990 edition of the BOCA National Fire Prevention Code, the 1990 edition of the National Fire Codes and the 1990 edition of the National Electric Code, with certain modifications and revisions thereto.

B. *Ord. 390*, enacted on April 14 1993,² which adopted the 1990 edition of the BOCA National Building Code, the 1990 edition of the BOCA National Mechanical Code, the 1989 edition of the CABO One and Two Family Dwelling Code, the 1990 edition of the BOCA National Fire Prevention Code, the 1990 edition of the National Fire Codes and the 1990 edition of the National Electric Code, with certain modifications and revisions thereto.

C. *Ord. 435*, enacted on March 8, 1995,³ which adopted the 1993 edition of the BOCA National Building Code, the 1993 edition of the BOCA National Mechanical Code, the 1992 edition of the CABO One and Two Family Dwelling Code, the 1993 edition of the BOCA National Fire Prevention Code, the 1993 edition of the National Fire Codes and the 1993 edition of the National Electric Code, with certain modifications and revisions thereto.

D. *Ord. 453*, enacted on November 13, 1996,⁴ which adopted the 1996 edition of the BOCA National Building Code, the 1996 edition of the BOCA International Mechanical Code, the 1995 edition of the CABO One and Two Family Dwelling Code, 1996 edition of the BOCA National Fire Prevention Code, 1996 edition of the National Fire Codes and the 1996 edition of the National Electric Code, with certain modifications and revisions thereto.

E. *Ord. 525*, enacted September 12, 2001,⁵ which amended this Part and amended *Ord. 453* to adopt the 2000 edition of the International Building Code, the 2000 edition of the International Residential Code, the 2000 edition of the International Fire Code, the 1999 edition of the National Fire Codes and the 1999 edition of the National Electric Code, with certain modifications and revisions thereto.

(*Ord. 564*, 6/2/2004, §1; as amended by *Ord. 618*, 3/28/2007, §1; and by *Ord. 656*, 4/9/2015)

§5-103. Uniform Construction Code Modification.

The following Sections and subsections of the above-referenced Uniform Construc-

¹ Editor's Note: *Ord. 361*, 2/12/1992, is included as Exhibit 5-1-A.

² Editor's Note: *Ord. 390*, 4/14/1993, is included as Exhibit 5-1-B.

³ Editor's Note: *Ord. 435*, 3/8/1995, is included as Exhibit 5-1-C.

⁴ Editor's Note: *Ord. 453*, 11/13/1996, is included as Exhibit 5-1-D.

⁵ Editor's Note: *Ord. 525*, 9/12/2001, is included as Exhibit 5-1-E.

tion Code and standardized codes adopted thereunder are hereby added, inserted, deleted, restated or changed as set forth below: [Ord. 656]

A. *International Building Code.*

(1) *Section 1612.3*: §1612.3 is amended by inserting “Moon Township” in the first space provided, and by inserting “September 21, 2001,” in the second space provided.

(2) *Section 3412.2*: §3412.2 is amended by inserting “February 4, 1966 [Ord. 145]” in the space provided. [Ord. 656]

[Ord. 618]

B. *International Energy Conservation Code.*

(1) *Section 101.1*: §101.1 is amended by inserting “Commonwealth of Pennsylvania” in the space provided.

(2) *Section 108.4*: §108.4 is restated in its entirety as follows:

108.4 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 violation penalties pursuant to §5-106 of the Moon Township Code of Ordinances (Violations and Penalties).

[Ord. 656]

(3) *Section 109*: §109 is restated in its entirety as follows: “See §5-105 of the Moon Township Code of Ordinances (Board of Appeals).” [Ord. 656]

C. *International Existing Building Code.*

(1) *Section 101.1*: §101.1 is amended by inserting “Commonwealth of Pennsylvania” in the space provided.

(2) *Section 112*: §112 is restated in its entirety as follows: “See §5-105 of the Moon Township Code of Ordinances (Board of Appeals).” [Ord. 656]

(3) *Section 1301.2*: §1301.2 is amended by inserting “February 4, 1966 [Ord. 145]” in the space provided. [Ord. 618]

D. *International Fire Code.*

(1) *Section 101.1*: §101.1 is amended by inserting “Commonwealth of Pennsylvania” in the space provided.

(2) *Section 108*: §108 is restated in its entirety to include the following reference: “See §5-105 of the Moon Township Code of Ordinances (Board of Appeals).” [Ord. 656]

(3) *Section 109.3*: §109.3 is restated in its entirety as follows:

109.3 Violation penalties. See §5-106 of the Moon Township Code of Ordinances (Violations and Penalties).

[Ord. 656]

(4) *Section 111.4*: § 111.4 is restated in its entirety as follows:

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 violation penalties pursuant to §5-106 of the Moon Township Code of Ordinances (Violations and Penalties).

[*Ord. 656*]

(5) *Section 3404.2.9.6.1*: §3404.2.9.6.1 is amended by inserting the following text in the space provided: “Storage limits shall be in accordance with NFPA 30, Flammable and Combustible Liquids Code, as revised.” [*Ord. 656*]

(6) *Section 3406.2.4.4*: §3406.2.4.4 is amended by inserting the following text in the space provided: “Storage limits shall be in accordance with NFPA 30, Flammable and Combustible Liquids Code, as revised.” [*Ord. 656*]

(7) *Section 3506.2*: §3506.2 is amended by inserting the following text as the last sentence: “Storage limits shall be in accordance with NFPA 55, Standard for Storage, Use and Handling of Compressed Gasses and Cryogenic Fluids in Portable and Stationary Containers, Cylinders and Tanks, as revised.” [*Ord. 656*]

(8) *Section 3804.2*: §3804.2 is amended by inserting the following text in the space provided: “Storage limits shall be in accordance with NFPA 59A, Standard for the Production, Storage, and Handling of Liquefied Natural Gas (LNG) (US Standards), as revised.” [*Ord. 656*]

E. *International Fuel Gas Code.*

(1) *Section 101.1*: §101.1 is amended by inserting “Commonwealth of Pennsylvania” in the space provided.

(2) *Section 106.6.2*: §106.6.2 is restated as follows:

106.6.2 Fee Schedule. Fees for applications, permits and inspections referenced in this code shall be established, from time to time, by resolution of the Board of Supervisors of the Township.

[*Ord. 656*]

(3) *Section 106.6.3*: §106.6.3 is deleted in its entirety. [*Ord. 656*]

(4) *Section 108.4*: §108.4 is restated in its entirety as follows:

108.4 Violation penalties. See §5-106 of the Moon Township Code of Ordinances (Violations and Penalties).

[*Ord. 656*]

(5) *Section 108.5*: §108.5 is amended to restate the last sentence as follows: “Any person who shall continue any work on the system 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 violation penalties pursuant to §5-106 of the Moon Township Code of Ordinances (Violations and Penalties).” [*Ord. 656*]

(6) *Section 109*: §109 is restated in its entirety to include the following reference: “See §5-105 of the Moon Township Code of Ordinances (Board of Appeals).” [*Ord. 656*]

F. *International Mechanical Code.*

(1) *Section 101.1*: §101.1 is amended by inserting “Commonwealth of Pennsylvania” in the space provided.

(2) *Section 106.5.2*: §106.5.2 is restated as follows:

106.5.2 Fee Schedule. Fees for applications, permits and inspections referenced in this code shall be established, from time to time, by resolution of the Board of Supervisors of the Township.

(3) *Section 106.5.3*: §106.5.3 is deleted in its entirety.

(4) *Section 108.4*: §108.4 is restated in its entirety as follows:

108.4 Violation penalties. See §5-106 of the Moon Township Code of Ordinances (Violations and Penalties).

[*Ord. 656*]

(5) *Section 108.5*: §108.5 is amended by restating the last sentence as follows: “Any person who shall continue any work on the system 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 violation penalties pursuant to §5-106 of the Moon Township Code of Ordinances (Violations and Penalties).” [*Ord. 656*]

(6) *Section 109*: §109 is restated in its entirety to include the following reference: “See §5-105 of the Moon Township Code of Ordinances (Board of Appeals).” [*Ord. 656*]

G. *International Plumbing Code* (subject to the restrictions of §501(a.1) of the Pennsylvania Construction Code Act, 35 P.S. §7210.501(a.1), as amended). [*Ord. 618*]

(1) *Section 101.1*: §101.1 is amended by inserting “Commonwealth of Pennsylvania” in the space provided.

(2) *Section 106.6.2*: §106.6.2 is restated as follows:

106.6.2 Fee Schedule. Fees for applications, permits and inspections referenced in this code shall be established, from time to time, by resolution of the Board of Supervisors of the Township.

(3) *Section 106.6.3*: §106.6.3 is deleted in its entirety.

(4) *Section 108.4*: §108.4 is restated in its entirety as follows:

108.4 Violation penalties. See §5-106 of the Moon Township Code of Ordinances (Violations and Penalties).

[*Ord. 656*]

(5) *Section 108.5*: §108.5 is amended by restating the last sentence as follows: “Any person who shall continue any work on the system 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 violation penalties pursuant to §5-106 of the Moon Township Code of Ordinances (Violations and Penalties).” [*Ord. 656*]

(6) *Section 109*: §109 is restated in its entirety to include the following reference: “See §5-105 of the Moon Township Code of Ordinances (Board of Appeals).” [*Ord. 656*]

(7) *Section 305.6.1*: §305.6.1 is amended by inserting “36 inches” in the spaces provided.

(8) *Section 904.1*: §904.1 is amended by inserting “12 inches” in the spaces provided.

H. *International Residential Code*.

(1) *Section R101.1*: §R101.1 is amended by inserting “Commonwealth of Pennsylvania” in the space provided.

(2) *Section R108.5*: §108.5 is deleted in its entirety.

(4) *Section R112*: §R112 is restated in its entirety to include the following reference: “See §5-105 of the Moon Township Code of Ordinances (Board of Appeals).” [Ord. 656]

(5) *Table R301.2(1)*: Table R301.2(1), Climatic and Geographic Design Criteria, is amended by inserting the following information in the spaces provided:

(a) Ground snow load: “25 inches”

(b) Wind design:

1) Speed: “90 mph”

2) Topographic effects: “No”

[Ord. 656]

(c) Seismic design category: “B”

(d) Subject to damage from:

1) Weathering: “Severe”

2) Frost line depth: “36 inches”

3) Termite: “Moderate to heavy”

[Ord. 618]

(e) Winter design temperature: “5 degrees Fahrenheit”

(f) Ice barrier underlayment required: “Yes” [Ord. 618]

(g) Flood hazards:

1) “August 15, 1979 (Ord. 213) [§8-101 et seq.]” [Ord. 656]

2) “October 4, 1995, as amended or revised.” [Ord. 656]

3) “Community Panel Numbers 42003C 0145, 0161, 0162, 0163, 0164, 0166, 0168, 0169, 0301, 0302, 0304, 0306, 0307, 0308 and 0309.” [Ord. 656]

(h) Air freezing index: “1500 or less” [Ord. 656]

(i) Mean annual temperature: “50.5 degrees Fahrenheit”

(6) *Section P2603.6.1*: §P2603.6.1 is amended by inserting “36 inches” in the spaces provided.

[Ord. 618]

I. *International Wildland-Urban Interface Code*. [Ord. 656]

(1) *Section 101.1*: §101.1 is amended by inserting “Commonwealth of Pennsylvania” in the space provided.

(2) *Section 103*: §103 is restated in its entirety to include the following

reference: “See §5-104 of the Moon Township Code of Ordinances (Township Building Code Official).” [Ord. 656]

(3) *Section 106*: §106 is restated in its entirety to include the following reference: “See §5-105 of the Moon Township Code of Ordinances (Board of Appeals).” [Ord. 656]

(4) *Section 109.4.7*: §109.4.7 is restated in its entirety as follows:

109.4.7 Violation penalties. See §5-106 of the Moon Township Code of Ordinances (Violations and Penalties).

[Ord. 656]

(5) *Section 114.4*: §114.4 is restated in its entirety as follows:

114.4 Failure to comply. Any person who shall continue any work on the system 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 violation penalties pursuant to §5-106 of the Moon Township Code of Ordinances (Violations and Penalties).

[Ord. 656]

(Ord. 564, 6/2/2004, §1; as amended by Ord. 618, 3/28/2007, §2; and by Ord. 656, 4/9/2015)

§5-104. Township Building Code Official.

The Pennsylvania Construction Code Act, 35 P.S. §7210.101 *et seq.*, as amended, and the Uniform Construction Code, 34 Pa.Code Part XIV, as amended, shall govern the Building Code Official employed and/or retained by the Township to administer and enforce the Pennsylvania Construction Code Act and the Uniform Construction Code (the “Township Building Code Official”) and shall be further supplemented as follows:

A. *Delegation of Duties*. The Township Building Code Official shall not, without the prior approval of the Township Manager, or his designee, or the Township Board of Supervisors, or its designee: [Ord. 656]

(1) Appoint, retain or otherwise employ a deputy building official, related technical officers, inspectors, plan examiners or other employees.

(2) Delegate his/her duties to a construction code official or current code administrator.

B. *Records*. The Township Building Code Official shall keep official records of applications received, permits and certifications issued, fees collected, reports of inspections, and notices, modifications and orders issued. Such records shall be maintained as official records of the Township and shall only be disposed of in accordance with applicable law.

(Ord. 564, 6/2/2004, §1; as amended by Ord. 656, 4/9/2015)

§5-105. Board of Appeals.

The Pennsylvania Construction Code Act, 35 P.S. §7210.101 *et seq.*, as amended, and the Uniform Construction Code, 34 Pa.Code Part XIV, as amended, shall govern the Township Board of Appeals established pursuant to §501(c) of the Pennsylvania Construction Code Act, 35 P.S. §7210.501(c), as amended, and shall be further

supplemented as follows:

A. *Application for Appeal.* Any applicant or person aggrieved by a decision of a Township official related to the Uniform Construction Code or a notice or order issued under the Uniform Construction Code shall have the right to appeal to the Board of Appeals of Moon Township established under this Section, provided that a written application for an appeal is filed within 10 days after receipt of said decision, notice or order, along with payment of an appeal hearing fee in an amount set from time to time by resolution of the Township Board of Supervisors. An application for appeal shall be based on a claim that the true intent of the Pennsylvania Construction Code Act, or the Uniform Construction Code, or this Part, or the rules legally adopted thereunder has been incorrectly interpreted, the provisions of the Pennsylvania Construction Code Act, or the Uniform Construction Code, or this Part do not fully apply, or an equivalent form of construction is to be used. Failure to submit an application for appeal within the time limit established by this Section shall constitute acceptance of the Township official's decision and/or a waiver of the individual's right to appeal.

B. *Establishment.* In order to hear and decide appeals of orders, decisions or determinations made by Township officials relative to the application and interpretation of the Pennsylvania Construction Code Act and the Uniform Construction Code, as well as requests for variances or extensions of time thereunder, there shall be and is hereby created a Board of Appeals for Moon Township pursuant to §501(c) of the Pennsylvania Construction Code Act, 35 P.S. §7210.501(c), as amended.

C. *Membership.* The Township Board of Appeals shall consist of three persons appointed by the Township Board of Supervisors to hold office at the pleasure of the Township Board of Supervisors. Each member of the Board of Appeals shall be appointed for a term of 3 years or until his/her successor is appointed and qualified, which term shall expire on the first Monday of January of the year designated for the expiration of his/her term, except that the terms of the members first appointed pursuant to this Part shall be so fixed so that the term of office of one member shall expire each year. An appointment to fill a vacancy shall be only for the unexpired term.

D. *Alternate Members.* The Township Board of Supervisors shall appoint two alternate members who shall be called to hear appeals during the absence or disqualification of a member. Alternate members shall possess the qualifications required for Board membership and shall be appointed for a term of 2 years or until his/her successor is appointed and qualified, which term shall expire on the first Monday of January of the year designated for the expiration of his/her term, except that the terms of the alternate members first appointed pursuant to this Part shall be so fixed so that the term of office of one alternate member shall expire each year. An appointment to fill a vacancy shall be only for the unexpired term.

E. *Qualifications.* Each member or alternate member of the Board of Appeals shall satisfy the following qualifications:

- (1) A member of the Board of Appeals shall be qualified pursuant to the requirements of §403.121(c)(1) of the Uniform Construction Code, 34 Pa.Code §403.121(c)(1), as amended.

(2) Members of the Township Board of Supervisors and its code administrators shall not serve on the Board of Appeals pursuant to §403.121(c)(3) of the Uniform Construction Code, 34 Pa.Code §403.121(c)(3), as amended.

(3) A qualified person who resides outside of the Township may be appointed as a member of the Board of Appeals when the Township Board of Supervisors cannot find a person residing within the Township who satisfies the requirements of §403.121(c) of the Uniform Construction Code, 34 Pa.Code §403.121(c), as amended.

F. *Regulations and Procedures.* The Board of Appeals is authorized to establish policies and procedures necessary to carry out its duties as long as any such policies and procedures do not conflict with the provisions of the Pennsylvania Construction Code Act, the Uniform Construction Code, this Part, Code or any ordinance of the Township.

G. *Organization of Board.*

(1) The Board of Appeals shall elect from its own membership a chairperson, vice-chairperson and such other officers as it deems appropriate, who shall serve annual terms as such and may succeed themselves. For the conduct of any hearing or meeting and the taking of any action, a quorum shall be not less than a majority of all the regular members of the Board.

(2) If, by reason of absence or disqualification of a member, a quorum is not reached, the chairperson of the Board of Appeals shall designate as many alternate members of the Board to sit on the Board as may be needed to provide a quorum. Any alternate member of the Board shall continue to serve on the Board in all proceedings involving the matter or case for which the alternate was initially appointed until the Board has made a final determination of the matter or case. Designation of an alternate pursuant to this Section shall be made on a case-by-case basis.

(3) The Board shall keep full public records of its business, which records shall be the property of the Township, and shall submit a report of its activities to the Township Board of Supervisors as requested.

H. *Secretary of the Board.* The Township Manager, or his designee, shall act as secretary to the Board of Appeals. The secretary shall file a detailed record of all proceedings in the Township Manager's office.

I. *Hearing Procedures.* Where a hearing is required to be held before the Board of Appeals pursuant to the Pennsylvania Construction Code Act, 35 P.S. §7210.101 *et seq.*, as amended, or the Uniform Construction Code, 34 Pa.Code, Part XIV, as amended, such hearing shall be open to the public. The appellant, the appellant's representative, the Township's representative and any applicant or person aggrieved pursuant to paragraph .A above shall be given the opportunity to be heard. The chairperson of the Board of Appeals, or its counsel, shall have the power and duty to direct the meeting, rule upon the acceptance of evidence and oversee the record of all proceedings. These hearing procedures shall not require compliance with the strict rules of evidence, but shall mandate that only relevant information be received. [Ord. 656]

J. *Jurisdiction and Powers.* The Board of Appeals shall have the powers and duties as provided by the Pennsylvania Construction Code Act, 35 P.S. §7210.101

et seq., as amended, the Uniform Construction Code, 34 Pa.Code Part XIV, as amended, this Part and any other ordinances adopted from time to time by the Township Board of Supervisors.

K. *Assignment of Additional Duties and Responsibilities.* The Board of Appeals shall have such other duties and responsibilities as may be assigned to it from time to time by appropriate action of the General Assembly of the Commonwealth of Pennsylvania or the Township Board of Supervisors.

(*Ord. 564, 6/2/2004, §1; as amended by Ord. 656, 4/9/2015*)

§5-106. Violations and Penalties.

1. *General.* Any person who violates a provision of the Uniform Construction Code or the codes adopted thereunder, or this Part, or who fails to comply with any of the requirements thereof, or who erects, installs, alters, repairs or does work in violation of the approved construction documents or directive of the Code Official, or of a permit or certificate issued under provisions of the Uniform Construction Code or the codes adopted thereunder, or this Part, shall be guilty of a summary offense and subject to such penalties and costs as established in §903 of the Pennsylvania Construction Code Act, 35 P.S. §7210.903, as amended, including reasonable attorney fees incurred by the Township. A separate offense shall arise for each day or portion thereof in which a violation is found to exist and for each section of the Uniform Construction Code, or the codes adopted thereunder, or this Part, found to have been violated. The Township may also commence appropriate actions in equity, at law or other to prevent, restrain, correct, enjoin, or abate violations of the Uniform Construction Code, the codes adopted thereunder, or this Part. Any action taken by the Township in the prosecution of a violation of the Uniform Construction Code, the codes adopted thereunder, or this Part and any costs incurred by the Township related thereto shall be charged against the real estate upon which the violation exists and shall be a municipal lien upon such real estate. [*Ord. 656*]

2. *Stop-Work Order.* Any person who continues any work after having been served with a stop-work order under the Uniform Construction Code, or the codes adopted thereunder, or this Part, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be guilty of a summary offense and subject to such penalties as established in §903 of the Pennsylvania Construction Code Act, 35 P.S. §7210.903, as amended. A separate offense shall arise for each day or portion thereof in which a violation is found to exist or for each section of the Uniform Construction Code, or the codes adopted thereunder, or this Part, found to have been violated. Any action taken by the Township in the prosecution of a violation of the Uniform Construction Code, the codes adopted thereunder, or this Part and any costs incurred by the Township related thereto shall be charged against the real estate upon which the violation exists and shall be a municipal lien upon such real estate.

(*Ord. 564, 6/2/2004, §1; as amended by Ord. 656, 4/9/2015*)

§5-107. Permit Hours.

The operation of heavy construction/excavation machinery (including, but not limited to, bulldozers, highlifts, backhoes, trucks, power shovels, pumps and jack hammers) and the use of construction equipment such as saws, drills or other types of

machinery used outside a structure in conjunction with work requiring a building permit shall be prohibited when it is determined by the Township Building Code Official that the noise is sufficient to disturb the peace and tranquility of the general public. This restriction shall be enforced throughout the entire Township between the hours of 9 p.m. to 7 a.m., Mondays through Saturday and all day Sunday and federally designated legal holidays, except: (1) in cases of emergencies involving life or property as designated by emergency personnel; and/or (2) in cases approved by the Township Building Code Official where it is determined by the Township Building Code Official that the noise will not disturb the peace and tranquility of the general public.

(Ord. 564, 6/2/2004, §1; as amended by Ord. 656, 4/9/2015)

§5-108. More Restrictive Provisions to Apply.

Unless otherwise provided in the Pennsylvania Construction Code Act, or the Uniform Construction Code, or otherwise stated herein, when the provisions of this Part are in conflict with other ordinances of the Township or any other applicable codes, the more stringent code or ordinance shall apply.

(Ord. 564, 6/2/2004, §1; as amended by Ord. 656, 4/9/2015)

Exhibit 5-1-A

TOWNSHIP OF MOON

ORDINANCE #361

AN ORDINANCE ESTABLISHING MINIMUM REGULATIONS GOVERNING THE DESIGN, CONSTRUCTION, ALTERATION, ENLARGEMENT, REPAIR, DEMOLITION, REMOVAL, MAINTENANCE AND USE OF ALL BUILDINGS AND STRUCTURES; PROVIDING FOR THE ISSUANCE OF PERMITS, COLLECTION OF FEES, MAKING OF INSPECTIONS; PROVIDING PENALTIES FOR THE VIOLATION THEREOF; KNOWN AS THE BUILDING CODE, AND REPEALING EXISTING ORDINANCE #292 OF THE TOWNSHIP OF MOON, ALLEGHENY COUNTY, PENNSYLVANIA.

BE IT ORDAINED and enacted by the Board of Supervisors of the Township of Moon, Allegheny County, Pennsylvania (hereinafter called the Township) as follows:

ARTICLE I. ADOPTION OF BUILDING CODE.

Those certain documents, three (3) copies each of which are on file in the Administrative Office of the Township, being marked and designated as:

- A. BOCA National Building Code/1990, Eleventh Edition, as published by the Building Officials & Code Administrators International, Inc.
- B. BOCA National Mechanical Code/1990, Seventh Edition, as published by the Building Officials & Code Administrators International, Inc.
- C. CABO, One and Two Family Dwelling Code/1989 Edition, as published by the Building Officials & Code Administrators International, Inc.

- D. BOCA National Fire Prevention Code/1990, Eighth Edition, as published by the Building Officials & Code Administrators International, Inc.
- E. National Fire Codes/1990, as published by the National Fire Protection Association, also known as NFPA
- F. National Electric Code/1990, as published by the National Fire Protection Association also known as NFPA 70

and are hereby adopted together with all appendices and shall be known as the Building Code of the Township of Moon, Allegheny County, Pennsylvania. The purpose of the adoption of these codes is to regulate the construction and use of new and existing buildings and structures and to protect the health, safety and welfare of the Moon Township residents and businesses and other persons utilizing these buildings and structures. All of the provisions, regulations, penalties, conditions and terms in the aforementioned codes are hereby referred to, adopted and made a part hereof as if fully set out in this Ordinance, with the amendments, insertions, and deletions as prescribed in Article III of this Ordinance.

ARTICLE II. INCONSISTENT ORDINANCES REPEALED.

That Ordinance Number 292 of the Township of Moon entitled The Building Code and all other ordinances or parts of ordinances in conflict herewith are hereby repealed.

ARTICLE III. MODIFICATIONS MADE TO THE ADOPTED CODES

Additions, insertions and deletions are hereby made to those certain documents listed in Article I as A. through F.

III A. The BOCA National Building Code/1990, Eleventh Edition, as published by the Building Officials & Code Administrators International, Inc., is hereby modified as follows:

ARTICLE 1 ADMINISTRATION AND ENFORCEMENT

SECTION 100.0 SCOPE

- 100.1 Title: These regulations shall be known as the Building Code of the Township of Moon hereinafter referred to as "this Code".
- 100.2 Scope: This Code shall control all matters concerning the construction, alteration, addition, repair, removal, demolition, use, location, occupancy and maintenance of all buildings and structures and shall apply to existing or proposed buildings and structures and their appurtenant constructions, including vaults, area and street projections, and accessory additions; and shall apply with equal force to municipal, county, state, federal, and private buildings; except as such matters are otherwise provided for in other ordinances or statutes, or in the rules and regulations authorized for promulgation under the provisions of this Code. This Code is available at cost from the office of Building Inspector and Code Administrator.

SECTION 103.0 EXISTING STRUCTURES

- 103.4 Rehabilitation: Buildings existing prior to August 9, 1977, in which there is work involving repairs, alterations, additions or changes of use, shall be made to conform to the code by applying the requirements of the provisions of Articles 2 through 31 of the BOCA National Building Code/1990 and all other codes hereunder adopted.

SECTION 108.0 PROFESSIONAL ARCHITECTURAL
& ENGINEERING SERVICES

108.3 Architect/Engineer Letter Required: When a permit or certificate is sought from the Building Inspector/Code Administrator for any construction except single family dwellings and its accessory structures, a letter bearing an Architect's or Engineer's signature and seal shall be submitted with any plans he/she prepared (Section 108.1) stating that the building has been designed to meet or exceed the Township's adopted Building Code and shall attach all supportive documents.

SECTION 109.0 DEPARTMENT OF BUILDING INSPECTION

109.7 Official Record: An official record shall be kept of all business and activities of the office of Building Inspection/Code Administration and those public records will be available for public review and inspection during normal business hours.

109.8 Creation of the Office of Code Administration: There is hereby created by the Township Board of Supervisors an office of the Township to be known as the "Office of Building Inspection/Code Administration". Said office and its staff shall be under the direction of the Township Manager or his designee and shall have the responsibility to administer and enforce this Ordinance and of those other codes and/or Ordinances of the Township (herein referred to as the applicable Codes and Ordinances), which designate said Office of Building Inspection/Code Administration as their Official Administration and Enforcement Agency.

109.8.1 Office of Building Inspection/Code Administration: The administration and enforcement of this Ordinance shall, to the extent these various Codes have been adopted by the Township, be carried out by the Office of Building Inspection/Code Administration in accordance with the procedures established by this Building Code Ordinance of the Township. This Building Code Ordinance provides for certain powers and duties of a Building Inspector/Code Administrator, for the creation of a Board of Appeals, and for procedures relative to applications, fees, permits, inspections, appeals, penalties, and other matters.

109.9 Appointment of a Code Administration Officer:
There shall be appointed by the Board of Supervisors, a Building Inspector/Code Administrator who shall be in charge of the Office of Building Inspection/Code Administration of the Township. The Board of Supervisors may appoint and contract with outside persons and entities to serve as subcontractors for the performance of such portions of the inspection or other duties of the Office of Code Administration as the Board of Supervisors may deem appropriate. The Building Inspector/Code Administrator shall supervise subcontractors and such other employees or assistants as shall be necessary for the administration and execution of the responsibilities of said Office, as appointed and approved by the Board of Supervisors. Said Building Inspector/Code Administrator and other personnel shall be appointed and compensated by the Township.

109.10 Fire Chief: The Fire Chief of the Township has been established as an authorized representative of the Office of Building Inspection/Code Administration of the Township and shall enforce and administer all of the provisions of fire prevention and fire protection system(s) requirements provided for in this Ordinance.

SECTION 110.0 DUTIES AND POWERS OF
THE CODE OFFICIAL

110.9 Enforcement of the Building Inspector/Code Administrator: The Building Inspector/Code Administrator shall enforce and administer all of the provisions of this Ordinance and of those other applicable Codes and Ordinances which establish the Office of Building Inspection/Code Administration as their official administration and enforcement agency within the Township.

- 110.10 Duties of Building Inspector/Code Administrator: The duties of the Building Inspector/Code Administrator shall include the receipt of applications, the issuance of permits, notices, certificates and orders, the making of inspections to determine conformance with applicable Codes and Ordinances, the undertaking of systematic inspection programs, the undertaking of research and investigations, the recommendation of appropriate administrative rules, the keeping of records, the issuance of written annual reports and such other activities as may be required.

SECTION 111.0 APPLICATION FOR PERMIT

- 111.2 Permit Application: An application for a permit shall be required in accordance with the provisions of those applicable Codes and Ordinances which the office of Building Inspection/Code Administration has the responsibility to administer. Said application shall be submitted in such form as may be prescribed by the Building Inspector/Code Administrator and shall be accompanied by any fee or fees established by the Board of Supervisors by Resolution.
- 111.6.2 Filling, Grading and Drainage: When an application for a building permit is submitted, the applicant shall show in detail any proposed cuts, fills, changes of grades, and existing watercourses, drains or ditches and shall show any proposed changes in same. No permit shall be issued if the cut, fill, change of grade or change of watercourse drain or ditch will cause a dangerous or unhealthy condition, or will cause damage to adjoining properties or public rights of way, or create a public or private nuisance.
- 111.10 Other Permits Required: At the time of filing an application for a permit, the applicant shall present to the Building Inspector/Code Administrator evidence that he has obtained all necessary permits, licenses, approvals and/or variances as may be required by the laws of the Township, County and the Commonwealth. Individuals, Agencies, Boards and Commissions issuing aforesaid permits, licenses, approvals and/or variances shall include but not be limited to the Zoning Officer, Zoning Hearing Board, Moon Township Municipal Authority, Planning Director, Moon Township Planning Commission, Moon Township

Board of Supervisors, the Fire Chief, the Allegheny County Fire Marshal, the Allegheny County Department of Planning, the Allegheny County Health Department Plumbing Division, Allegheny County Health Department, Allegheny County Department of Aviation, the Pennsylvania Department of Labor & Industry, Pennsylvania Department of Community Affairs, Pennsylvania Department of Transportation, Pennsylvania Department of Environmental Resources, Federal Emergency Management Act, Federal Aviation Administration and the National Oceanic & Atmospheric Administration.

111.12 Street Numbers: Any building or structure to which a street number has been assigned shall have the number displayed in a location near the entrance of the building or structure, easily observed and readable from the public right-of-way. The minimum size (height) of the street number shall be 3" for residential building or structures and 5" for commercial buildings and structures.

SECTION 112.0 PERMITS

112.1 Action of Application: The Building Inspector/Code Administrator shall examine said application to determine compliance with all those applicable Codes and Ordinances of the Township and shall, within forty-five (45) days after the filing of an application, either approve or reject said application. If said application is rejected, the Building Inspector/Code Administrator shall inform the applicant in writing, stating the reasons for such rejection. Failure to provide all required documentation or information shall be cause for rejection.

SECTION 113.0 CONDITIONS OF PERMIT

113.6 Curbs, Gutters, Rights-of-Way: No change shall be permitted in the grade or contour of any street right-of-way, nor shall there be any alteration of any gutter, curbing, drainage ditch or storm sewer. Connections to storm sewers shall be done only by permit. No hedges, fences or other obstructions shall be permitted within the rights-of-way of street so as to impair vision or interfere with pedestrian traffic. Vehicles and equipment shall

be taken into lots at the place where the driveway is located and shall not run over curbing or gutters.

113.7 Removal of Dirt, Mud and Debris from Roads:

Measures shall be taken to prevent or inhibit the deposit of dirt, mud, soil, clay and debris from being washed, tracked or otherwise deposited upon the pavement of any street or sidewalk. Any dirt, mud, soil, or debris deposited upon any street shall be removed immediately so as not to create any traffic safety hazard. In the event of a failure to comply with the foregoing requirements, the Building Inspector/Code Administrator, in his/her sole discretion, in addition to any fines that may be imposed, may require that there shall be installed a driveway of red dog, cinders or of slag or other composition from the street to the building line, and traffic from the street onto the premises shall be limited to the driveway. Persons subject to these penalties are the general contractor, the sub-contractors whose actions created the safety hazard, and individuals to whom the appropriate permit has been issued.

113.8 Landscaping: Any portion of the premises left in its natural state and not disturbed during construction shall be kept free of junk, debris, dangerous or noxious matter, or other matter which threatens the health, safety and welfare of the public. The minimum requirements for landscaping, either grass, ground cover or other landscaping required by the Township, shall be completed and growing within six months after completion of the building or structure. Until ground cover is established, soil erosion controls must be maintained.

113.9 Building Permit Expiration: A building permit shall be effective for a period of one year, providing for an extension that shall be requested in writing and such extension may be granted for a period of six (6) months by the Building Inspector/Code Administrator for good reason.

113.10 Demolition Permit Expiration: Demolition permits shall be good for six (6) months.

113.11 Permit Hours: The operation of heavy CON-
STRUCTION or excavation machinery, including but
not limited to bulldozers, highlifts, backhoes,
trucks, power shovels, pumps and jackhammers, and
the operation of equipment, such as saws and drills
or any other type of machinery used outside a
STRUCTURE in conjunction with work requiring a
building permit which is included to cause a noise
sufficient to disturb the peace and general
tranquility of the general public or any portion
thereof shall be prohibited in the entire Township
between the hours of 9:00 p.m. and 7:00 a.m.,
Monday through Saturday, and all day Sunday and on
federally designated legal holidays.

SECTION 114.0 FEES

114.3.1 Fee Schedules: Fee schedules for permits,
certificates, plan examinations, etc. shall be
determined by the Township Board of Supervisors by
Resolution.

114.7 Reinspection Fee: A reinspection fee may be
charged to the permit holder if the violation(s)
noted on previous inspection are not brought into
compliance and the inspector is called to reinspect
and the findings are such that a third inspection
of the same violation must be called for. Prior to
the third inspection of the same violation, the
fee, as established by the Board of Supervisors by
resolution, shall be paid at the Township
Administrative offices. A reinspection fee shall
be paid for any subsequent inspections for the same
violation.

SECTION 115.0 INSPECTION

115.4 Right-of-Entry: In the discharge of duties, the
Building Inspector/Code Administrator or authorized
representative, upon showing proper identification,
shall have the authority to enter at any reasonable
hour any property, building, structure or premises
in the Township to enforce the provisions of this
Ordinance and of those other applicable Codes and
Ordinances and to make appropriate inspections
pursuant to those Codes and Ordinances. The
assistance and cooperation of all other Township

officials, including police and fire departments, shall be available to the Building Inspector/Code Administrator to assist in the performance of his/her duties and in securing right-of-entry.

The owner, operator, or occupant or other persons in charge of any property, structure or premises shall give the Building Inspector/Code Administrator entry and free access thereto and to every part of the structure and to the premises surrounding the structure.

If any owner, operator or occupant or other person in charge fails or refuses to permit entry and free access to the property, structure or premises under his control, or to any part thereof, with respect to any authorized inspection the Building Inspector/Code Administrator may file a complaint charging a violation of this section of this Ordinance and in addition may petition for and obtain an order directing compliance with the inspection requirements of this Ordinance from a court of competent jurisdiction. Any person who refuses to comply with any order or decision issued pursuant to this section shall be subject to such penalties as hereinafter set forth and as may be authorized by law for violation of a court order.

SECTION 116.0 WORKMANSHIP

116.2 Exterior Finish To Grade: The exterior finish of the building, whether finished face brick, veneer, siding or any other materials approved by the Building Inspector/Code Administration Officer, shall come down the building to within six (6") inches of grade. Masonry block shall not be considered a finished product.

SECTION 117.0 VIOLATIONS

117.4 Violation Penalties: Any person who shall violate a provision of this Ordinance 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 of the building official, or of a permit or certificate issued under the provisions of this Ordinance, shall be guilty of a misdemeanor

punishable by a fine of not less than \$300.00 or more than \$1,000.00 or by imprisonment not exceeding thirty (30) days, or both such fine and imprisonment. Each day that a violation continues shall be deemed a separate offense. Further, the Building Inspector/Code Administrator may require that an offending structure be removed or demolished at the expense of the erector or owner.

SECTION 118.0 STOP WORK ORDER

118.2 Unlawful Continuance: Any person who shall continue any work in or about the structure 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 conditions, shall be liable to a fine of not less than \$300.00 or more than \$1,000.00. Further, the work performed following the issuance of the stop work order shall be removed at the expense of the erector or owner, if in his/her discretion the Building Inspector/Code Administrator shall so determine for code compliance reasons.

SECTION 119.0 CERTIFICATE OF USE & OCCUPANCY

119.5.1 Temporary Occupancy Time Limit: Temporary Occupancy Certificates may be issued for a period of time to be determined by the Building Inspector/Code Administrator or Township Engineer, but in no event for more than ninety (90) consecutive days.

119.6 Contents of Certificate: When a building or structure is entitled thereto, the code official shall issue a certificate of use and occupancy within ten days after written application. The certificate shall certify compliance with the provisions of this code and the purpose for which the building or structure will be used in its several parts. The certificate of use and occupancy shall specify any special stipulations and conditions of the building permit.

119.7 Additional Certificates of Approval: There may be additional certificates of approval by others that are required by law, ordinance, resolution or regulation and must be complied with before a building permit or Certificate of Occupancy, as appropriate, shall be issued.

119.8 PA Department of Labor & Industry: PA Department of Labor & Industry occupancy certificate must be obtained for non-residential, assembly and all other classes of buildings as outlined in the Commonwealth of Pennsylvania Department of Labor & Industry Fire and Panic Regulations; however, the building shall not be occupied until a Certificate of Use & Occupancy is obtained from the Township.

SECTION 123.0 BOARD OF SURVEYS

123.3 Compensation of the Board of Surveys: The third party member of the Board shall receive for services rendered, a fee to be paid by the appellant.

SECTION 124.0 MEANS OF APPEAL

124.1 Application for Appeal: The owner of a building or structure or any other person with a material interest in the matter may appeal to the Board of Appeals from a decision of the Building Inspector/Code Administrator granting or refusing to grant a modification to the provisions of this Code covering the manner of construction or materials to be used in the erection, alteration or repair of a building or structure. Application for appeal shall be based on a claim that the true intent of this Code or the rules legally adopted hereunder have been incorrectly interpreted, the provisions of the Code do not fully apply, or an equally good or better form of construction can be used. The appeal must be perfected, in writing, on the required form, no later than thirty (30) calendar days following the decision being issued by the Building Inspector/Code Administrator.

- 124.2 Membership of the Board: The Board of Appeals shall consist of five (5) residents of Moon Township approved by a majority of the Moon Township Board of Supervisors as follows: one for five years, one for four years, one for three years, one for two years, and one for one year. Thereafter, each new member shall serve for five years or until a successor has been appointed.
- 124.2.1 Qualifications: Each member shall be a licensed professional engineer or architect; or have considerable experience in the building construction trade; or have a working knowledge of the construction industry. Not more than two members shall be from the same profession or occupation.
- 124.2.5 Secretary: The Township Manager, or his designee, shall act as Secretary to the Board. The Secretary shall file a detailed record of all proceedings in the Manager's office.
- 124.2.7 Functions and Duties: The Board of Appeals shall hold meetings, keep minutes, and pursuant to notice, shall conduct hearings, compel the attendance of witnesses, take testimony under oath, and render decisions in writing, all as required by law. A fee shall be charged in accordance with a schedule fixed by resolution for any appeal or proceedings filed with the Board of Appeals. The Board of Appeals shall have the functions, powers and duties specifically granted by law and by this Ordinance.
- 124.3 Notice of Meeting: The Board shall meet upon notice of the Chairman within thirty (30) days of filing of an appeal or at stated, periodic meetings if warranted by the volume of work.
- 124.4 Public Hearing: All hearings shall be public. The appellant, the appellant's representative, the official of the jurisdiction and any other person whose interest may be materially affected by the matter on appeal, shall be given an opportunity to be heard, however, the Board may prohibit repetitive testimony.

- 124.4.1 Procedure: The Board shall adopt and make available to the public, through the Secretary, procedures under which a hearing will be conducted. The procedures shall not require compliance with strict rules of evidence but shall mandate that only relevant information be received. In general, the due process procedures shall reflect the standards required of hearings conducted under the Pennsylvania Local Agency Act.
- 124.5 Postponed Hearing: When less than three (3) members of the Board of Appeals are present to hear an appeal, the hearing shall be postponed. A new hearing shall be held within five (5) days. No member of the Board of Appeals may participate in making a decision on an appeal unless the member has been present during the entire hearing or, alternatively, has reviewed a transcript of those portions of the proceedings at which he/she was not present
- 124.6 Board Decision: The Board shall approve, modify or reverse the decision of the Fire Chief or of the Building Inspector/Code Administrator by a concurring vote of not less than three (3) members of the Board within forty-five (45) days from the close of the hearing or the receipt of the transcript, whichever is later. In the event that no adjudication is rendered within this time frame, the decision rendered within this time frame, the decision of the Fire Chief or Building Inspector/Code Administrator shall stand.
- 124.6.1 Resolution: The decision of the Board of Appeals shall be by resolution. Certified copies shall be furnished to the appellant and to all participants, and shall be made public.
- 124.6.2 Administration: The Building Inspector/Code Administrator or Fire Chief shall take immediate action in accordance with the decision of the Board.
- 124.7 Court Review: Any person materially aggrieved by a decision of the Board of Appeals, whether or not a previous party to the decision, or any relevant officer or Board of the Township may apply to the appropriate court for a writ of certiorari to correct errors of laws in such decisions. Application for review so to be timely, shall be made to the proper court of jurisdiction within thirty (30) days after the filing of the Board's decision in the office of the Building Inspector/Code Administrator.

ARTICLE 2 DEFINITIONS

SECTION 201.0 GENERAL

- 201.1 Attached Buildings: All attached wings or auxiliary structures to a building shall meet or exceed the same requirements as established by the building code for the highest level of that building.
- 201.2 Building: Any structure used or intended for supporting or sheltering any use or occupancy. For application of this code, each portion of a building completely separated from other portions by fire walls complying with Section 1407.0 shall be considered as a separate building. Each separate building shall meet the yard setback requirements established in the Moon Township Zoning Ordinance.
- Exception: The fire walls as required above shall not constitute a separate building classification when Section 1002, Fire Suppression System Requirements, is applicable as designated in Article II Sub Article 10 entitled Fire Protective Systems of this Ordinance.
- 201.3 Grandfathered Structures: Grandfathered structures shall refer to buildings or structures built prior to May 11, 1988, the adoption date of Ordinance #292. All grandfathered structures/buildings in which there is work involving alterations or changes in use shall be made to conform to this code.

ARTICLE 6 SPECIAL USE AND OCCUPANCY REQUIREMENTS

SECTION 607.0 OPEN PARKING STRUCTURES

- 607.1 General: Open parking structures are those structures used for the parking or storage of passenger motor vehicles designed to carry not more than nine persons, wherein provision for the repair of such vehicles is not made and where the exterior walls of the structure have openings on not less than two sides. Open parking structures are required to conform to Section 609.0 for public garage.

SECTION 609.0 PUBLIC GARAGES

609.2.1 Sprinkler Systems: All public garages shall be equipped throughout with an automatic sprinkler system in accordance with 1004.2.1:

1. Where total floor area exceeds 7,000 square feet.
2. When more than two (2) stories in height above grade or more than one (1) story below grade.
3. Where located beneath other use groups.

SECTION 620.0 MOBILE UNITS

620.1 General: Mobile units shall be designed, constructed and maintained to be transported from one location to another and not mounted on a permanent foundation. These mobile units not mounted on a permanent foundation shall only be permitted as authorized in Moon Township Zoning Ordinance and/or approved by the Zoning Hearing Board. All other mobile units must be placed on a permanent foundation.

620.2 Construction: All mobile units placed on a permanent foundation must be designed and constructed to comply with all the requirements of this code for on-site and prefabricated construction. All mobile units placed on a permanent foundation shall be evaluated, inspected and labeled by an approved agency in accordance with Section 1307.0 and Section 1301.3. All "temporary" mobile units as established in the Zoning Ordinance must meet all Federal, State, County and local statutes regarding its construction and tie down requirements.

SECTION 622.0 RADIO AND TELEVISION ANTENNAS

622.2 Permits Required: Antenna structures more than 12 feet in height are not permitted to be mounted on the roof of any building or structure. All antennal structures governed by the FCC must obtain a building permit. The location of the antennal structure must meet the regulations established in the Township Zoning Ordinance.

622.31 Permit: A permit must be secured for all dish antennal structures. Dish antennal structures are not permitted on the roof. The location of the dish antennal structure must meet the regulations established in the Township Zoning Ordinance.

ARTICLE 9 FIRE RESISTIVE CONSTRUCTION

SECTION 908.0 FIREWALL OPENINGS

908.2 Size of Opening: An opening through a firewall shall not exceed 120 square feet in area and the aggregate width of all openings at any floor level shall not exceed 25 percent of the length of the wall.

ARTICLE 10 FIRE PROTECTIVE SYSTEMS

1002.0 FIRE SUPPRESSION SYSTEMS

1002.1 Where Required: Automatic fire suppression systems shall be installed where required by this code and in the locations indicated in Sections 1002.2 through 1002.10.

EXCEPTION: Deleted

1002.2 Use Group A-1: Throughout all Use Group A-1 fire areas, an automatic fire suppression system shall be provided as follows:

1. Throughout the entire story or floor level where the A-1 Use Group is located;
2. Throughout all stories and floor levels below the A-1 Use Group; and

3. Throughout all intervening stories and floor levels between the A-1 Use Group and the level of exit discharge of exits that serve the Use Group A-1 fire area, including the level of exit discharge.

EXCEPTION: Deleted

1002.4 Use Group A-3: Where a Use Group A-3 fire area exceeds 7,000 square feet (1116 m²) in area, an automatic fire suppression system shall be provided as follows:

1. Throughout the entire story or floor level where the A-3 Use Group is located;
2. Throughout all stories and floor levels below the A-3 Use Group; and
3. Throughout all intervening stories and floor levels between the A-3 Use Group and the level of exit discharge of exits that serve the Use Group A-3 fire area, including the level of exit discharge.

1002.6 Use Group I: An automatic fire suppression system shall be provided throughout all buildings with a Use Group I fire area.

EXCEPTIONS:

1. Deleted
2. Use Group I-2 nursing homes of Type 1.2A or 2B construction not over one story in height and the building is less than 7,000 square feet in area.
3. In buildings where Use Group I-2 child care facilities are located in the first story above grade and which accommodate 100 children or less with each room having an exit directly to the outside and the building is less than 7,000 square feet in area.
4. Use group I-1 fire areas not more than two stories above grade or the building is more than 7,000 square feet in area, and having an occupant load of less than 20.

1002.7 Use Groups M, S-1 and F-1: Throughout all buildings with a Use Group M, S-1 or F-1 fire area, an automatic fire suppression system shall be provided as follows:

1. Where any Use Group M, S-1 or F-1 fire area exceeds 7,000 square feet (1116 m²) in area;
2. Deleted
3. Where any Use Group M, S-1 or F-1 fire area is more than two (2) stories above grade.

EXCEPTION: Deleted

1002.8 Use Group R-1: An automatic fire suppression system shall be provided throughout all buildings with a Use Group R-1 fire area in accordance with Section 1004.2.1 or 1004.2.2

EXCEPTION: Deleted

1002.12 All Use Groups: Except when more restrictive regulations apply as established in the Building Code, the minimum standards regulating when a fire suppression system is required shall be in accordance with 1002.12.1 and 1002.12.2.

1002.12.1 Fire Suppression System shall be installed and maintained in full operating condition in all new buildings or structures or new portions thereof when more than seven thousand (7,000) square feet in area ("New" construction is that occurring after the passage of Ordinance #292, specifically May 11, 1988).

1002.12.2 Fire Suppression System shall be installed and maintained in full operating condition in all new buildings or structures or new portions thereof of when more than two (2) stories in height. ("New" construction is that occurring after the passage of the Ordinance #292, specifically May 11, 1988).

EXCEPTION: In Use Group R-4, A-5, U.

1002.13 Grandfathered Structures: It is the intent of the Township that this language shall require an automatic fire suppression system for any and all new additions to Grandfathered structures once the total square footage of any single new addition, or

the total square footage of one or more new additions in combination, reaches seven thousand (7,000) square feet or when the number of stories in the structure would require a fire suppression system in a new structure, then the whole structure must be protected by such system.

SECTION 1012.0 STANDPIPE SYSTEMS

1012.2 Where Required: Standpipe systems shall be installed where required by this code and in the locations indicated in Sections 1012.2.1 through 1012.2.4.

1012.2.1 Building Height: Standpipe systems shall be installed in all buildings for which an automatic sprinkler system is required by this code.

1012.2.2 Building Area: Standpipe systems shall be installed in all buildings where any portion of the building floor area is more than 400 feet of travel from the nearest point of fire department vehicle access.

EXCEPTIONS: Deleted

1012.2.3 Malls: Standpipe systems shall be installed in all malls in accordance with Section 601.10 of the BOCA National Building Code/1990.

1012.2.4 Stages And Enclosed Platforms: Standpipe systems shall be installed in stages and enclosed platforms in accordance with Section 615.6 of the BOCA National Building Code/1990.

1012.3 Types of systems: A standpipe system as approved by the Building Inspector/Code Administrator and Fire Chief shall be one of the following types:

1. A wet standpipe system having the supply valve open and water pressure maintained at all times;
2. A dry standpipe system so arranged through the use of approved devices as to admit water to the system automatically by opening a hose valve;

3. A dry standpipe system arranged to admit water to the system through manual operation of approved remote control devices located at each hose connection; or
4. A dry standpipe system that does not have a permanent water supply.

1012.3.1 Type of system required: Buildings required by Section 1012.2 to be equipped with standpipe systems shall be provided with a wet standpipe system that complies with Section 1012.3(1).

EXCEPTIONS: Deleted

SECTION 1017.0 AUTOMATIC FIRE DETECTION SYSTEMS

1017.4 Where required: An automatic fire detection system shall be installed and maintained in full operating condition in the locations described in Sections 1017.4.1 through 1017.4.4.

1017.4.1 Use Group I-1: An automatic fire detection system shall be installed and maintained in all buildings of Use Group I-1.

1017.4.2 Use Group I-2: Buildings of Use Group I-2 shall be equipped with an automatic fire detection system in accordance with Section 610.5.

1017.4.3 Use Group I-3: An automatic fire detection system shall be installed and maintained in all resident housing areas of Use Group I-3.

EXCEPTIONS: Deleted

1017.4.4 Use Group R-1: An automatic fire detection system shall be installed and maintained in all buildings of Use Group R-1.

EXCEPTIONS:

1. Deleted.

2. System smoke detectors are not required in guest rooms provided that the single-station detectors required by Section 1018.3.1 are connected to the emergency electrical system and are annunciated by guest room at a constantly attended location from which the fire protective signaling system is capable of being manually activated.

1017.5 Sprinklered buildings exception: Buildings equipped throughout with an automatic sprinkler system in accordance with Section 1004.2.1 or Section 1004.2.2 are required to be equipped with an automatic fire detection system that conforms to Section 1017.0.

SECTION 1018.0 SINGLE AND MULTIPLE STATION SMOKE DETECTORS

1018.3.2 Use Group R-2: Single or multiple station smoke detectors shall be installed and maintained in all dwelling units in buildings of Use Group R-2 at the following locations:

1. In the immediate vicinity of the bedrooms;
2. In all bedrooms; and
3. In each story within the dwelling unit, including basements.

EXCEPTIONS:

1. In dwelling units with split levels and without an intervening door between the adjacent levels, a smoke detector installed on the upper level shall suffice for the adjacent lower level provided that the lower level is less than one full story below the upper level.
2. Deleted.

1018.4 Interconnection: Smoke detectors, when required, shall be wired in such a manner that the actuation of one alarm will actuate all of the alarms in an individual unit.

1018.6 Power Source: Smoke detectors, when required, shall receive their primary power from the building wiring when such wiring is served from a commercial source. Such supply shall be supplemented by battery back-up or other approved power failure supply. Wiring shall be permanent and without a disconnecting switch other than those required for over-current protection. Smoke detectors may be battery operated only in buildings without commercial power.

SECTION 1020.0 SUPERVISION

1020.2 Fire protective signaling systems: All required fire protective signaling systems shall transmit alarm and trouble signals to an approved central station system, proprietary system or remote station system.

EXCEPTIONS:

1. Deleted.
2. Single station detectors as required by Section 1018.0.
3. Smoke detectors in building of Use Group I-3 (see Section 1016.7.3).
4. Smoke detectors in patient sleeping rooms in buildings of Use Group I-2 (see Section 610.5.1).

SECTION 1021.0 FIRE EXTINGUISHERS

1021.2 Where required: A portable fire extinguisher shall be installed in the following locations in accordance with NFPA 10 listed in Appendix A in the following locations:

1. In all buildings of Use Group A-1, A-2, A-3, A-4, B, E, F, H, I, M, R-1, R-2, S;
2. In all areas containing commercial kitchen exhaust hood systems;
3. In all areas where fuel is dispensed;

4. In all areas where a flammable or combustible liquid is used in the operation of spraying, coating or dipping;
5. In all buildings of Use Group 1-3 at staff locations. Access to portable extinguishers shall be permitted to be locked;
6. On each completed floor of buildings under construction, other than buildings of Use Group R-3;
7. In any laboratory, shop or other room used for similar purposes; and
8. Where required by the fire prevention code listed in Appendix A.

ARTICLE 12 FOUNDATION SYSTEMS AND RETAINING WALLS

SECTION 1205.0 DEPTH OF FOOTINGS

1205.1 Frost protection: Except when erected upon solid rock or otherwise protected from frost, foundation walls, piers and other permanent supports of all buildings and structures larger than 100 square feet (9.30m²) in area or 10 feet (3048 mm) in height shall extend to the frost line measurement of 36 inches from finish grade to the bottom of the footer and where necessary spread footings of adequate size shall be provided to distribute properly the load within the allowable bearing value of the soil. Alternatively, such structures shall be supported on piles adequately designed to a proper depth and construction when solid earth or rock is not available. The area and height exception does not apply when the building or structure is an addition to an existing building. Footings shall not bear on frozen soils unless such frozen condition is of a permanent character.

SECTION 1206.0 FOOTING DESIGN

1206.1 Design loads: The full dead load, including the weight of foundations, footings and overlying fill, and the reduced live loads as specified in Section 1114.0, shall be used in designing footings. The minimum footer size shall be 18" wide x 8" deep with a minimum two (2) continuous #4 steel reinforcing bars and perpendicular bars every 10' tied together with steel wire.

SECTION 1223.0 RETAINING WALLS

1223.1 General: Walls built to retain or support the lateral pressure of earth or water or other superimposed loads shall be designed and constructed of approved masonry, reinforced concrete, steel sheet piling or other approved materials within the allowable stresses specified in this code (see Section 1702.6.5). Retaining walls and similar structures shall require building permits prior to their construction. The retaining wall shall be designed by a registered professional engineer who shall certify that the wall is of sound construction, will not cause a dangerous condition and will not constitute a public or private nuisance. In appropriate cases, such structures may be required to be covered with suitable ground cover such as ivy or other plant material or an architectural treatment finish, or completely screened from abutting properties. Retaining walls shall not be erected on the right-of-way. When cribbing is used as a type of construction for retaining wall, the material used must have its exposed surface earth covered and seeded to prevent erosion. No retaining walls shall be constructed of Wood Cribbing.

SECTION 1224.0 WATERPROOFING AND DAMP-PROOFING

1224.5.4 French Drains: French drains shall be installed on the inner or outer side of the outside walls for the use of any such habitable and occupiable rooms, the top of the pipe forming the french drain, shall be located below the top of the footer at the highest point and covered with the

river gravel (Pea Gravel) or of small size to 1" above the top of the footer after a suitable covering is placed over the pipe, the area shall be backfilled with selected material and shall be approved by inspector before covering.

ARTICLE 14 MASONRY

SECTION 1402.0 MASONRY CONSTRUCTION

1402.9 Cold-weather Construction: Masonry laid in temperatures of the outside air below 40 degrees F. (4 degrees C.) shall be protected in accordance with the provisions of ACI530/ASCE5 listed in Appendix A or may be laid in cold weather provided the temperature is not below 28 degrees F. on rising temperature nor below 40 degrees F. on falling temperature. The top two courses of masonry shall always be protected from the elements by use of covers or other approved means. Frozen materials shall not be used nor shall frozen masonry be built upon.

ARTICLE 15 CONCRETE

SECTION 1504.0 MIXING AND PLACING OF CONCRETE

1054.7.3 Freezing: Concrete will not be poured in temperatures below 28 degrees F. on rising temperatures, nor below 36 degrees F. on falling temperatures. Pours below 32 degrees F. shall be protected with insulation blankets. With temperatures below 40 degrees F., before any other work can proceed on this concrete, it will be cured for a minimum period of five days. Provided the concrete is not exposed to high winds nor located on a hill, if the temperature reaches 50 degrees F. or more during the day, this curing period may be reduced to not less than three days.

ARTICLE 27 ELECTRICAL WIRING,
EQUIPMENT AND SYSTEMS

SECTION 2704.0 PERMIT AND CERTIFICATE OF INSPECTION

- 2704.1 General: Electrical wiring or equipment shall not be installed within or on any building, structure or premises, nor shall any alteration be made in any such existing installations, without first securing approval and a permit from the Building Inspector for Electrical Code Compliance except as provided for in Section 2704.2. It shall be unlawful to use or allow the use of or to supply current for an electrical system in a building or structure, unless the required certificate of inspection and permit have been secured.
- 2704.2 Exemptions: A permit shall not be required for the execution and use of the classes of work specified in Sections 2704.2.1 through 2704.2.4.
- 2704.2.1 Repairs and Maintenance: A permit shall not be required for minor repair work, including the replacement of lamps or the connection of approved portable electrical equipment to approved permanently installed receptacles.
- 2704.2.2 Public Utility Agencies: A permit shall not be required for the installation, alteration or repair of electrical equipment for the operation of communications and signals or the transmission of intelligence by wire by public utility agencies, except as provided for in Article 10 for fire alarm systems and The National Electric Code/1990.
- 2704.2.3 Power Companies: a permit shall not be required for the installation, alteration or repair of electrical equipment of a power or public service company for its use in the generation, transmission, distribution or metering of electricity except as provided for in the National Electric Code/1990.
- 2704.2.4 Temporary Testing System: A permit shall not be required for the installation of any temporary system required for the testing or servicing of electrical equipment or apparatus.
- 2704.2.5 One or Two Family Dwellings: A permit shall not be required for the installation of Class 1, Class 2, Class 3 remote-control, signaling, and power limited circuits, telephone, alarm,

communication wiring, cable-television and similar systems when installed in 1 or 2 family dwellings. All such installations shall be installed in compliance with the applicable code article.

2704.5 All Applications shall, prior to occupancy of the building, structure or premises, obtain a Certificate of Final Approval from the Building Inspector for Electrical Code Compliance. This Certificate of Final Approval shall certify that all the necessary inspections have been made and that the electrical wiring conforms with the applicable provisions of the National Electrical Code and this Ordinance. Whenever any of the inspections show that the provisions of the National Electrical or this Ordinance have not been complied with, the Building Inspector for Electrical Code Compliance shall so inform the Building Inspector/Code Administrator within five (5) days. The Building Inspector for Electrical Code Compliance or Building Inspector/Code Administrator shall notify the applicant of the steps which must be taken to achieve compliance with the National Electrical Code or this Ordinance before a Certificate of Final Approval will be issued. Failure to secure a Certificate of Final Approval shall be sufficient reason for notification to the Electric Utility Company to disconnect or refuse to connect electrical power to the premises and the Township shall not issue a certificate of occupancy.

SECTION 2708.0 BUILDING INSPECTOR FOR ELECTRIC CODE COMPLIANCE

2708.1 The Township Building Inspector for Electrical Code Compliance shall meet the criteria listed below and must be approved by Duquesne Light Company or other lawful utility regulated by the P.U.C. operating in Moon Township. The Township of Moon, Allegheny County, requires compliance with the following conditions by its Building Inspector for Electrical Code Compliance.

2708.1.1 The Building Inspector for Electrical Code Compliance shall carry and annually furnish Moon Township with certificates of insurance evidencing required statutory worker's compensation insurance.

- 2708.1.2 The Building Inspector for Electrical Code Compliance shall carry and annually furnish Moon Township will certificates of insurance evidencing Comprehensive General Liability Insurance, including Completed Operations, with single-limit coverage in an amount not less than \$10,000,000.
- 2708.1.3 The Building Inspector for Electrical Code Compliance shall carry and annually furnish Moon Township with certificates of insurance evidencing Professional Liability Insurance with single-limit coverage in an amount not less than \$1,000,000.
- 2708.1.4 The Building Inspector for Electrical Code Compliance will require all electrical installations to meet the standards of the Township adopted edition of the National Electrical Code and this ordinance code.
- 2708.1.5 The Building Inspector for Electrical Code Compliance will ensure that inspecting employees are qualified and will certify their qualifications to Moon. A list of inspectors, which will be kept up to date, will be forwarded to Moon.
- 2708.1.6 An inspector shall not inspect his own work or the work of anyone whose business, family or other relationship with the inspector would render the inspection unethical or create the appearance of impropriety.
- 2708.1.7 The Township will, by regulation, establish regular office hours within Moon Township during which time employees of the electrical inspector shall be available to members of the public.
- 2708.1.8 Municipal Cards will be issued upon inspection to the Office of Building Inspection/Code Administration.
- 2708.1.9 The Agency will issue certificates to the applicant on all installations upon satisfactory completion.
- 2708.1.10 Building Inspector/Code Administrator will be notified of violations over five (5) days old.
- 2708.1.11 Inspection fees will be charged at a rate established by resolution and published in a fee schedule and collected from the installer, contractor or owner by the Building Inspector for Electrical Code Compliance. Said resolution will require remittal by the inspector to the Township of all monies due the Township.

- 2708.1.12 For purposes of fire and safety, the Building Inspector for Electrical Code Compliance will, upon request, conduct a free inspection for the Building Inspector/Code Administrator or Fire Chief on any building deemed necessary. When wiring adjustments are made, the same Building Inspector for Electrical Code Compliance will make the necessary follow-up inspection upon the necessary receipt of an application and appropriate fee.
- 2708.1.13 Inspections will be made during a normal work day, but the Building Inspector for Electrical Code Compliance will be available at all times for emergencies.
- 2708.1.14 All inspectors shall be full time employees of the Building Inspector for Electrical Code Compliance.
- 2708.1.15 Appointment of the Building Inspector/Code Administrator for Electrical Code Compliance may be withdrawn at any time upon evidence of non compliance with any of the above conditions.

ARTICLE 28 PLUMBING SYSTEMS

SECTION 2800.0 GENERAL

- 2800.1 Scope: The design and installation of plumbing systems, including sanitary and storm drainage, sanitary facilities, water supplies and storm water and sewage disposal in buildings, shall comply with the requirements of this article, the plumbing code listed in Appendix A, Allegheny County Plumbing Code Article 15, and the Township adopted Storm Water Ordinance.
- 2800.2 Plumbing Systems Managements: Plumbing Systems Management shall be adopted only so far as it does not conflict with regulations set forth by Moon Township Municipal Authority and Allegheny County Health Department Plumbing Division. The Township of Moon may require flow restrictions and other water conservation devices and equipment upon the recommendations of the Township Engineer, Building Inspector/Code Administrator or Moon Township Municipal Authority.

ARTICLE 29 SIGNS

SECTION 2900.0 GENERAL

2900.3 Signs: Where there is a conflict between this Section 2900.0 and the Moon Township Zoning Ordinance #345, the more restrictive shall apply.

ARTICLE 32 REPAIR, ALTERATION, ADDITION TO AND CHANGE OF USE OF EXISTING BUILDINGS

SECTION 3200.0 GENERAL

3200.1 Scope: The provisions of this Article are deleted. Repairs, alterations and additions to and change of use of existing buildings shall comply with Section 103.0 and 1002.13 of this code.

III B. The BOCA National Mechanical Code/1990, Seventh Edition, as published by The Building Officials and Code Administrators, International, Inc. is hereby modified as follows:

ARTICLE 8 GAS PIPING SYSTEMS

SECTION M-801.0 PIPING MATERIAL

M-801.2 Piping Standards: Fuel gas pipe for the interior of buildings shall be steel pipe material only. All other applications shall conform to one of the standards listed in Table M-801.2.

III C. The CABO, One and Two Family Dwelling Code/1989 Edition, as published by The Building Officials and Code Administrators International., Inc., is hereby modified as follows:

CHAPTER 2 BUILDING PLANNING

SECTION R-215 SMOKE DETECTORS

R-215.2 POWER SOURCE: Smoke detectors, when required, shall receive their primary power from the building wiring when such wiring is served from a commercial source. Such supply shall be supplemented by battery back-up or other approved power failure supply wiring shall be permanent and without a disconnecting switch other than those required for over-current protection. Smoke detectors may be battery operated only in buildings without commercial power.

CHAPTER 3 FOUNDATIONS

SECTION R-303 FOOTINGS

R-303. Footings: All exterior walls, bearing walls, columns and piers shall be supported on continuous solid masonry or concrete footings, wood foundations, or other approved structural systems which shall be of sufficient design to support safely the loads imposed as determined from the character of the soil, and shall in all cases extend below the frost line. Typical designs for concrete footings shall be as set forth in Figure No. R-303. Minimum footing depth and design standards are established in Section 1205.0 and Section 1206.0 of this Ordinance. Footings for wood foundations shall be in accordance with the details set forth in Figure Nos. R-304.5a and R-304.5b and NFoPA Technical Report No. 7 listed in Section S-26-303.

The top surface of footings shall be level. The bottom surface of footings may have a slope not exceeding 1 in 10. Footings shall be stepped where it is necessary to change the elevation of the top surface of the footings or where the slope of the bottom surface of the footing will exceed 1 in 10.

Structural slabs-on-ground and mat-type footings for dwellings located on expansive soils shall be designed and installed in accordance with PTI "Post-Tensioned Slabs-on-Ground" or WRI "Design of Slabs-on-Ground Foundations" listed in Section S-26.303, or in accordance with other approved methods.

III D. The BOCA National Fire Prevention Code/1990, Eighth Edition, as published by the Building Officials Code Administrators International, Inc. is hereby modified as follows:

ARTICLE 1 ADMINISTRATION AND ENFORCEMENT

SECTION F-100.0 GENERAL

F-100.1 Title: These regulations shall be known as the Fire Prevention Code as part of the Building code of the Township of Moon hereafter referred to as "This Code".

ARTICLE 26 EXPLOSIVES, AMMUNITION
AND BLASTING AGENTS

SECTION F-2601.0 GENERAL REQUIREMENTS FOR EXPLOSIVES,
AMMUNITION AND BLASTING AGENTS

F-2601.2 Storage: The storage of explosives and blasting agents is prohibited within the limitations established by Moon Township's Zoning Ordinance except for temporary storage for use in connection with approved blasting operations, provided that this prohibition shall not apply to wholesale and retail stocks of small arms ammunition, explosive bolts, explosive rivets or cartridges for explosive activated power tools in quantities involving less than 500 pounds (227 kg) of explosive material.

III E. The National Fire Codes/1990, as published by the National Fire Protection Association also known as NFPA. The National Fire Codes are herein adopted in their entirety in so far as they do not conflict with the adopted BOCA National Building Code/1990, as provided for in this Ordinance.

III F. The National Electric Code/1990, as published by the National Fire Protection Association also known as NFPA70. The following sections are hereby amended as follows:

CHAPTER 2 WIRING AND PROTECTION

ARTICLE 210 - BRANCH CIRCUITS

210-8(a) Dwelling Units: Insert (7) The test and reset controls for all ground fault circuit-interrupters required by this section shall be located on the same floor and no farther than 10 feet from any receptacle so protected.

EXCEPTION: Where each GFCI protected receptacle is furnished with a permanent label clearly stating the location of the test and reset controls. This article shall be superior to any conflicting article(s).

ARTICLE 250 - GROUNDING

250-91(b) Types of Equipment Grounding conductors. The equipment grounding conductor run with or enclosing the circuit conductors shall be one or more or a combination of the following: (1) a copper or other corrosion-resistant conductor. This conductor shall be solid or stranded; insulated, covered, or bare; and in the form of a wire or a busbar of any shape; (2) rigid metal conduit; (3) intermediate metal conduit; (4) electrical metallic tubing; (5) deleted (6) deleted (7) the sheath of mineral insulated, metal sheathed cable; (8) the combined metallic sheath and grounding conductors of Type MC cable; (9) cable trays are permitted in Sections 318-3(c) and 318-7; (10) cablebus framework as permitted in Section 365-2(a); (11) other electrically continuous metal raceway listed for grounding.

EXCEPTION NO. 1: Delete

EXCEPTION NO. 2: Delete

EXCEPTION NO. 3: For direct-current circuits only, the equipment grounding conductor shall be permitted to be run separately from the circuit conductors.

CHAPTER 3 WIRING, METHODS AND MATERIALS

ARTICLE 300 - WIRING METHODS

300-4(b) Cables and electrical non-metallic tubing through metal framing members:

- (1) "Nonmetallic sheathed cables shall not be used within, or directly upon, metal framing members." This article shall be superior to any conflicting requirement of this code.

ARTICLE IV. GENERAL PROVISIONS

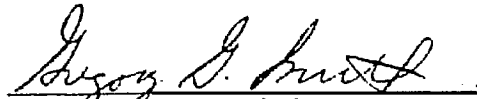
- A. Codification - It is the intention of the Board of Supervisors and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of the Township of Moon, Pennsylvania, and the Sections of this Ordinance may be renumbered to accomplish such intention.
- B. Conflict of Codes - When provisions of this code conflict with the Pennsylvania Department of Labor & Industry's Fire and Panic Regulations or any other applicable codes, the more stringent code shall apply.
- C. Specific Repealer - Ordinance No. 145 enacted February 4, 1966 and Ordinance No. 208 enacted August 9, 1977, and Ordinance No. 292 enacted May 11, 1988, and all amendments thereto are hereby specifically repealed.
- D. Short Title - This Ordinance, together with the list A through F codes as they appear in Article 1 of this Ordinance adopted herein shall be known and may be cited as the "Moon Township Building Code".
- E. Severance Clause - Should any section, paragraph, clause or phrase of this Ordinance be declared unconstitutional or invalid by a Court of competent jurisdiction, the remainder of said Ordinance shall not be affected thereby, and shall remain in full force and effect.

- F. Application - The provisions set forth in this Ordinance shall apply throughout the entire Township.
- G. Effective Date - The provisions set forth in this Ordinance shall take effect thirty-one (31) days after adoption.

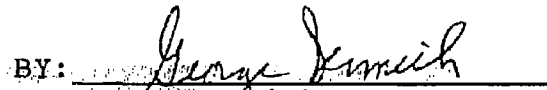
ORDAINED AND ENACTED this 12th day of February, 1992.

ATTEST:

TOWNSHIP OF MOON
BOARD OF SUPERVISORS



Gregory G. Smith
Secretary

BY: 

George Semich
Chairman

() SEAL

Exhibit 5-1-B

ORDINANCE #390

TOWNSHIP OF MOON

AN ORDINANCE OF THE TOWNSHIP OF MOON, COUNTY
OF ALLEGHENY AND THE COMMONWEALTH OF
PENNSYLVANIA AMENDING THE BUILDING CODE
ORDINANCE #361.

WHEREAS, the Moon Township Board of Supervisors on
February 12, 1992, enacted Ordinance #361 known as the Building
Code, establishing minimum regulations governing the design,
construction, alteration, enlargement, repair, removal,
demolition, use and maintenance of all buildings and structures
to protect the health, safety and welfare of the Moon Township
residents and businesses; fixing certain duties and responsibili-
ties relative to the administration of various codes and
providing for permits, certificates, appeals and penalties for
violations;

WHEREAS, the Moon Township Board of Supervisors desire
to make certain amendments, additions and clarifications to the
adopted Building Code and consolidate these certain modifications
into a single Ordinance to be known as The Moon Township Building
Code.

BE IT ORDAINED AND ENACTED by the Board of Supervisors
of the Township of Moon, Allegheny County, Pennsylvania as
follows:

FIRST: That Article 1, particularly Section F is hereby amended and shall read as follows:

F. National Electric Code/1993, as published by the National Fire Protection Association also known as NFPA 70.

SECOND: That Article III A., particularly Section 116.2 is hereby amended and shall read as follows:

116.2 Exterior Finish to Grade: The exterior finish of the building, whether face brick, wood veneer, siding or any other finished facing materials approved by the Building Inspector/Code Administration Officer, shall come down the building to within six (6") inches of finished grade. Plain masonry block or poured concrete shall not be considered a finished product; nor shall either of these construction surfaces be considered as a finished product if painted.

THIRD: The following section is hereby added to Article III A and shall read as follows:

201.4 Temporary Structures: Any structure, non-permanent in nature, not attached to a permanent foundation, placed on a site and used for a period of time not to exceed six (6) months. Temporary structures shall include but are not limited to land sales trailers, tents, bleachers, air support structures, seasonal displays, etc.

FOURTH: That Article III A, particularly Section 620.1 is hereby amended and shall read as follows:

620.1 General: Mobile units shall be designed, constructed and maintained to be transported from one location to another and not mounted on a permanent foundation. These mobile units not mounted on a permanent foundation shall be considered a temporary structure and only permitted as authorized in Moon Township Zoning Ordinance and/or approved by the Zoning Hearing Board. Upon Zoning Ordinance authorization, a Township Permit for Temporary Mobile Units must be obtained prior to placement on the approved site. The permit shall be valid for a period not to exceed six (6)

months and may be renewed for an additional six (6) month period. All other mobile units must obtain a Building Permit and be placed on a permanent foundation.

FIFTH: The following sections are hereby added to Article III A and shall read as follows:

SECTION 624.0 TEMPORARY STRUCTURES

624.1 General: The provisions of this section shall apply to temporary structures erected for a period of less than six (6) months. Those erected for a longer period of time shall comply with Section 604.0 or with all applicable sections of this code when Section 604.0 is not applicable.

624.1.1 Permit Required: All temporary structures including all connecting areas or spaces with a common means of egress or entrance shall not be erected, operated or maintained for any purpose without obtaining a permit from the code official. Tents used exclusively for recreational camping purposes shall be exempt from the above requirements. Special permits required by this code shall be secured from the code official.

624.2 Plans and Specifications: A permit application and drawings shall be submitted for each installation and use with specifications indicating the location of the structure on the site and details regarding the location of means of egress facilities, occupancy capacity, construction and all mechanical and electrical equipment.

SIXTH: That Article IIIA, particularly Section 927.10 be added and shall read as follows:

927.10 When mechanical equipment is designed to be located on the roof of a structure/building then this equipment must be adequately screened with typical building materials that will compliment the building design and conceal this equipment from neighboring property owners and the public on adjacent roadways.

SEVENTH: That Article III A, particularly Section 2708.1.2 is hereby amended and shall read as follows:

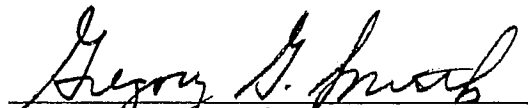
2708.1.2 The Building Inspector for Electrical Code Compliance shall carry and annually furnish Moon Township with certificates of insurance evidencing Comprehensive General Liability Insurance, including Completed Operations, with single-limit coverage in an amount not less than \$1,000,000.

EIGHTH: GENERAL PROVISIONS

- A. Codification - It is the intention of the Board of Supervisors and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of the Township of Moon, Pennsylvania and the Sections of this Ordinance may be renumbered to accomplish such intention.
- B. Short Title - The provisions of this Ordinance adopted herein shall become and be made a part of and may be cited as the "Moon Township Building Code".
- C. Severance Clause - Should any section, paragraph, clause or phrase of this Ordinance be declared unconstitutional or invalid by a Court of competent jurisdiction, the remainder of said Ordinance shall not be affected thereby and shall remain in full force and effect.
- D. Application - The provisions set forth in this Ordinance shall apply throughout the entire Township.
- E. Effective Date - The provisions set forth in this Ordinance shall take effect thirty-one (31) days after adoption.

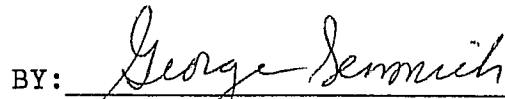
ORDAINED AND ENACTED this 14th day of April, 1993.

ATTEST:



Gregory G. Smith, Secretary

TOWNSHIP OF MOON
BOARD OF SUPERVISORS

BY: 

George Semich, Chairman

() SEAL

Exhibit 5-1-C

MOON TOWNSHIP BUILDING CODE ORDINANCE

ORDINANCE #435, ADOPTED MARCH 8, 1995

AN ORDINANCE ESTABLISHING MINIMUM REGULATIONS GOVERNING THE DESIGN, CONSTRUCTION, ALTERATION, ENLARGEMENT, REPAIR, DEMOLITION, REMOVAL, MAINTENANCE AND USE OF ALL BUILDINGS AND STRUCTURES; PROVIDING FOR THE ISSUANCE OF PERMITS, COLLECTION OF FEES, MAKING OF INSPECTIONS; PROVIDING PENALTIES FOR THE VIOLATION THEREOF; KNOWN AS THE BUILDING CODE, AND REPEALING EXISTING ORDINANCE #361 OF THE TOWNSHIP OF MOON, ALLEGHENY COUNTY, PENNSYLVANIA.

BE IT ORDAINED and enacted by the Board of Supervisors of the Township of Moon, Allegheny County, Pennsylvania (hereinafter called the Township) as follows:

ARTICLE I. ADOPTION OF BUILDING CODE. =====

Those certain documents, three (3) copies each of which are on file in the Administrative Office of the Township, being marked and designated as:

- A. BOCA National Building Code/1993, Twelfth Edition, as published by the Building Officials & Code Administrators International, Inc.
- B. BOCA National Mechanical Code/1993, Eighth Edition, as published by the Building Officials & Code Administrators International, Inc.
- C. CABO, One and Two Family Dwelling Code/1992 Edition, as published by the Building Officials & Code Administrators International, Inc.
- D. BOCA National Fire Prevention Code/1993, Ninth Edition, as published by the Building Officials & Code Administrators International, Inc.

- E. National Fire Codes/1993, as published by the National Fire Protection Association, also known as NFPA.
- F. National Electric Code/1993, as published by the National Fire Protection Association also known as NFPA 70.

and are hereby adopted together with all appendices and shall be known as the Building Code of the Township of Moon, Allegheny County, Pennsylvania. The purpose of the adoption of these codes is to regulate the construction and use of new and existing buildings and structures and to protect the health, safety and welfare of the Moon Township residents and businesses and other persons utilizing these buildings and structures. All of the provisions, regulations, penalties, conditions and terms in the aforementioned codes are hereby referred to, adopted and made a part hereof as if fully set out in this Ordinance, with the amendments, insertions, and deletions as prescribed in Article III of this Ordinance.

ARTICLE II. INCONSISTENT ORDINANCES REPEALED.
 =====

That Ordinance #361 of the Township of Moon entitled The Building Code and all other ordinances or parts of ordinances in conflict herewith are hereby repealed.

ARTICLE III. MODIFICATIONS MADE TO THE ADOPTED CODES
 =====

Additions, insertions and deletions are hereby made to those certain documents in Article I above, listed as A through F.

A. The BOCA National Building Code/1993, Eleventh Edition, as published by the Building Officials & Code Administrators International, Inc., is hereby modified as follows:

CHAPTER 1 ADMINISTRATION

SECTION 100.0 SCOPE

ADD

101.1 Title: These regulations shall be known as the Building Code of the Township of Moon hereinafter referred to as "this Code".

AMEND

101.2 Scope: This Code shall control all matters concerning the construction, alteration, addition, repair, removal, demolition, use, location, occupancy and maintenance of all buildings and structures and shall apply to existing or proposed buildings and structures and their appurtenant constructions, including vaults, area and street projections, and accessory additions; and shall apply with equal force to municipal, county, state, federal, and private buildings; except as such matters are otherwise provided for in other ordinances or statutes, or in the rules and regulations authorized for promulgation under the provisions of this Code. This Code is available at cost from the office of Building Inspector and Code Administrator.

SECTION 104.0 DEPARTMENT OF
BUILDING INSPECTION

ADD

104.8 Creation of the Office of Code Administration: There is hereby created by the Township Board of Supervisors an office of the Township to be known as the "Office of Building Inspection/Code Administration". Said office and its staff shall be under the direction of the Township Manager or his designee and shall have the responsibility to administer and enforce this Ordinance and of those other codes and/or Ordinances of the Township (herein referred to as the applicable Codes and Ordinances), which designate said Office of Building Inspection/Code Administration as their Official Administration and Enforcement Agency.

ADD

104.8.1 Office of Building Inspection/Code Administration: The administration and enforcement of this Ordinance shall, to the extent these various Codes have been adopted by the Township, be carried out by the Office of Building Inspection/Code Administration in accordance with the procedures established by this Building Code Ordinance of the Township. This Building Code Ordinance provides for certain powers and duties of a Building Inspector/Code Administrator, for the creation of a Board of Appeals, and for procedures relative to applications, fees, permits, inspections, appeals, penalties, and other matters.

ADD

104.9 Appointment of a Code Administration Officer: There shall be appointed by the Board of Supervisors, a Building Inspector/Code Administrator who shall be in charge of the Office of Building Inspection/Code Administration of the Township. The Board of Supervisors may appoint and contract with outside persons and entities to serve as subcontractors for the performance of such portions of the inspection or other duties of the Office of Code Administration as the Board of Supervisors may deem appropriate. The Building Inspector/Code Administrator shall supervise subcontractors and such other employees or assistants as shall be necessary for the administration and execution of the responsibilities of said Office, as appointed and approved by the Board of Supervisors. Said Building Inspector/Code Administrator and other personnel shall be appointed and compensated by the Township.

ADD

104.10 Fire Marshal: The Fire Marshal of the Township has been established as an authorized representative of the Office of Building Inspection/Code Administration of the Township and shall enforce and administer all of the provisions of fire prevention and fire protection system(s) requirements provided for in this Ordinance.

SECTION 105.0 DUTIES AND POWERS OF
THE CODE OFFICIAL

ADD

105.9 Enforcement of the Building Inspector/Code Administrator: The Building Inspector/Code Administrator shall enforce and administer all of the provisions of this Ordinance and of those other applicable Codes and Ordinances which establish the Office of Building Inspection/Code Administration as their official administration and enforcement agency within the Township.

ADD

105.10 Duties of Building Inspector/Code Administrator: The duties of the Building Inspector/Code Administrator shall include the receipt of applications, the issuance of permits, notices, certificates and orders, the making of inspections to determine conformance with applicable Codes and Ordinances, the undertaking of systematic inspection programs, the undertaking of research and investigations, the recommendation of appropriate administrative rules, the keeping of records, the issuance of written annual reports and such other activities as may be required.

SECTION 107.0 APPLICATION FOR PERMIT

AMEND

107.5 Construction documents: The application for permit shall be accompanied by not less than 2 complete sets of construction documents to the code official. One extra set of Life Safety Plans (see Section 107.5.1, Item 19) with site plan indicating hydrant location(s) and access for fire department connection must be submitted for Fire Marshal review and one extra set of plumbing plans with a utility site plan must be submitted for Moon Township Municipal Authority (M.T.M.A.) review.

ADD

107.5.1 Building construction plans: Shall show the following information:

1. Title page which includes:
 - a. List construction plans and pages.
 - b. Type of construction as listed in the BOCA National Building Code/1993.
 - c. Use Group and area as listed in the BOCA National Building Code/1993.
 - d. Net floor area.
 - e. List of all design options.
 - f. List of all installed fire protection.

2. Site plan. See Section 107.6 for site plan requirements.
3. Complete construction plans to include foundation design, floor plans, elevations, interior and exterior wall sections, floor sections, roof details, plumbing plans and electrical plans.
4. Use of all areas must be specified.
5. Complete door schedule with catalog cuts for all doors and hardware (including lock sets).
6. Complete window and glazing schedule.
7. Complete interior finish schedule with flame spread ratings.
8. Complete specifications.
9. List of all rated assemblies (include a diagram of assembly and design number).
10. Plans indicating handicapped requirements.
11. Occupant load for all areas.
12. Statement indicating shop drawing will be submitted for all fire protection systems.
13. List of all design loads for the building.
14. Complete information for all special occupancy requirements (atriums, underground structures, garages, stages, special amusement, HPM, high rise and covered mall, etc.) as outlined in Chapter 4 in BOCA Code/1993.
15. Complete information for all special structures (sky lights, roof, panels, awnings, etc.).
16. Soil test.
17. Plans must be signed and sealed by design professional and structural calculations.

18. Life Safety Plans which include:
 - a. Fire detection and alarm system plan.
 - b. Fire suppression system plan.
 - c. Sequence of operations for all special systems (smoke control, elevator recall, etc.).
 - d. Exit and means of egress lighting.
 - e. Fire Department notification means.

AMEND

107.6 Site plan: There shall also be a site plan (4 copies) showing to scale the size and location of all new construction and all existing structures on the site, distances from lot lines, established street grades and the proposed finished grades; and it shall be drawn in accordance with an accurate boundary line survey. Site plans shall be prepared and/or designed by a design professional with the seal of registration of the State of Pennsylvania affixed to each sheet. In the case of demolition, the site plan shall show all construction to be demolished and the location and size of all existing structures and construction that are to remain on the site or plot.

All site plans shall show the following information:

1. Title Block:
 - a. Name and location of project.
 - b. Name of owner, developer or agent.
 - c. Name, title, address of person or firm preparing the site plan.
 - d. Date.
 - e. Scale.
2. Vicinity map.
 - a. Scale.
 - b. North arrow.
 - c. Intersecting public roads.
 - d. Reference to airport runways.

3. Site information including:

- a. An accurate boundary of the entire tract, north arrow scale.
- *b. Existing and proposed topography:
*Scale - 1" = 20'.
- *c. Erosion and sedimentation control measures designed in compliance to Moon Township Ordinance #211.
- d. Existing zoning of the property and abutting properties. Landscaping and adequate screening as required in the Zoning Ordinance.
- e. Any condition addressed in the Zoning Ordinance such as lighting, noise, driveways, dumpster location and screen, loading area, accessory structures, retaining walls, etc. must be shown.
- f. Building setbacks for principal and accessory structure(s).
- g. Parking facilities and pedestrian movement must be shown as per the Zoning Ordinance.
- h. Adequate access for loading or unloading of emergency equipment, etc.
- i. All rights of ways, easements, watercourses and drainage ways must be shown. Stormwater Management Plan provisions as per Ordinance #340.
- j. Exact locations and exterior dimensions of all existing and proposed structures.
- k. Exact locations of existing and proposed driveway(s), paved areas and street(s) within, adjacent and opposite the lot or parcel.
- l. Location of private fire hydrant(s) as required by Township Fire Marshall and all other utilities within, adjacent and opposite the lot or parcel.
- *m. Stormwater Management Plan provisions as per Ordinance #340.

Note: *b, *c and *m can be shown on separate plans as needed.

4. Summary on the Plan must include:

- a. Number of units.
- b. Net floor area.
- c. Mechanical storage area.
- d. Required number of parking spaces, including handicapped spaces as per the Zoning Ordinance.
- e. Actual number of parking spaces, including handicapped spaces.
- f. Maximum allowable and actual lot coverage.
- g. Total developed area.
- h. Total lot area.

AMEND

107.6.1 Private Sewage Disposal System: The site plan shall indicate the location of a private sewage disposal system where a public sewer is not available. Allegheny County Health Department/PA DER approval must be obtained for private sewage disposal systems.

ADD

107.6.2 Filling, Grading and Drainage: When an application for a building permit is submitted, the applicant shall show in detail any proposed cuts, fills, changes of grades, and existing watercourses, drains or ditches and shall show any proposed changes in same. No permit shall be issued if the cut, fill, change of grade or change of watercourse drain or ditch will cause a dangerous or unhealthy condition, or will cause damage to adjoining properties or public rights of way, or create a public or private nuisance. Filling, grading and soils & erosion control plans are regulated by Township Ordinance #211 and Ordinance #360. Stormwater Plan provisions are regulated by Township Ordinance #340.

ADD

107.10 Other Permits Required: At the time of filing an application for a permit, the applicant shall present to the Building Inspector/Code Administrator evidence that he has obtained all necessary permits, licenses, Workers Comp. Insurance, approvals and/or variances as may be required by the laws of the Township, County and the Commonwealth. Individuals, Agencies, Boards and Commissions issuing aforesaid permits, licenses, approvals and/or variances shall include but not be limited to the Zoning Officer, Zoning Hearing Board, Moon Township Municipal Authority, Planning Director, Moon Township Planning Commission, Moon Township Board of Supervisors, the Fire Marshal, the Allegheny County Fire Marshal, the Allegheny County Department of Planning, the Allegheny County Health Department Plumbing Division, Allegheny County Health Department, Allegheny County Department of Aviation, the Pennsylvania Department of Labor & Industry, Pennsylvania Department of Community Affairs, Pennsylvania Department of Transportation, Pennsylvania Department of Environmental Resources, Federal Communication Commission, Federal Emergency Management Act, Federal Aviation Administration and the National Oceanic & Atmospheric Administration.

SECTION 108.0 PERMITS

AMEND

- 108.1 Action of Application: The Building Inspector/Code Administrator shall examine said application to determine compliance with all those applicable Codes and Ordinances of the Township and shall, within forty-five (45) days after the filing of an application, either approve or reject said application. If said application is rejected, the Building Inspector/Code Administrator shall inform the applicant in writing, stating the reasons for such rejection. Failure to provide all required documentation or information shall be cause for rejection.

SECTION 111.0 CONDITIONS OF PERMIT

ADD

- 111.5 Curbs, Gutters, Rights-of-Way: No change shall be permitted in the grade or contour of any street right-of-way, nor shall there be any alteration of any gutter, curbing, drainage ditch or storm sewer except as permitted by Moon Township Ordinance #342. No hedges, fences, brick pillars, planters or other obstructions shall be permitted within the rights-of-way of street so as to impair vision, interfere with pedestrian traffic or create a traffic hazard. Vehicles and equipment shall be taken into lots at the place where the driveway is located and shall not run over curbing or gutters.

ADD

- 111.5.1 Mailbox Post: Mailbox post shall be a maximum size of 4 inch by 4 inch wood post or equal.

ADD

111.6 Removal of Dirt, Mud and Debris from Roads: Measures shall be taken to prevent or inhibit the deposit of dirt, mud, soil, clay and debris from being washed, tracked or otherwise deposited upon the pavement of any street or sidewalk. Any dirt, mud, soil, or debris deposited upon any street shall be removed immediately so as not to create any traffic safety hazard. In the event of a failure to comply with the foregoing requirements, the Building Inspector/Code Administrator, in his/her sole discretion, in addition to any fines that may be imposed, may require that there shall be installed a driveway of red dog, cinders or of slag or other composition from the street to the building line, and traffic from the street onto the premises shall be limited to the driveway. Persons subject to these penalties are the general contractor, the sub-contractors whose actions created the safety hazard, and individuals to whom the appropriate permit has been issued.

ADD

111.7 Landscaping: Any portion of the premises left in its natural state and not disturbed during construction shall be kept free of junk, debris, dangerous or noxious matter, or other matter which threatens the health, safety and welfare of the public. The minimum requirements for landscaping, either grass, ground cover or other landscaping required by the Township, shall be completed and growing within six months after completion of the building or structure. Until ground cover is established, soil erosion controls must be maintained.

ADD

111.8 Permit Hours: The operation of heavy construction/ excavation machinery (including but not limited to bulldozers, highlifts, backhoes, trucks, power shovels, pumps and jackhammers) and the use of construction equipment such as saws, drills or other types of machinery used outside a structure in conjunction with work requiring a building permit shall be prohibited when it is determined the noise is sufficient to disturb the peace and tranquility of the general public. This shall be enforced throughout the entire Township between the hours of 9:00 p.m. to 7:00 a.m., Monday through Saturday and all day Sunday and on Federally designated legal holidays, except in cases of emergencies involving life or property as designated by emergency personnel.

ADD

111.9 Street Numbers: Any building or structure to which a street number has been assigned shall have the number displayed in a location near the front or primary entrance of the building or structure, easily observed and readable from the public right-of-way. The minimum size (height) of the street number shall be 3" for residential building or structures and 5" for commercial buildings and structures.

ADD

111.10 Driveways and Driveway Approaches: The construction of driveways and driveway approaches must meet requirements established in the Township Standard Details.

1. Must be constructed without disturbing the existing Township road and in a manner to maintain proper drainage.
2. A maximum 1 1/2 inch per foot slope of driveway is permitted in Township road right-of-way.
3. A maximum of 10% slope of driveway is permitted on 10 foot utility easement parallel to the Township road right-of-way.
4. A maximum of 15% slope of driveway is permitted on private property.

SECTION 112.0 FEES

AMEND

112.3.1 Fee Schedules: Fee schedules for permits, certificates, plan examinations, etc. shall be determined by the Township Board of Supervisors by Resolution.

ADD

112.6 Reinspection Fee: A reinspection fee may be charged to the permit holder if the violation(s) noted on previous inspection are not brought into compliance and the inspector is called to reinspect and the findings are such that a third inspection of the same violation must be called for. Prior to the third inspection of the same violation, the fee, as established by the Board of Supervisors by resolution, shall be paid at the Township Administrative offices. A reinspection fee shall be paid for any subsequent inspections for the same violation.

SECTION 113.0 INSPECTION

AMEND

113.2 Required inspections: After issuing a building permit, the code official shall conduct required inspections during and upon completion of the work for which a permit has been issued. Upon notification from the permit holder or his agent, the Building Inspector shall make or cause to be made the necessary inspections within 24 hours during a normal work day week. The Building Inspector shall either approve that portion of the construction as completed or shall notify the permit holder or his agent wherein the same fails to comply with this code. A record of all such examinations and inspections and of all violations of this code shall be maintained by the code official. The owner shall provide for special inspections in accordance with Section 1705.0.

AMEND

113.4 Right-of-Entry: The code official shall have the authority to enter at any reasonable time any structure or premises for which a permit has been issued but has not received a certificate of occupancy in accordance with Section 118.0. If any owner, operator or occupant or other person in charge fails or refuses to permit entry and free access to the property, structure or premises under his control, or to any part thereof, with respect to any authorized inspection the Building Inspector/Code Administrator may file a complaint charging a violation of this section of this Ordinance and in addition may petition for and obtain an order directing compliance with the inspection requirements of this Ordinance from a court of competent jurisdiction. Any person who refuses to comply with any order or decision issued pursuant to this section shall be subject to such penalties as hereinafter set forth and as may be authorized by law for violation of a court order.

For all other structures or premises, when the code official has reasonable cause to believe that a code violation exists, the code official is authorized to enter the structure or premises at reasonable times to inspect. Prior to entering into a space not otherwise open to the general public, the code official shall make a reasonable effort to locate the owner or other person having charge or control of the structure or premises, present proper identification and request entry. If requested entry is refused or not obtained, the code official shall pursue recourse as provided by law. The assistance and cooperation of all other Township officials, including police and fire departments, shall be available to the Building Inspector/Code Administrator to assist in the performance of his/her duties and in securing right-of-entry.

SECTION 114.0 PROFESSIONAL ARCHITECTURAL & ENGINEERING SERVICES

ADD

114.3 Architect/Engineer Letter Required: When a permit or certificate is sought from the Building Inspector/Code Administrator for any construction except single family dwellings and its accessory structures, a letter bearing the registered design professional's signature and seal shall be submitted along with the construction documents he/she prepared (Section 114.1). This letter must confirm that the building has been designed to meet or exceed the Township's adopted Building Code and shall attach all supportive documents.

SECTION 116.0 VIOLATIONS

AMEND

116.4 Violation Penalties: Any person who shall violate a provision of this Ordinance 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 of the building official, or of a permit or certificate issued under the provisions of this Ordinance, shall be guilty of a misdemeanor punishable by a

fine of not less than \$300.00 or more than \$1,000.00 or by imprisonment not exceeding thirty (30) days, or both such fine and imprisonment. Each day that a violation continues shall be deemed a separate offense. Further, the Building Inspector/Code Administrator may require that an offending structure be removed or demolished at the expense of the erector or owner.

SECTION 117.0 STOP WORK ORDER

AMEND

117.2 Unlawful Continuance: Any person who shall continue any work in or about the structure 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 conditions, shall be liable to a fine of not less than \$300.00 or more than \$1,000.00. Further, the work performed following the issuance of the stop work order shall be removed at the expense of the erector or owner, if in his/her discretion the Building Inspector/Code Administrator shall so determine for code compliance reasons.

SECTION 118.0 CERTIFICATE OF USE & OCCUPANCY

AMEND

118.4 Contents of Certificate: When a structure is entitled thereto, the code official shall issue a certificate of occupancy within ten days after written application. Upon completion of the final inspection in accordance with Section 113.3 and correction of the violations and discrepancies, the certificate of occupancy shall be issued. The certificate of occupancy shall specify the following:

1. The purpose for which the building or structure will be used in its several parts.
2. Any special stipulations and conditions of the building permit.
3. The edition of the code under which the permit was issued.
4. The use group and occupancy, in accordance with the provisions of Chapter 3.

5. The type of construction as defined in Chapter 6.
6. If an automatic sprinkler system is provided, whether the sprinkler system is required.
7. The hazard classification of storage configuration, including aisle widths, for which the automatic sprinkler system is designed.

ADD

118.5 Additional Certificates of Approval: There may be additional certificates of approval by others that are required by law, ordinance, resolution or regulation and must be complied with before a building permit or Certificate of Occupancy, as appropriate, shall be issued.

ADD

118.6 PA Department of Labor & Industry: PA Department of Labor & Industry occupancy certificate must be obtained for non-residential, assembly and all other classes of buildings as outlined in the Commonwealth of Pennsylvania Department of Labor & Industry Fire and Panic Regulations, however, the building shall not be occupied until a Certificate of Use & Occupancy is obtained from the Township.

SECTION 121.0 MEANS OF APPEAL

AMEND

121.1 Application for Appeal: Any person shall have the right to appeal a decision of the Building Inspector/Code Administrator to the Board of Appeals. Application for appeal shall be based on a claim that the true intent of this Code or the rules legally adopted hereunder have been incorrectly interpreted, the provisions of the Code do not fully apply, or an equally good or better form of construction can be used. The appeal must be perfected, in writing, on the required form, no later than thirty (30) calendar days following the decision being issued by the Building Inspector/Code Administrator.

AMEND

121.2 Membership of the Board: The Board of Appeals shall consist of five (5) residents of Moon Township approved by a majority of the Moon Township Board of Supervisors as follows: one for five years, one for four years, one for three years, one for two years, and one for one year. Thereafter, each new member shall serve for five years or until a successor has been appointed.

AMEND

121.2.1 Qualifications: Each member shall be a registered design professional or have considerable experience in the building construction trade; or have a working knowledge of the construction industry. Not more than two members shall be from the same profession or occupation.

AMEND

121.2.5 Secretary: The Township Manager, or his designee, shall act as Secretary to the Board. The Secretary shall file a detailed record of all proceedings in the Manager's office.

ADD

121.2.7 Functions and Duties: The Board of Appeals shall hold meetings, keep minutes, and pursuant to notice, shall conduct hearings, compel the attendance of witnesses, take testimony under oath, and render decisions in writing, all as required by law. A fee shall be charged in accordance with a schedule fixed by resolution for any appeal or proceedings filed with the Board of Appeals. The Board of Appeals shall have the functions, powers and duties specifically granted by law and by this Ordinance.

AMEND

121.3 Notice of Meeting: The Board shall meet upon notice of the Chairman within thirty (30) days of filing of an appeal or at stated periodic meetings if warranted by the volume of work.

AMEND

121.4 Public Hearing: All hearings shall be public. The appellant, the appellant's representative, the official of the jurisdiction and any other person whose interest may be materially affected by the matter on appeal, shall be given an opportunity to be heard, however, the Board may prohibit repetitive testimony.

AMEND

121.4.1 Procedure: The Board shall adopt and make available to the public, through the Secretary, procedures under which a hearing will be conducted. The procedures shall not require compliance with strict rules of evidence but shall mandate that only relevant information be received. In general, the due process procedures shall reflect the standards required of hearings conducted under the Pennsylvania Local Agency Act.

AMEND

121.5 Postponed Hearing: When less than three (3) members of the Board of Appeals are present to hear an appeal, the hearing shall be postponed. A new hearing shall be held within five (5) days. No member of the Board of Appeals may participate in making a decision on an appeal unless the member has been present during the entire hearing or, alternatively, has reviewed a transcript of those portions of the proceedings at which he/she was not present.

AMEND

121.6 Board Decision: The Board shall approve, modify or reverse the decision of the Fire Marshal or of the Building Inspector/Code Administrator by a concurring vote of not less than three (3) members of the Board within forty-five (45) days from the close of the hearing or the receipt of the transcript, whichever is later. In the event that no adjudication is rendered within this time frame, the decision of the Fire Marshal or Building Inspector/Code Administrator shall stand.

AMEND

121.6.1 Resolution: The decision of the Board of Appeals shall be by resolution. Certified copies shall be furnished to the appellant and to all participants, and shall be made public.

AMEND

121.6.2 Administration: The Building Inspector/Code Administrator or Fire Marshal shall take immediate action in accordance with the decision of the Board.

AMEND

121.7 Court Review: Any person materially aggrieved by a decision of the Board of Appeals, whether or not a previous party to the decision, or any relevant officer or Board of the Township may apply to the appropriate court for a writ of certiorari to correct errors of laws in such decisions. Application for review so to be timely, shall be made to the proper court of jurisdiction within thirty (30) days after the filing of the Board's decision in the office of the Building Inspector/Code Administrator.

CHAPTER 2 DEFINITIONS

SECTION 202.0 GENERAL

ADD

202.1 Attached Buildings: All attached wings or auxiliary structures to a building shall meet or exceed the same requirements as established by the building code for the highest level of that building.

AMEND

202.2 Building: Any structure used or intended for supporting or sheltering any use or occupancy. For application of this code, each portion of a building completely separated from other portions by fire walls complying with Section 707.0 shall be considered as a separate building. Each separate building shall meet the yard setback requirements established in the Moon Township Zoning Ordinance.

Exception: The fire walls as required above shall not constitute a separate building classification when Section 904.0, Fire Suppression System Requirements, is applicable as designated in Chapter 9 entitled Fire Protective Systems of this Ordinance.

ADD

202.3 Grandfathered Structures: Grandfathered structures shall refer to buildings or structures built prior to May 11, 1988, the adoption date of Ordinance #292. All grandfathered structures/buildings in which there is work involving alterations or changes in use shall be made to conform to the current Building Code.

ADD

202.4 Temporary Structures: Any structure, non-permanent in nature, not attached to a permanent foundation, placed on a site and used for a period of time not to exceed six (6) months. Temporary structures shall include but are not limited to land sales trailers, tents, bleachers, air support structures, seasonal displays, etc.

CHAPTER 4 SPECIAL USE AND OCCUPANCY

SECTION 406.0 OPEN PARKING STRUCTURES

AMEND

406.1 General: Open parking structures are those structures used for the parking or storage of passenger motor vehicles designed to carry not more than nine persons, wherein provision for the repair of such vehicles is not made and where the exterior walls of the structure have openings on not less than two sides. Open parking structures are required to conform to Section 408.0 for public garage.

SECTION 408.0 PUBLIC GARAGES

AMEND

408.3.1 Sprinkler Systems: All public garages shall be equipped throughout with an automatic sprinkler system in accordance with 906.2.1:

1. Where total floor area exceeds 7,000 square feet.
2. When more than two (2) stories in height above grade or more than one (1) story below grade.
3. Where located beneath other use groups.

ADD

408.7 Standpipes: There shall be standpipe hose connections located at each entrance to an exit passageway, exit corridor or enclosed stairway and at all exterior entrances to the public parking structures.

SECTION 420.0 MOBILE UNITS

AMEND

420.1 General: Mobile units shall be designed, constructed and maintained to be transported from one location to another and not mounted on a permanent foundation. These mobile units not mounted on a permanent foundation shall be considered a temporary structure and only permitted as authorized in Moon Township Zoning Ordinance and/or approved by the Zoning Hearing Board. Upon Zoning Ordinance authorization, a Township Permit for Temporary Mobile Units must be obtained prior to placement on the approved site. The permit shall be valid for a period not to exceed six (6) months and may be renewed for an additional six (6) month period. All other mobile units or manufactured housing must obtain a Building Permit, be made permanent and placed on a permanent perimeter foundation.

AMEND

420.2 Construction: All mobile units placed on a permanent foundation must be designed and constructed to comply with all the requirements of this code for on-site and prefabricated construction. Permanent perimeter foundations must be constructed of materials as required by this code for regular foundation constructions. Skirting is not permitted. The exterior finish product to grade requirements as established in Section 1401.2 shall also apply. All mobile units placed on a permanent foundation shall be evaluated, inspected and labeled by an approved agency in accordance with Section 1703.3. All "temporary" mobile units as established in the Zoning Ordinance must meet all Federal, State, County and local statutes regarding its construction and tie down requirements.

CHAPTER 9 FIRE PROTECTIVE SYSTEMS

SECTION 904.0 FIRE SUPPRESSION SYSTEMS

AMEND

904.1 Where required: Automatic fire suppression systems shall be installed where required by this code, and in the locations indicated in Sections 904.2 through 904.11.

Exceptions:

1. Delete
2. Delete

AMEND

904.2 Use Groups A-1, A-3 and A-4: Where a Use Group A-1, A-3 or A-4 building exceeds 7,000 square feet in area, an automatic fire suppression system shall be provided as follows:

1. Throughout the entire story or floor level where the A-1, A-3 or A-4 Use Group is located;
2. Throughout all stories and floor levels below the A-1, A-3 or A-4 Use Group; and
3. Throughout all intervening stories and floor levels between the A-1, A-3 or A-4 Use Group and the highest level of exit discharge that serves Use Group A-1, A-3 or A-4 fire areas, including the highest level of exit discharge.

Exception:

1. Auditorium areas of Use Group A-1 or A-3 where the main auditorium floor is at the level of exit discharge of the main entrance and entire building area is less than 7,000 square feet.
2. Naves and chancels of Use Group A-4 where the main floor of the nave or chancel is at the level of exit discharge of the main entrance and entire building area is less than 7,000 square feet.

3. Participant sport areas of Use Group A-3 where the main floor of the participant sport area is at the level of exit discharge of the main entrance and entire building area is less than 7,000 square feet.

AMEND

904.3 Use Group A-2: Where a Use Group A-2 building is more than 5,000 square feet in area or is located either above or below the level of exit discharge of exits that serve the Use Group A-2 fire area an automatic fire suppression system shall be provided as follows:

1. Throughout the entire story or floor level where the A-2 Use Group is located;
2. Throughout all stories and floor levels below the A-2 Use Group; and
3. Throughout all intervening stories and floor levels between the A-2 Use Group and the level of exit discharge of exits that serve the Use Group A-2 including the level of exit discharge.

AMEND

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

Exception: Buildings less than 7,000 square feet in area.

AMEND

904.5 Use Group H: An automatic fire suppression system shall be provided throughout all buildings with Use Group H.

Exception: Magazines used for the storage of Use Group H-1 materials which are constructed and located in accordance with NFPA 495 and the fire prevention code listed in Chapter 35.

AMEND

904.6 Use Group I: An automatic fire suppression system shall be provided throughout all buildings with a Use Group I fire area.

Exception: Use Group I-2 child care facilities located at level of exit discharge which accommodate 100 children or less. Each child care room shall have an exit door directly to the exterior and the total area of the building is less than 7,000 square feet.

AMEND

904.7 Use Groups M, S-1 and F-1: Throughout all buildings with a Use Group M, S-1 or F-1 fire area, an automatic fire suppression system shall be provided as follows:

1. Where any Use Group M, S-1 or F-1 fire area located in a building which exceeds 7,000 square feet in area;
2. Delete
3. Where any Use Group M, S-1 or F-1 fire area is more than two stories.

Exception: Delete

AMEND

904.8 Use Group R-1 An automatic fire suppression system shall be provided throughout all buildings with a Use Group R-1 fire area in accordance with Section 906.2.1 or 906.2.2.

Exception: Where all guest rooms are not more than two stories above the lowest level of exit discharge of the exits serving the guest rooms. Each guest room shall have at least one door opening directly to an exterior exit access which leads directly to the exits.

AMEND

904.9 Use Group R-2: An automatic fire suppression system shall be provided throughout all buildings with an occupancy in Use Group R-2 in accordance with Section 906.2.1 or 906.2.2.

Exception: Buildings which do not exceed two stories, including basements which are not considered as a story above grade, the building is not more than 10,000 square feet in area and with a maximum of 12 dwelling units per building. Each dwelling unit shall have at least one door opening to an exterior exit access that leads directly to the exits required to serve that dwelling unit.

ADD

904.9.1 Use Group R-3: An Automatic fire suppression system shall be provided throughout all buildings with an occupancy in Use Group R-3 in accordance with 906.2.1 and 906.2.2.

Exception: Buildings which do not exceed two stories, including basements which are not considered a story above grade and the building is not more than 10,000 square feet in area.

ADD

904.12 All Use Groups: Except when more restrictive regulations apply as established in the Building Code, the minimum standards regulating when a fire suppression system is required shall be in accordance with 904.12.1 and 904.12.2.

ADD

904.12.1 Fire Suppression System: Shall be installed and maintained in full operating condition in all new buildings or structures or new portions thereof when more than 7,000 square feet in area except Use Group R-3 ("New" construction is that occurring after the passage of Ordinance #292, specifically May 11, 1988).

ADD

904.12.2 Fire Suppression System: Shall be installed and maintained in full operating condition in all new buildings or structures or new portions thereof of when more than two (2) stories in height. ("New" construction is that occurring after the passage of the Ordinance #292, specifically May 11, 1988).

Exception: In Use Group R-4, A-5, U.

ADD

904.13 Grandfathered Structures: It is the intent of the Township that this language shall require an automatic fire suppression system for any and all new additions to Grandfathered structures once the total square footage of any single new addition, or the total square footage of one or more new additions in combination, reaches 7,000 square feet or when the number of stories in the structure would require a fire suppression system in a new structure, then the whole structure must be protected by such system.

SECTION 914.0 STANDPIPE SYSTEM

AMEND

914.2 Where required: Standpipe systems shall be installed where required by this code and in the locations indicated in Sections 914.2.1 through 914.2.5.

Exception: Occupancies in Use Group R-3.

AMEND

914.2.1 Building height: Standpipe systems shall be installed throughout all buildings when more than two stories in height or more than one story below grade.

AMEND

914.2.2 Building area: Standpipe systems shall be installed in all buildings where any portion of the building floor area is more than 400 feet of travel from the nearest point of fire department vehicle access or if the area is more than 7,000 square feet.

Exception:

1. Delete.
2. Delete.
3. Delete.

ADD

914.2.5 Public parking garages: Standpipes shall be installed in all public garages in accordance with Section 408.7.

AMEND

914.5.1 Automatic water supply: An automatic water supply is required for all standpipe systems. The automatic water supply and supply piping shall be capable of delivering a flow of 500 gpm at the residual pressure specified in Section 914.4 for a duration of 30 minutes.

Exceptions:

1. In buildings equipped throughout with an automatic sprinkler system installed in accordance with Section 906.2.1 the automatic water supply is not required to exceed the requirements of NFIPA 13 listed in Chapter 35.
2. Dry standpipe systems installed in open parking structures.

SECTION 917.0 FIRE PROTECTIVE SIGNALING SYSTEMS

AMEND

917.5 Location: Manual fire alarm boxes shall be located not more than 5 feet from the entrance to each exit.

Exception: Delete.

SECTION 918.0 AUTOMATIC FIRE DETECTION SYSTEMS

AMEND

918.4.3 Use Group I-3: An automatic fire detection system shall be installed and maintained in all resident housing areas of Use Group I-3. Smoke detectors shall be arranged and positioned to prevent damage or tampering provided that the function and speed of detecting a fire is equivalent to that provided by the spacing and arrangement requirements of NFIPA 72E listed in Chapter 35.

Exception: Delete.

AMEND

918.4.4 Use Group R-1: An automatic fire detection system shall be installed and maintained in all occupancies in Use Group R-1.

Exception: Delete.

AMEND

918.5 Sprinklered buildings exception: Buildings equipped throughout with an automatic sprinkler system in accordance with Section 906.2.1 or Section 906.2.2 are required to be equipped with an automatic fire detection system that conforms to Section 917.0.

SECTION 919.0 SINGLE AND MULTIPLE-STATION SMOKE DETECTORS

AMEND

919.5 Battery backup: In addition to the required AC primary power source, required smoke detectors in occupancies in Use Groups R-2, R-3 and I-1 shall receive power from a battery when the AC primary power source is interrupted.

Exception: Delete.

CHAPTER 11 ACCESSIBILITY

SECTION 1105.0 PARKING FACILITIES

AMEND

1105.1 Required: Where parking is provided, accessible parking spaces complying with CABO A117.1 listed in Chapter 35 shall be provided. Other handicapped parking requirements are specified in Zoning Ordinance #345.

CHAPTER 14 EXTERIOR WALL COVERINGS

SECTION 1401.0 GENERAL

ADD

1401.2 Exterior Finish To Grade: The exterior finish of the building, whether finished face brick, wood veneer, siding or any other finished facing materials approved by the Building Inspector/Code Administration Officer, shall come down the building to within six (6") inches of finished grade. Plain masonry block or poured concrete shall not be considered a finished product; nor shall either of these construction surfaces be considered as a finished product if painted.

CHAPTER 15 ROOFS AND ROOF STRUCTURES

SECTION 1510.0 ROOF STRUCTURES

ADD

1510.10 Roof Structures: When mechanical equipment is designed to be located on the roof of a structure/building then this equipment must be adequately screened with typical building materials that will compliment the building design and conceal this equipment from neighboring property owners and the public on adjacent roadways.

CHAPTER 18 FOUNDATIONS AND RETAINING WALLS

SECTION 1806.0 DEPTH OF FOOTINGS

AMEND

1806.1 Frost protection: Except when erected upon solid rock or otherwise protected from frost, foundation walls, piers and other permanent supports of all buildings and structures larger than 100 square feet (9.30m^2) in area or 10 feet (3048 mm) in height shall extend to the frost line measurement of 36 inches from finish grade to the bottom of the footer and where necessary spread footings of adequate size shall be provided to distribute properly the load within the allowable bearing value of the soil. Alternatively, such structures shall be supported on piles adequately designed to a proper depth and construction when solid earth or rock is not available. The area and height exception does not apply when the building or structure is an addition to an existing building. Footings shall not bear on frozen soils unless such frozen condition is of a permanent character.

SECTION 1810.0 CONCRETE FOOTINGS

AMEND

1810.3.1 Minimum Footing Design: The minimum footer size shall be 18" wide x 8" deep with a minimum two (2) continuous #4 steel reinforcing bars and perpendicular bars every 10' tied together with steel wire.

SECTION 1813.0 WATERPROOFING AND DAMP PROOFING

AMEND

1813.5.3 Drainage Disposal: The floor base and foundation perimeter drain shall discharge by gravity or mechanical means into an approved drainage system that complies with Stormwater Management Ordinance #340.

SECTION 1825.0 RETAINING WALLS

AMEND

1825.1 General: Walls built to retain or support the lateral pressure of earth or water or other superimposed loads shall be designed and constructed of approved masonry, reinforced concrete, steel sheet piling or other approved materials within the allowable stresses specified in this code (see Section 1702.6.5). Retaining walls and similar structures shall require building permits prior to their construction. The retaining wall shall be designed by a registered professional engineer who shall certify that the wall is of sound construction, will not cause a dangerous condition and will not constitute a public or private nuisance. In appropriate cases, such structures may be required to be covered with suitable ground cover such as ivy or other plant material or an architectural surface treatment finish, or completely screened from abutting properties. Retaining walls shall not be erected on the right-of-way. When cribbing is used as a type of construction for retaining wall, the material used must have its exposed surface earth covered and seeded to prevent erosion. No retaining walls shall be constructed of Wood Cribbing.

AMEND

1825.2.1 Landscape walls: Landscape walls are walls less than 4 feet in height and used in the art of arranging or modifying the features of a landscape to secure beautiful or advantageous effects. Walls greater than 4 feet in height must meet the requirements in Section 1825.0 - Retaining Walls as amended.

CHAPTER 27 ELECTRICAL WIRING,
EQUIPMENT AND SYSTEMS

SECTION 2703.0 PERMIT AND CERTIFICATE OF INSPECTION

AMEND

2703.1 General: Electrical wiring or equipment shall not be installed within or on any building, structure or premises, nor shall any alteration be made in any such existing installations, without first securing approval and a permit from the Building Inspector for Electrical Code Compliance except as provided for in Section 2703.2.1 through 2703.2.4. It shall be unlawful to use or allow the use of or to supply current for an electrical system in a building or structure, unless the required certificate of inspection and permit have been secured.

AMEND

2703.2 Exemptions: A permit shall not be required for the execution and use of the classes of work specified in Sections 2703.2.1 through 2703.2.4.

AMEND

2703.2.1 Repairs and Maintenance: A permit shall not be required for minor repair work, including the replacement of lamps or the connection of approved portable electrical equipment to approved permanently installed receptacles.

AMEND

2703.2.2 Public Service Agencies: A permit shall not be required for the installation, alteration or repair of electrical equipment for the operation of communications and signals or the transmission of intelligence by wire by public utility agencies, except as provided for in Article 9 for fire alarm systems and The National Electric Code/1993.

AMEND

2703.2.3 Power Companies: a permit shall not be required for the installation, alteration or repair of electrical equipment of a power or public service company for its use in the generation, transmission, distribution or metering of electricity except as provided for in the National Electric Code/1993.

AMEND

2703.2.4 Temporary Testing System: A permit shall not be required for the installation of any temporary system required for the testing or servicing of electrical equipment or apparatus.

ADD

2703.2.5 One or Two Family Dwellings: A permit shall not be required for the installation of Class 1, Class 2, Class 3 remote-control, signaling, and power limited circuits, telephone, alarm, communication wiring, cable-television and similar systems when installed in 1 or 2 family dwellings. All such installations shall be installed in compliance with the applicable code article.

ADD

2703.5 All Applications shall, prior to occupancy of the building, structure or premises, obtain a Certificate of Final Approval from the Building Inspector for Electrical Code Compliance. This Certificate of Final Approval shall certify that all the necessary inspections have been made and that the electrical wiring conforms with the applicable provisions of the National Electrical Code and this Ordinance. Whenever any of the inspections show that the provisions of the National Electrical or this Ordinance have not been complied with, the Building Inspector for Electrical Code Compliance shall so inform the Building Inspector/Code Administrator within five (5) days. The Building Inspector for Electrical Code Compliance or Building Inspector/Code Administrator shall notify the applicant of the steps which must be taken to achieve compliance with the National Electrical Code or this Ordinance before a Certificate of Final Approval will be issued. Failure to secure a Certificate of Final Approval shall be sufficient reason for notification to the Electric Utility Company to disconnect or refuse to connect electrical power to the premises and the Township shall not issue a certificate of occupancy.

SECTION 2709.0 BUILDING INSPECTOR FOR
ELECTRIC CODE COMPLIANCE

ADD

2709.1 The Township Building Inspector for Electrical Code Compliance shall meet the criteria listed below and must be approved by Duquesne Light Company or other lawful utility regulated by the P.U.C. operating in Moon Township. The Township of Moon, Allegheny County, requires compliance with the following conditions by its Building Inspector for Electrical Code Compliance.

ADD

2709.1.1 The Building Inspector for Electrical Code Compliance shall carry and annually furnish Moon Township with certificates of insurance evidencing required statutory worker's compensation insurance.

ADD

2709.1.2 The Building Inspector for Electrical Code Compliance shall carry and annually furnish Moon Township will certificates of insurance evidencing Comprehensive General Liability Insurance, including Completed Operations, with single-limit coverage in an amount not less than \$1,000,000.

ADD

2709.1.3 The Building Inspector for Electrical Code Compliance shall carry and annually furnish Moon Township with certificates of insurance evidencing Professional Liability Insurance with single-limit coverage in an amount not less than \$1,000,000.

ADD

2709.1.4 The Building Inspector for Electrical Code Compliance will require all electrical installations to meet the standards of the Township adopted edition of the National Electrical Code and this ordinance code.

ADD

2709.1.5 The Building Inspector for Electrical Code Compliance will ensure that inspecting employees are qualified and will certify their qualifications to Moon. A list of inspectors, which will be kept up to date, will be forwarded to Moon.

ADD

2709.1.6 An inspector shall not inspect his own work or the work of anyone whose business, family or other relationship with the inspector would render the inspection unethical or create the appearance of impropriety.

ADD

2709.1.7 The Township will, by regulation, establish regular office hours within Moon Township during which time employees of the electrical inspector shall be available to members of the public.

ADD

2709.1.8 Municipal Cards will be issued upon inspection to the Office of Building Inspection/Code Administration.

ADD

2709.1.9 The Agency will issue certificates to the applicant on all installations upon satisfactory completion.

ADD

2709.1.10 Building Inspector/Code Administrator will be notified of violations over five (5) days old.

ADD

2709.1.11 Inspection fees will be charged at a rate established by resolution and published in a fee schedule and collected from the installer, contractor or owner by the Building Inspector for Electrical Code Compliance. Said resolution will require remittal by the inspector to the Township of all monies due the Township.

ADD

2709.1.12 For purposes of fire and safety, the Building Inspector for Electrical Code Compliance will, upon request, conduct a free inspection for the Building Inspector/Code Administrator or Fire Marshal on any building deemed necessary. When wiring adjustments are made, the same Building Inspector for Electrical Code Compliance will make the necessary follow-up inspection upon the necessary receipt of an application and appropriate fee.

ADD

2709.1.13 Inspections will be made during a normal work day, but the Building Inspector for Electrical Code Compliance will be available at all times for emergencies.

ADD

2709.1.14 All inspectors shall be full time employees of the Building Inspector for Electrical Code Compliance.

ADD

2709.1.15 Appointment of the Building Inspector/Code Administrator for Electrical Code Compliance may be withdrawn by the Township Manager at any time upon evidence of non-compliance with any of the above conditions.

CHAPTER 29 PLUMBING SYSTEMS

SECTION 2901.0 GENERAL

AMEND

2901.1 Scope: The design and installation of plumbing systems, including sanitary and storm drainage, sanitary facilities, water supplies and storm water and sewage disposal in buildings, shall comply with the requirements of this Chapter, the plumbing code listed in Chapter 35, Allegheny County Plumbing Code Article 15, and the Township adopted Storm Water Ordinance.

ADD

2901.2 Plumbing Systems Managements: Plumbing Systems Management shall be adopted only so far as it does not conflict with regulations set forth by Moon Township Municipal Authority and Allegheny County Health Department Plumbing Division. The Township of Moon may require flow restrictions and other water conservation devices and equipment upon the recommendations of the Township Engineer, Building Inspector/Code Administrator or Moon Township Municipal Authority.

CHAPTER 31 SPECIAL CONSTRUCTION

SECTION 3102.0 SIGNS

ADD

3102.1.1 Signs: Where there is a conflict between this Chapter 31 and the Moon Township Zoning Ordinance #345, the more restrictive shall apply.

SECTION 3104.0 TEMPORARY STRUCTURES

AMEND

3104.1 General: The provisions of this section shall apply to tents, membrane structures and other temporary structures erected for a period of less than six (6) months. Those erected for a longer period of time shall comply with Section 3103.0 or with all applicable sections of this code when Section 3103.0 is not applicable.

AMEND

3104.1.1 Permit Required: All temporary structures including all connecting areas or spaces with a common means of egress or entrance shall not be erected, operated or maintained for any purpose without obtaining a permit from the code official. Tents used exclusively for recreational camping purposes shall be exempt from the above requirements. Special permits required by this code shall be secured from the code official.

SECTION 3109.0 RADIO AND TELEVISION ANTENNAS

AMEND

3109.2 Permits Required: Antenna structures more than 12 feet in height are not permitted to be mounted on the roof of any building or structure. All antennal structures governed by the FCC must obtain a building permit. The location of the antennal structure must meet the regulations established in the Township Zoning Ordinance.

AMEND

3109.3.1 Permit: A permit must be secured for all dish antennal structures. Dish antennal structures are not permitted on the roof. The location of the dish antennal structure must meet the regulations established in the Township Zoning Ordinance.

CHAPTER 32 CONSTRUCTION IN THE
PUBLIC RIGHT-OF-WAY

ADD

3201.1 Construction in Township Right-of-Ways is regulated by Ordinances #342, #360 and Township Standard Details.

DELETE

Sections 3202.0 through 3205.4.

CHAPTER 34 EXISTING STRUCTURES

SECTION 3401.0 GENERAL

AMEND

3401.1 Scope: The provisions of this chapter shall control the alteration, repair, addition and change of occupancy of existing structures. Alterations, repairs, additions and changes of occupancy to existing structures shall comply with Sections 3403.0 through 3407.0.

SECTION 3403.0 ADDITIONS

AMEND

3403.1 Compliance: An addition to a structure shall conform to the requirements for a new structure without requiring the existing structure to comply with the requirements of this code for new construction and shall not result in an increase in hazard to the occupants. Any existing building plus new addition shall not exceed the height, number of stories and area requirements specified for a new building. Refer to Chapter 5: General Building Limitations and Chapter 9: Fire Protection Systems. Any alterations made to the existing structure shall comply with the requirements of this chapter and Chapter 1.

AMEND:

3404.3 Requirements: An alteration to any structure shall conform to the code requirements for a new structure and shall not result in an increase in hazard to the occupants. Portions of the structure not altered and not affected by the alteration are not required to comply with the code requirements for a new structure except that alteration which must meet Section 904.13 requirements.

SECTION 3408.0 COMPLIANCE ALTERNATIVES

DELETE

3408.1 through 3408.9.1

B. The BOCA National Mechanical Code/1990, Seventh Edition, as published by The Building Officials and Code Administrators, International, Inc. is hereby modified as follows:

ARTICLE 8 GAS PIPING SYSTEMS

SECTION M-803.0 PIPING MATERIAL

M-803.2 Piping Standards: Fuel gas pipe for the interior of buildings shall be steel pipe material only. All other applications shall conform to one of the standards listed in Table M-803.2.

C. The CABO, One and Two Family Dwelling Code/1992 Edition, as published by The Building Officials and Code Administrators International., Inc., is hereby modified as follows:

SECTION R-215 SMOKE DETECTORS

R-215.1 Smoke detectors required: Smoke detectors shall be installed in each sleeping room and outside the immediate vicinity of the bedrooms and on each additional story of the dwelling, including basements and cellars but not including crawl spaces and uninhabitable attics. In dwellings or dwelling units with split levels, a smoke detector need be installed only on the upper level, provided the lower level is less than one full story below the upper level, except that if there is a door between levels than a detector is required on each level. All detectors shall be interconnected such that the actuation of one alarm will actuate all the alarms in the individual unit and shall provide an alarm which will be audible in all sleeping areas. All detectors shall be approved and listed and shall be installed in accordance with he manufacturers's instructions.

When alterations, repairs or additions requiring a permit occur, or when one or more sleeping rooms are added or created in existing dwellings, the entire building shall be provided with smoke detectors located as required for new dwellings; the smoke detectors are not required to be interconnected unless other remodeling considerations require removal of the appropriate wall and ceiling coverings to facilitate concealed interconnected wiring.

R-215.2 Power source: Required smoke detectors shall receive their primary power from the building wiring when such wiring is served from a commercial source, and when primary power is interrupted, shall receive power from a battery. Wiring shall be permanent and without a disconnecting switch other than those required for overcurrent protection. Smoke detectors may be battery operated when installed in buildings without commercial power.

CHAPTER 3 FOUNDATIONS

SECTION R-303 FOOTINGS

AMEND

R-303 Footings: All exterior walls, bearing walls, columns and piers shall be supported on continuous solid masonry or concrete footings, wood foundations, or other approved structural systems which shall be of sufficient design to support safely the loads imposed as determined from the character of the soil, and except when erected on solid rock or otherwise protected from frost, shall extend below the frost line. Typical designs for concrete footings shall be as set forth in Figure No. R-303. Minimum footing depth and design standards are established in Section 1806.1 and Section 1810.3.1 of this Ordinance. Footings for wood foundations shall be in accordance with the details set forth in Figure Nos. R-304.5a and R-304.5b and NFIPA Technical Report No. 7 listed in Section S-26-303. The top surface of footings shall be level. The bottom surface of footings may have a slope not exceeding 1 in 10. Footings shall be stepped where it is necessary to change the elevation of the top surface of the footings or where the slope of the bottom surface of the footing will exceed 1 in 10. Structural slabs-on-ground and mat-type footings for dwellings located on expansive soils shall be designed and installed in accordance with PTI "Post-Tensioned Slabs-on-Ground" or WRI "Design of Slabs-on-Ground Foundations" listed in Section S-26.303, or in accordance with other approved methods.

CHAPTER 7 ROOF-CEILING CONSTRUCTION

SECTION R-701 - GENERAL

AMEND

R-701.3 Roof Drainage: All dwellings shall have a controlled method of water disposal from roofs that will collect and discharge all roof drainage as regulated by Township Standard Details and Stormwater Management Ordinance #340.

D. The BOCA National Fire Prevention Code/1993, Ninth Edition, as published by the Building Officials Code Administrators International, Inc. is hereby modified as follows:

SECTION F-101.0 GENERAL

F-101.1 Title: These regulations shall be known as the Fire Prevention Code as part of the Building Code of the Township of Moon hereafter referred to as "This Code".

E. The National Fire Codes/1993, as published by the National Fire Protection Association also known as NFPA. The National Fire Codes are herein adopted in their entirety in so far as they do not conflict with the adopted BOCA National Building Code/1990, as provided for in this Ordinance.

F. The National Electric Code/1993, as published by the National Fire Protection Association also known as NFPA70. The following sections are hereby amended as follows:

CHAPTER 2 WIRING AND PROTECTION

ARTICLE 210 - BRANCH CIRCUITS

AMEND

210-8(a) Dwelling Units: Insert (7) The test and reset controls for all ground fault circuit-interrupters required by this section shall be located on the same floor and no farther than 10 feet from any receptacle so protected.

EXCEPTION: Where each GFCI protected receptacle is furnished with a permanent label clearly stating the location of the test and reset controls. This article shall be superior to any conflicting article(s).

ARTICLE 250 - GROUNDING

AMEND

250-91(b) Types of Equipment Grounding conductors. The equipment grounding conductor run with or enclosing the circuit conductors shall be one or more or a combination of the following: (1) a copper or other corrosion-resistant conductor. This conductor shall be solid or stranded; insulated, covered, or bare; and in the form of a wire or a busbar of any shape; (2) rigid metal conduit; (3) intermediate metal conduit; (4) electrical metallic tubing; (5) deleted (6) deleted (7) the sheath of mineral insulated, metal sheathed cable; (8) the combined metallic sheath and grounding conductors of Type MC cable; (9) cable trays are permitted in Sections 318-3(c) and 318-7; (10) cablebus framework as permitted in Section 365-2(a); (11) other electrically continuous metal raceway listed for grounding.

EXCEPTION NO. 1: Delete

EXCEPTION NO. 2: Delete

EXCEPTION NO. 3: For direct-current circuits only, the equipment grounding conductor shall be permitted to be run separately from the circuit conductors.

CHAPTER 3 WIRING, METHODS AND MATERIALS

ARTICLE 300 - WIRING METHODS

AMEND

300-4(b) Cables and electrical non-metallic tubing through metal framing members:

- (1) "Non-metallic sheathed cables may be used as electrical wiring in relation to metal framing members only with the assembly design and installation is in accordance with an "Approved Agency". The installation shall be subject to a "Special Inspection" outlined in Chapter 17.

ARTICLE IV. GENERAL PROVISIONS
=====

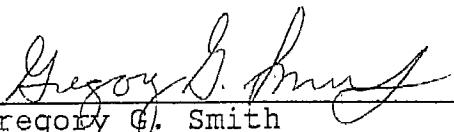
- A. Codification - It is the intention of the Board of Supervisors and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of the Township of Moon, Pennsylvania, and the Sections of this Ordinance may be renumbered to accomplish such intention.
- B. Conflict of Codes - When provisions of this code conflict with the Pennsylvania Department of Labor & Industry's Fire and Panic Regulations or any other applicable codes, the more stringent code shall apply.
- C. Specific Repealer - Ordinance #145 enacted February 4, 1966 and Ordinance #208 enacted August 9, 1977, and Ordinance #292 enacted May 11, 1988, and Ordinance #361 enacted February 12, 1992, and all amendments thereto are hereby specifically repealed.
- D. Short Title - This Ordinance, together with the list A through F codes as they appear in Article 1 of this Ordinance adopted herein shall be known and may be cited as the "Moon Township Building Code".
- E. Severance Clause - Should any section, paragraph, clause or phrase of this Ordinance be declared unconstitutional or invalid by a Court of competent jurisdiction, the remainder of said Ordinance shall not be affected thereby, and shall remain in full force and effect.
- F. Application - The provisions set forth in this Ordinance shall apply throughout the entire Township.

G. Effective Date - The provisions set forth in this Ordinance shall take effect thirty-one (31) days after adoption.

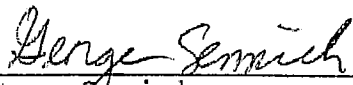
ORDAINED AND ENACTED this 8th day of March, 1995.

ATTEST:

TOWNSHIP OF MOON
BOARD OF SUPERVISORS



Gregory G. Smith
Township Manager/Secretary

BY: 

George Semich
Chairman

() SEAL

Exhibit 5-1-D

MOON TOWNSHIP BUILDING CODE ORDINANCE

ORDINANCE #453

AN ORDINANCE ESTABLISHING MINIMUM REGULATIONS GOVERNING THE DESIGN, CONSTRUCTION, ALTERATION, ENLARGEMENT, REPAIR, DEMOLITION, REMOVAL, MAINTENANCE AND USE OF ALL BUILDINGS AND STRUCTURES; PROVIDING FOR THE ISSUANCE OF PERMITS, COLLECTION OF FEES, MAKING OF INSPECTIONS; PROVIDING PENALTIES FOR THE VIOLATION THEREOF; KNOWN AS THE BUILDING CODE, AND REPEALING EXISTING ORDINANCE #435 OF THE TOWNSHIP OF MOON, ALLEGHENY COUNTY, PENNSYLVANIA.

BE IT ORDAINED and enacted by the Board of Supervisors of the Township of Moon, Allegheny County, Pennsylvania (hereinafter called the Township) as follows:

ARTICLE I. ADOPTION OF BUILDING CODE.

Those certain documents, three (3) copies each of which are on file in the Administrative Office of the Township, being marked and designated as:

- A. **BOCA National Building Code/1996**, Thirteenth Edition, as published by the Building Officials & Code Administrators International, Inc.
- B. **BOCA International Mechanical Code/1996**, as published by the Building Officials & Code Administrators International, Inc.
- C. **CABO, One and Two Family Dwelling Code/1995** Edition, as published by the Building Officials & Code Administrators International, Inc.

- D. **BOCA National Fire Prevention Code/1996**, Ninth Edition, as published by the Building Officials & Code Administrators International, Inc.
- E. **National Fire Codes/1996**, as published by the National Fire Protection Association, also known as NFPA.
- F. **National Electric Code/1996**, as published by the National Fire Protection Association also known as NFPA 70.

and are hereby adopted together with all appendices and shall be known as the Building Code of the Township of Moon, Allegheny County, Pennsylvania. The purpose of the adoption of these codes is to regulate the construction and use of new and existing buildings and structures and to protect the health, safety and welfare of the Moon Township residents and businesses and other persons utilizing these buildings and structures. All of the provisions, regulations, penalties, conditions and terms in the aforementioned codes are hereby referred to, adopted and made a part hereof as if fully set out in this Ordinance, with the amendments, insertions, and deletions as prescribed in Article III of this Ordinance.

ARTICLE II. INCONSISTENT ORDINANCES REPEALED.
 =====

That Ordinance #435 of the Township of Moon entitled The Building Code and all other ordinances or parts of ordinances in conflict herewith are hereby repealed.

ARTICLE III. MODIFICATIONS MADE TO THE ADOPTED CODES
 =====

Additions, insertions and deletions are hereby made to those certain documents in Article I above, listed as A through F.

- A. The **BOCA National Building Code/1996**, Thirteenth Edition, as published by the Building Officials & Code Administrators International, Inc., is hereby modified as follows:

CHAPTER 1 ADMINISTRATION

SECTION 100.0 SCOPE

ADD

101.1 Title: These regulations shall be known as the Building Code of the Township of Moon hereinafter referred to as "this Code".

AMEND

101.2 Scope: This Code shall control all matters concerning the construction, alteration, addition, repair, removal, demolition, use, location, occupancy and maintenance of all buildings and structures and shall apply to existing or proposed buildings and structures and their appurtenant constructions, including vaults, area and street projections, and accessory additions; and shall apply with equal force to municipal, county, state, and private buildings; except as such matters are otherwise provided for in other ordinances or statutes, or in the rules and regulations authorized for promulgation under the provisions of this Code. This Code is available at cost from the office of Building Inspection and Code Administration.

SECTION 104.0 DEPARTMENT OF
BUILDING INSPECTION

ADD

104.8 Creation of the Office of Code Administration: There is hereby created by the Township Board of Supervisors an office of the Township to be known as the "Office of Building Inspection/Code Administration". Said office and its staff shall be under the direction of the Township Manager or his designee and shall have the responsibility to administer and enforce this Ordinance and of those other codes and/or Ordinances of the Township (herein referred to as the applicable Codes and Ordinances), which designate said Office of Building Inspection/Code Administration as their official administration and enforcement agency.

ADD

104.8.1 Office of Building Inspection/Code Administration: The administration and enforcement of this Ordinance shall, to the extent these various Codes have been adopted by the Township, be carried out by the Office of Building Inspection/Code Administration in accordance with the procedures established by this Building Code Ordinance of the Township. This Building Code Ordinance provides for certain powers and duties of a Code Administrator/Building Official, for the creation of a Board of Appeals, and for procedures relative to applications, fees, permits, inspections, appeals, penalties, and other matters.

ADD

104.9 Appointment of a Code Administrator/ Building Official: There shall be appointed by the Board of Supervisors, a Code Administrator / Building Official who shall be in charge of the Office of Building Inspection/Code Administration of the Township. The Board of Supervisors may appoint and contract with outside persons and entities to serve as subcontractors for the performance of such portions of the inspection or other duties of the Office of Code Administration as the Board of Supervisors may deem appropriate. The Code Administrator / Building Official shall supervise inspectors, subcontracted inspectors, and such other employees or assistants as shall be necessary for the administration and execution of the responsibilities of said Office, as appointed and approved by the Board of Supervisors. Said Code Administrator/ Building Official and other personnel shall be appointed and compensated by the Township.

ADD

104.9.1 Qualifications of the Code Administrator / Building Official: There shall be minimum qualifications with regard to certification, education and work experience established for the position(s) held in the Office of Code Administration/ Building Inspection.

104.9.1.1 The Code Administrator/ Building Official shall be certified as a Building Inspector by BOCA International, Inc. approved testing program. Certification must be maintained by continuing education hours as recommended by BOCA International, Inc. Also the Code Administrator/ Code Official shall have graduated as a design professional, or have a minimum of 5 years work experience in construction in a supervisory position, or have worked as a Certified Building Inspector for a minimum of 5 years.

104.9.1.2 Other code enforcement personnel shall earn and subsequently maintain the applicable Certification through a BOCA International, Inc. approved testing program or nationally recognized equivalent which would pertain to their position within (1) one year of employment.

ADD

104.10 Fire Marshal: The Fire Marshal of the Township has been established as an authorized representative of the Office of Building Inspection/Code Administration of the Township and shall enforce and administer all of the provisions of fire prevention and fire protection system(s) requirements provided for in this Ordinance.

SECTION 105.0 DUTIES AND POWERS OF
THE CODE OFFICIAL

ADD

105.10 Duties of the Code Administrator / Building Official: The duties of the Building Inspector/Code Administrator shall include the receipt of applications, the issuance of permits, notices, certificates and orders, the making of inspections to determine conformance with applicable Codes and Ordinances, the undertaking of systematic inspection programs, the undertaking of research and investigations, the recommendation of appropriate administrative rules, the keeping of records, the issuance of written annual reports and such other activities as may be required.

SECTION 107.0 APPLICATION FOR PERMIT

AMEND

107.5 Construction documents: The application for permit shall be accompanied by not less than two (2) complete sets of construction documents to the code official. One extra set of Life Safety Plans (see Section 107.5.1, Item 19) with site plan indicating hydrant location(s) and access for fire department connection must be submitted for Fire Marshal review and one extra set of plumbing plans with a utility site plan must be submitted for Moon Township Municipal Authority (M.T.M.A.) review.

ADD

107.5.1 Building construction plans: Shall show the following information:

1. Title page which includes:
 - a. List construction plans and pages.
 - b. Type of construction as listed in the BOCA National Building Code/1993.
 - c. Use Group and area as listed in the BOCA National Building Code/1993.
 - d. Net floor area.
 - e. List of all design options.
 - f. List of all installed fire protection.
2. Site plan. See Section 107.6 for site plan requirements.
3. Complete construction plans to include foundation design, floor plans, elevations, interior and exterior wall sections, floor sections, roof details, plumbing plans and electrical plans.
4. Use of all areas must be specified.
5. Complete door schedule with catalog cuts for all doors and hardware (including lock sets).
6. Complete window and glazing schedule.
7. Complete interior finish schedule with flame spread ratings.
8. Complete specifications.
9. List of all rated assemblies (include a diagram of assembly and design number).
10. Plans indicating handicapped requirements.
11. Occupant load for all areas.

12. Statement indicating shop drawing will be submitted for all fire protection systems.
13. List of all design loads for the building.
14. Complete information for all special occupancy requirements (atriums, underground structures, garages, stages, special amusement, HPM, high rise and covered mall, etc.) as outlined in Chapter 4 in BOCA Code/1993.
15. Complete information for all special structures (sky lights, roof, panels, awnings, etc.).
16. Soil test.
17. Plans must be signed and sealed by design professional and structural calculations.
18. Life Safety Plans which include:
 - a. Fire detection and alarm system plan.
 - b. Fire suppression system plan.
 - c. Sequence of operations for all special systems (smoke control, elevator recall, etc.).
 - d. Exit and means of egress lighting.
 - e. Fire Department notification means.

AMEND

107.6 Site plan: The application for permit shall be accompanied by a site plan (4 copies) showing to scale the size and location of all new construction and all existing structures on the site, distances from lot lines, established street grades and the proposed finished grades; and it shall be drawn in accordance with an accurate boundary line survey. Site plans shall be prepared and/or designed by a design professional with the seal of registration of the State of Pennsylvania affixed to each sheet. In the case of demolition, the site plan shall show all construction to be demolished and the location and size of all existing structures and construction that are to remain on the site or plot.

A site plan shall show the following information:

1. Title Block:
 - a. Name and location of project
 - b. Name of owner, developer and/or agent
 - c. Name, title, address of person or firm preparing the site plan
 - d. Date of preparation, revisions
 - e. Scale
2. Vicinity map.
 - a. Scale
 - b. North arrow
 - c. Intersecting public roads
 - d. Reference to airport runways
3. Site information including:
 - a. An accurate boundary of the entire tract, north arrow scale.
 - *b. Existing and proposed topography: Scale - 1" = 20'.
 - *c. Erosion and sedimentation control measures designed in compliance to Moon Township Ordinance #211 also known as Chapter 88 in the Moon Township Code of Ordinances.
 - d. Existing zoning of the property and abutting properties. Landscaping and adequate screening as required in the Zoning Ordinance.
 - e. Any condition addressed in the Zoning Ordinance such as lighting, noise, driveways, dumpster location and screen, loading area, accessory structures, retaining walls, etc. must be shown.

- f. Building setbacks for principal and accessory structure(s).
- g. Parking facilities and pedestrian movement must be shown as per the Zoning Ordinance.
- h. Adequate access for loading or unloading of emergency equipment, etc.
- i. All rights of ways, easements, watercourses and drainage ways must be shown. Stormwater Management Plan provisions as per Ordinance #340.
- j. Exact locations and exterior dimensions of all existing and proposed structures.
- k. Exact locations of existing and proposed driveway(s), paved areas and street(s) within, adjacent and opposite the lot or parcel.
- l. Location of private fire hydrant(s) as required by Township Fire Marshall and all other utilities within, adjacent and opposite the lot or parcel.
- *m. Stormwater Management Plan provisions as per Ordinance #340.

Note: *b, *c and *m can be shown on separate plans as needed.

4. Summary on the Plan must include:

- a. Number of units
- b. Net floor area
- c. Mechanical storage area
- d. Required number of parking spaces, including handicapped spaces as per the Zoning Ordinance
- e. Actual number of parking spaces, including handicapped spaces
- f. Maximum allowable and actual lot coverage
- g. Total developed area
- h. Total lot area

AMEND

107.6.1 Private Sewage Disposal System: The site plan shall indicate the location of a private sewage disposal system where a public sewer is not available. Allegheny County Health Department/PA DEP approval must be obtained. A copy of said approval must be submitted to the Township for a private sewage disposal systems.

ADD

107.6.2 Filling, Grading and Drainage: When an application for a building permit is submitted, the applicant shall show in detail any proposed cuts, fills, changes of grades, and existing watercourses, drains or ditches and shall show any proposed changes in same. No permit shall be issued if the cut, fill, change of grade or change of watercourse drain or ditch will cause a dangerous or unhealthy condition, or will cause damage to adjoining properties or public rights of way, or create a public or private nuisance. Filling, grading and soils & erosion control plans are regulated by Township Ordinance #211(Chapter 88 of the Code of Ordinances) and Ordinance #360 (Chapter 188 of the Code of Ordinances). Stormwater Plan provisions are regulated by Township Ordinance #340 (Chapter 180 of the Code of Ordinances).

ADD

107.10 Other Permits Required: At the time of filing an application for a permit, the applicant shall present to the Code Administrator/ Building Official evidence that he has obtained all necessary permits, licenses, Workers Compensation. Insurance, approvals and/or variances as may be required by the laws of the Township, County and the Commonwealth. Individuals, Agencies, Boards and Commissions issuing aforesaid permits, licenses, approvals and/or variances shall include but not be limited to the Zoning Officer, Zoning Hearing Board, Moon Township Municipal Authority, Planning Director, Moon Township Planning Commission, Moon Township Board of Supervisors, the Fire Marshal, the Allegheny County Fire Marshal, the Allegheny County Department of Planning, the Allegheny County Health Department Plumbing Division, Allegheny County Health Department, Allegheny County Department of Aviation, the Pennsylvania Department of Labor & Industry, Pennsylvania Department of Community Affairs, Pennsylvania Department of Transportation, Pennsylvania Department of Environmental Resources, Federal Communication Commission, Federal Emergency Management Act, Federal Aviation Administration and the National Oceanic & Atmospheric Administration.

SECTION 108.0 PERMITS

AMEND

- 108.1 Action of Application: The Code Administrator/ Building Official shall examine said application to determine compliance with all those applicable Codes and Ordinances of the Township and shall, within thirty (30) days after the filing of an application, either approve or reject said application. If said application is rejected, the Code Administrator/ Building Official shall inform the applicant in writing, stating the reasons for such rejection. Failure to provide all required documentation or information shall be cause for rejection.

SECTION 111.0 CONDITIONS

ADD

- 111.5 Curbs, Gutters, Rights-of-Way: No change shall be permitted in the grade or contour of any street right-of-way, nor shall there be any alteration of any gutter, curbing, drainage ditch or storm sewer except as permitted by Moon Township Ordinance #342. No hedges, fences, brick pillars, planters or other obstructions shall be permitted within the rights-of-way of street so as to impair vision, interfere with pedestrian traffic or create a traffic hazard. Vehicles and equipment shall be taken into lots at the place where the driveway is located and shall not run over curbing or gutters.

ADD

- 111.5.1 Mailbox Post: Mailbox post shall be a maximum size of 4 inch by 4 inch wood post or equal. Refer to Moon Township Standard Details

ADD

- 111.6 Removal of Dirt, Mud and Debris from Roads: Measures shall be taken to prevent or inhibit the deposit of dirt, mud, soil, clay and debris from being washed, tracked or otherwise deposited upon the pavement of any street or sidewalk. Any dirt, mud, soil, or debris deposited upon any street shall be removed immediately so as not to create any traffic safety hazard. In the event of a failure to comply with the foregoing requirements, the Code Administrator/ Building Official, in his/her sole discretion, in

addition to any fines that may be imposed, may require that there shall be installed a driveway of red dog, cinders or of slag or other composition from the street to the

building line, and traffic from the street onto the premises shall be limited to the driveway. Persons subject to these penalties are the general contractor, the sub-contractors whose actions created the safety hazard, and individuals to whom the appropriate permit has been issued.

ADD

111.7 Landscaping: Any portion of the premises left in its natural state and not disturbed during construction shall be kept free of junk, debris, dangerous or noxious matter, or other matter which threatens the health, safety and welfare of the public. The minimum requirements for landscaping, either grass, ground cover or other landscaping required by the Township, shall be completed and growing within six months after completion of the building or structure. Until ground cover is established, soil erosion controls must be maintained.

ADD

111.8 Permit Hours: The operation of heavy construction/excavation machinery (including but not limited to bulldozers, highlifts, backhoes, trucks, power shovels, pumps and jackhammers) and the use of construction equipment such as saws, drills or other types of machinery used outside a structure in conjunction with work requiring a building permit shall be prohibited when it is determined the noise is sufficient to disturb the peace and tranquility of the general public. This shall be enforced throughout the entire Township between the hours of 9:00 p.m. to 7:00 a.m., Monday through Saturday and all day Sunday and on Federally designated legal holidays, except in cases of emergencies involving life or property as designated by emergency personnel.

ADD

111.9 Street Numbers: Any building or structure to which a street number has been assigned shall have the number displayed in a location near the front or primary entrance of the building or structure, easily observed and readable from the public right-of-way. The minimum size (height) of the street number shall be 3" for residential building or structures and 6" for commercial buildings and structures. If not the number/building can not be seen from the street, the number must be clearly displayed at the driveway entrance. Using the mailbox to display the street number is acceptable provided that the mailbox is located directly in front of the building (not along a side street or across the street) and the numbers must be located on both sides of the mailbox. The numbers shall be easily distinguishable such as black on white or white on black and posted as a number not written script.

ADD

111.10 Driveways and Driveway Approaches: The construction of driveways and driveway approaches must meet requirements established in the Township Standard Details.

1. Must be constructed without disturbing the existing Township road and in a manner to maintain proper drainage.
2. A maximum 1 1/2 inch per foot slope of driveway is permitted in Township road right-of-way.
3. A maximum of 10% slope of driveway is permitted on 10 foot utility easement parallel to the Township road right-of-way.
4. A maximum of 15% slope of driveway is permitted on private property.

SECTION 112.0 FEES

AMEND

112.3.1 Fee Schedules: Fee schedules for permits, certificates, plan examinations, etc. shall be determined by the Township Board of Supervisors by Resolution.

ADD

112.6 Reinspection Fee: A reinspection fee may be charged to the permit holder if the violation(s), or inefficiency noted on the previous inspection are not brought into compliance or if the inefficiencies noted are not acceptable and performed in a workmanlike manner and the inspector is called to reinspect and the findings are such that a third inspection of the same violation and/or inefficiency must be called for. Prior to the third inspection of the same violation, the fee, as established by the Board of Supervisors by resolution, shall be paid at the Township Administrative offices. A reinspection fee shall be paid for any subsequent inspections for the same violation.

SECTION 113.0 INSPECTION

AMEND

113.2 Required inspections: After issuing a building permit, the code official shall conduct required inspections during and upon completion of the work for which a permit has been issued. Upon notification from the permit holder or his agent, the Building Inspector shall make or cause to be made the necessary inspections within 24 hours during a normal work day week. The Building Inspector shall either approve that portion of the construction as completed or shall notify the permit holder or his agent wherein the same fails to comply with this code. A record of all such examinations and inspections and of all violations of this code shall be maintained by the code official. The owner shall provide for special inspections in accordance with Section 1705.0.

AMEND

113.4 Right-of-Entry: The code official shall have the authority to enter at any reasonable time any structure or premises for which a permit has been issued but has not received a certificate of occupancy in accordance with Section 118.0. If any owner, operator or occupant or other person in charge fails or refuses to permit entry and free access to the property, structure or premises under his control, or to any part thereof, with respect to any authorized inspection the Code Administrator/ Building Official may file a complaint charging a violation of this section of this Ordinance and in addition may petition for and obtain an order directing compliance with the inspection requirements of this Ordinance from a court of competent jurisdiction. Any person who refuses to comply with any order or decision issued pursuant to this section shall be subject to such penalties as hereinafter set forth and as may be authorized by law for violation of a court order.

For all other structures or premises, when the code official has reasonable cause to believe that a code violation exists, the code official is authorized to enter the structure or premises at reasonable times to inspect. Prior to entering into a space not otherwise open to the general public, the code official shall make a reasonable effort to locate the owner or other person having charge or control of the structure or premises, present proper identification and request entry. If requested entry is refused or not obtained, the code official shall pursue recourse as provided by law. The assistance and cooperation of all other Township officials, including police and fire departments, shall be available to the Code Administrator/ Building Official to assist in the performance of his/her duties and in securing right-of-entry.

SECTION 114.0 PROFESSIONAL ARCHITECTURAL & ENGINEERING SERVICES

ADD

- 114.3 Architect/Engineer Letter Required: When a permit or certificate is sought from the Code Administrator/ Building Official for construction except single family dwellings and their accessory structures, a letter bearing the registered design professional's signature and seal shall be submitted along with the construction documents he/she prepared (Section 114.1). This letter must confirm that the building has been designed to meet or exceed the Township's adopted Building Code and shall attach all supportive documents.

SECTION 116.0 VIOLATIONS

AMEND

- 116.4 Violation Penalties: Any person who shall violate a provision of this Ordinance 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 of the building official, or of a permit or certificate issued under the provisions of this Ordinance, shall upon being found liable therefor in a civil enforcement proceeding, pay a fine of not less than \$300.00 or more than \$1,000.00 plus all court costs, including reasonable attorney fees incurred by the Township. Each day that a violation continues shall be deemed a separate offense.

SECTION 117.0 STOP WORK ORDER

AMEND

- 117.2 Unlawful Continuance: Any person who shall continue any work in or about the structure 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 conditions, shall be liable to a fine of not less than \$300.00 or more than \$1,000.00. Further, the work performed following the issuance of the stop work order shall be removed at the expense of the erector or owner, if in his/her discretion the Code Administrator/ Building Official shall so determine for code compliance reasons.

SECTION 118.0 CERTIFICATE OF USE & OCCUPANCY

AMEND

118.4 Contents of Certificate: When a structure is entitled thereto, the code official shall issue a certificate of occupancy within ten days after written application. Upon completion of the final inspection in accordance with Section 113.3 and correction of the violations and discrepancies, the certificate of occupancy shall be issued. The certificate of occupancy shall specify the following:

1. The purpose for which the building or structure will be used in its several parts as each pertains to the Township Zoning Ordinance.
2. The edition of the code under which the permit was issued.
3. The use group and occupancy, in accordance with the provisions of Chapter 3.
4. The type of construction as defined in Chapter 6.
5. If an automatic sprinkler system is provided, whether the sprinkler system is required.
6. The hazard classification or storage configuration, including aisle widths, for which the automatic sprinkler system is designed.
7. Any special stipulations and conditions of the building permit.

ADD

118.5 Additional Certificates of Approval: There may be additional certificates of approval by others that are required by law, ordinance, resolution or regulation and must be complied with before a building permit or Certificate of Occupancy, as appropriate, shall be issued.

SECTION 121.0 MEANS OF APPEAL

AMEND

121.1 Application for Appeal: Any person shall have the right to appeal a decision of the Code Administrator/ Building Official to the Board of Appeals. Application for appeal

shall be based on a claim that the true intent of this Code or the rules legally adopted hereunder have been incorrectly interpreted, the provisions of the Code do not fully apply, or an equally good or better form of construction can be used. The appeal must be perfected, in writing, on the required form, no later than thirty (30) calendar days following the decision being issued by the Code Administrator/ Building Official.

AMEND

121.2 Membership of the Board: The Board of Appeals shall consist of five (5) residents of Moon Township approved by a majority of the Moon Township Board of Supervisors as follows: one for five years, one for four years, one for three years, one for two years, and one for one year. Thereafter, each new member shall serve for five years or until a successor has been appointed.

AMEND

121.2.1 Qualifications: Each member shall be a registered design professional such as a Registered Architect, Structural Engineer; or have considerable work experience in the building construction trade such as an electrical, mechanical or plumbing design professional or contractor; or have a working knowledge and experience with fire protection design professional or contractor; or have considerable working knowledge of the construction industry. Not more than two members shall be from the same profession or occupation.

AMEND

121.2.5 Secretary: The Township Manager, or his designee, shall act as Secretary to the Board. The Secretary shall file a detailed record of all proceedings in the Manager's office.

ADD

121.2.7 Functions and Duties: The Board of Appeals shall hold meetings, keep minutes, and pursuant to notice, shall conduct hearings, compel the attendance of witnesses, take testimony under oath, and render decisions in writing, all as required by law. A fee shall be charged in accordance with a schedule fixed by resolution for any appeal or proceedings filed with the Board of Appeals. The Board of Appeals shall have the functions, powers and duties specifically granted by law and by this Ordinance.

AMEND

121.3 Notice of Meeting: The Board shall meet upon notice of the Chairman within thirty (30) days of filing of an appeal or at stated periodic meetings if warranted by the volume of work.

AMEND

121.4 Public Hearing: All hearings shall be public. The appellant, the appellant's representative, the official of the jurisdiction and any other person whose interest may be materially affected by the matter on appeal, shall be given an opportunity to be heard, however, the Board may prohibit repetitive testimony.

AMEND

121.4.1 Procedure: The Board shall adopt and make available to the public, through the Secretary, procedures under which a hearing will be conducted. The procedures shall not require compliance with strict rules of evidence but shall mandate that only relevant information be received. In general, the due process procedures shall reflect the standards required of hearings conducted under the Pennsylvania Local Agency Act.

AMEND

121.5 Postponed Hearing: When less than three (3) members of the Board of Appeals are present to hear an appeal, the hearing shall be postponed. A new hearing shall be held within five (5) days. No member of the Board of Appeals may participate in making a decision on an appeal unless the member has been present during the entire hearing or, alternatively, has reviewed a transcript of those portions of the proceedings at which he/she was not present.

AMEND

121.6 Board Decision: The Board shall approve, modify or reverse the decision of the Fire Marshal or of the Code Administrator/ Building Official by a concurring vote of not less than three (3) members of the Board within forty-five (45) days from the close of the hearing or the receipt of the transcript, whichever is later. In the event that no adjudication is rendered within this time frame, the decision of the Fire Marshal or Code Administrator/ Building Official shall stand.

AMEND

121.6.1 Resolution: The decision of the Board of Appeals shall be by resolution. Certified copies shall be furnished to the appellant and to all participants, and shall be made public.

AMEND

121.6.2 Administration: The Code Administrator/ Building Official or Fire Marshal shall take immediate action in accordance with the decision of the Board.

AMEND

121.7 Court Review: Any person materially aggrieved by a decision of the Board of Appeals, whether or not a previous party to the decision, or any relevant officer or Board of the Township may apply to the appropriate court for a writ of certiorari to correct errors of laws in such decisions. Application for review so to be timely, shall be made to the proper court of jurisdiction within thirty (30) days after the filing of the Board's decision in the office of the Code Administrator/ Building Official.

CHAPTER 2 DEFINITIONS

SECTION 202.0 GENERAL

ADD

202.1 Attached Buildings: All attached wings or auxiliary structures to a building shall meet or exceed the same requirements as established by the building code for the highest level and area of that building.

AMEND

202.2 Building: Any structure used or intended for supporting or sheltering any use or occupancy. For application of this code, each portion of a building completely separated from other portions by fire walls complying with Section 707.0 shall be considered as a separate building. Each separate building shall meet the yard setback requirements established in the Moon Township Zoning Ordinance.

Exception: The fire walls as required above shall not constitute a separate building classification when Section 904.0, Fire Suppression System Requirements, is

applicable as designated in Chapter 9 entitled Fire Protective Systems of this Ordinance.

ADD

202.3 Grandfathered Structures: Grandfathered structures shall refer to buildings or structures built prior to May 11, 1988, the adoption date of Ordinance #292. All Grandfathered structures/buildings in which there is work involving alterations or changes in use shall be made to conform to the current Building Code as required in Chapter 34.

ADD

202.4 Temporary Structures: Any structure, non-permanent in nature, not attached to a permanent foundation, placed on a site and used for a period of time not to exceed six (6) months. Temporary structures shall include but are not limited to land sales trailers, tents, bleachers, air support structures, seasonal displays, etc.

CHAPTER 4 SPECIAL USE AND OCCUPANCY

SECTION 406.0 OPEN PARKING STRUCTURES

AMEND

406.1 General: Open parking structures are those structures used for the parking or storage of passenger motor vehicles designed to carry not more than nine persons, wherein provision for the repair of such vehicles is not made and where the exterior walls of the structure have openings on not less than two sides. Open parking structures are required to conform to Section 408.0 for public garage.

SECTION 408.0 PUBLIC GARAGES

AMEND

408.3.1 Sprinkler Systems: All public garages shall be equipped throughout with an automatic sprinkler system in accordance with 906.2.1:

1. Where total floor area exceeds 7,000 square feet.
2. When more than two (2) stories in height above grade or more than one (1) story below grade.
3. Where located beneath other use groups.

ADD

408.7 Standpipes: There shall be standpipe hose connections located at each entrance to an exit passageway, exit corridor or enclosed stairway and at all exterior entrances to the public parking structures.

SECTION 420.0 MOBILE UNITS

AMEND

420.1 General: Mobile units shall be designed, constructed and maintained to be transported from one location to another and not mounted on a permanent foundation. These mobile units not mounted on a permanent foundation shall be considered a temporary structure and only permitted as authorized in Moon Township Zoning Ordinance and/or approved by the Zoning Hearing Board. Upon Zoning Ordinance authorization, a Township Permit for Temporary Mobile Units must be obtained prior to placement on the approved site. The permit shall be valid for a period not to exceed six (6) months and may be renewed for an additional six (6) month period. All other mobile units or manufactured housing must obtain a Building Permit, be made permanent and placed on a permanent perimeter foundation.

AMEND

420.2 Construction: All mobile units placed on a permanent foundation must be designed and constructed to comply with all the requirements of this code for on-site and prefabricated construction. Permanent perimeter foundations must be constructed of materials as required by this code for regular foundation constructions. Skirting is not permitted. The exterior finish product to grade requirements as established in Section 1401.2 shall also apply. All mobile units placed on a permanent foundation shall be evaluated, inspected and labeled by an approved agency in accordance with Section 1703.3. All "temporary" mobile units as established in the Zoning Ordinance must meet all Federal, State, County and local statutes regarding its construction and tie down requirements.

CHAPTER 9 FIRE PROTECTIVE SYSTEMS

SECTION 904.0 FIRE SUPPRESSION SYSTEMS

AMEND

904.1 Where required: Automatic fire suppression systems shall be installed where required by this code, and in the locations indicated in Sections 904.2 through 904.11.

Exceptions:

1. Delete
2. Delete

AMEND

904.2 Use Groups A-1, A-3 and A-4: Where a Use Group A-1, A-3 or A-4 building exceeds 7,000 square feet in area, an automatic fire suppression system shall be provided as follows:

1. Throughout the entire story or floor level where the A-1, A-3 or A-4 Use Group is located;
2. Throughout all stories and floor levels below the A-1, A-3 or A-4 Use Group; and
3. Throughout all intervening stories and floor levels between the A-1, A-3 or A-4 Use Group and the highest level of exit discharge that serves Use Group A-1, A-3 or A-4 fire areas, including the highest level of exit discharge.

Exception:

1. Auditorium areas of Use Group A-1 or A-3 where the main auditorium floor is at the level of exit discharge of the main entrance and entire building area is less than 7,000 square feet.
2. Naves and chancels of Use Group A-4 where the main floor of the nave or chancel is at the level of exit discharge of the main entrance and entire building area is less than 7,000 square feet.
3. Participant sport areas of Use Group A-3 where the main floor of the participant sport area is at the level of exit discharge of the main entrance and entire building area is less than 7,000 square feet.

AMEND

904.3 Use Group A-2: Where a Use Group A-2 building is more than 5,000 square feet in area or is located either above or below the level of exit discharge of exits that serve the Use Group A-2 fire area an automatic fire suppression system shall be provided as follows:

1. Throughout the entire story or floor level where the A-2 Use Group is located;

2. Throughout all stories and floor levels below the A-2 Use Group; and
3. Throughout all intervening stories and floor levels between the A-2 Use Group and the level of exit discharge of exits that serve the Use Group A-2 including the level of exit discharge.

AMEND

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

Exception: Buildings less than 7,000 square feet in area.

AMEND

904.5 Use Group H: An automatic fire suppression system shall be provided throughout all buildings with Use Group H.

Exception: Magazines used for the storage of Use Group H-1 materials which are constructed and located in accordance with NFPA 495 and the fire prevention code listed in Chapter 35.

AMEND

904.6 Use Group I: An automatic fire suppression system shall be provided throughout all buildings with a Use Group I fire area.

Exception: Use Group I-2 child care facilities located at level of exit discharge which accommodate 100 children or less. Each child care room shall have an exit door directly to the exterior and the total area of the building is less than 7,000 square feet.

AMEND

904.7 Use Groups M, S-1 and F-1: Throughout all buildings with a Use Group M, S-1 or F-1 fire area, an automatic fire suppression system shall be provided as follows:

1. Where any Use Group M, S-1 or F-1 fire area located in a building which exceeds 7,000 square feet in area;
2. Delete
3. Where any Use Group M, S-1 or F-1 fire area is more than two stories.

Exception: Delete

AMEND

904.8 Use Group R-1: An automatic fire suppression system shall be provided throughout all buildings with a Use Group R-1 fire area in accordance with Section 906.2.1 or 906.2.2.

Exception: Where all guest rooms are not more than two stories above the lowest level of exit discharge of the exits serving the guest rooms. Each guest room shall have at least one door opening directly to an exterior exit access which leads directly to the exits.

AMEND

904.9 Use Group R-2: An automatic fire suppression system shall be provided throughout all buildings with an occupancy in Use Group R-2 in accordance with Section 906.2.1 or 906.2.2.

Exception: Buildings which do not exceed two stories, including basements which are not considered as a story above grade, the building is not more than 10,000 square feet in area and with a maximum of 12 dwelling units per building. Each dwelling unit shall have at least one door opening to an exterior exit access that leads directly to the exits required to serve that dwelling unit.

ADD

904.9.1 Use Group R-3: An Automatic fire suppression system shall be provided throughout all buildings with an occupancy in Use Group R-3 in accordance with 906.2.1 and 906.2.2.

Exception: Buildings which do not exceed two stories, including basements which are not considered a story above grade and the building is not more than 10,000 square feet in area.

ADD

904.12 All Use Groups: Except when more restrictive regulations apply as established in the Building Code, the minimum standards regulating when a fire suppression system is required shall be in accordance with 904.12.1 and 904.12.2.

ADD

904.12.1 Fire Suppression System: Shall be installed and maintained in full operating condition in all new buildings or structures or new portions thereof when more than 7,000 square feet in area except Use Group R-3 ("New" construction is that occurring after the passage of Ordinance #292, specifically May 11, 1988).-

ADD

904.12.2 Fire Suppression System: Shall be installed and maintained in full operating condition in all new buildings or structures or new portions thereof of when more than two (2) stories in height. ("New" construction is that occurring after the passage of the Ordinance #292, specifically May 11, 1988).
Exception: In Use Group R-4, A-5, U.

ADD

904.13 Grandfathered Structures: It is the intent of the Township that this language shall require an automatic fire suppression system for any and all new additions to Grandfathered structures once the total square footage of any single new addition, or the total square footage of one or more new additions in combination, reaches 7,000 square feet or when the number of stories in the structure would require a fire suppression system in a new structure, then the whole structure must be protected by such system.

SECTION 915.0 STANDPIPE SYSTEM

AMEND

915.2 Where required: Standpipe systems shall be installed where required by this code and in the locations indicated in Sections 915.2.1 through 915.2.5.
Exception: Occupancies in Use Group R-3.

AMEND

915.2.1 Building height: Standpipe systems shall be installed throughout all buildings when more than two stories in height or more than one story below grade.

AMEND

915.2.2 Building area: Standpipe systems shall be installed in all buildings where any portion of the building floor area is more than 400 feet of travel from the nearest point of fire department vehicle access or if the area is more than 7,000 square feet.

Exception:

1. Delete.
2. Delete.
3. Delete.

ADD

915.2.5 Public parking garages: Standpipes shall be installed in all public garages in accordance with Section 408.7.

AMEND

915.5.1 Automatic water supply: An automatic water supply is required for all standpipe systems. The automatic water supply and supply piping shall be capable of delivering a flow of 500 gpm at the residual pressure specified in Section 915.4 for a duration of 30 minutes.

Exceptions:

1. In buildings equipped throughout with an automatic sprinkler system installed in accordance with Section 906.2.1 the automatic water supply is not required to exceed the requirements of NFIPA 13 listed in Chapter 35.
2. Dry standpipe systems installed in open parking structures.

SECTION 919.0 AUTOMATIC FIRE
DETECTION SYSTEMS

AMEND

919.4.3 Use Group I-3: An automatic fire detection system shall be installed and maintained in all resident housing areas of Use Group I-3. Smoke detectors shall be arranged and positioned to prevent damage or tampering provided that the function and speed of detecting a fire is equivalent to that provided by the spacing and arrangement requirements of NFIPA 72E listed in Chapter 35.

AMEND

919.4.4 Use Group R-1: An automatic fire detection system shall be installed and maintained in all occupancies in Use Group R-1.

Exceptions:

1. Delete.
2. Delete

CHAPTER 11 ACCESSIBILITY

SECTION 1105.0 PARKING FACILITIES

AMEND

1105.1 Required: Where parking is provided, accessible parking spaces complying with CABO A117.1 listed in Chapter 35 shall be provided. Other handicapped parking requirements are specified in Zoning Ordinance #345.

CHAPTER 14 EXTERIOR WALL COVERINGS

SECTION 1401.0 GENERAL

ADD

1401.2 Exterior Finish To Grade: The exterior finish of the building, whether finished face brick, wood veneer, siding or any other finished facing materials approved by the Code Administrator/ Building Official, shall come down the building to within six (6") inches of finished grade. Plain masonry block or poured concrete shall not be considered a finished product; nor shall either of these construction surfaces be considered as a finished product if painted.

CHAPTER 15 ROOFS AND ROOF STRUCTURES

SECTION 1510.0 ROOF STRUCTURES

ADD

1510.10 Roof Structures: When mechanical equipment is designed to be located on the roof of a structure/building then this equipment must be adequately screened with typical building materials that will compliment the building design and conceal this equipment from neighboring property owners and the public on adjacent roadways.

CHAPTER 18 FOUNDATIONS AND RETAINING WALLS

SECTION 1806.0 DEPTH OF FOOTINGS

AMEND

1806.1 Frost protection: Except when erected upon solid rock or otherwise protected from frost, foundation walls, piers and other permanent supports of all buildings and structures larger than 100 square feet (9.30m²) in area or 10 feet (3048 mm) in height shall extend to the frost line measurement of 36 inches from finish grade to the bottom of the footer and where necessary spread footings of adequate size shall be provided to distribute properly the load within the allowable bearing value of the soil. Alternatively, such structures shall be supported on piles adequately designed to a proper depth and construction when solid earth or rock is not available. The area and height exception does not apply when the building or structure is an addition to an existing building. Footings shall not bear on frozen soils unless such frozen condition is of a permanent character.

SECTION 1810.0 CONCRETE FOOTINGS

AMEND

1810.3 Minimum Footing Design: The minimum footer size shall be 18" wide x 8" deep with a minimum two (2) continuous #4 steel reinforcing bars and perpendicular bars every 10' tied together with steel wire.

SECTION 1813.0 WATERPROOFING AND DAMP PROOFING

AMEND

1813.5.3 Drainage Disposal: The floor base and foundation perimeter drain shall discharge by gravity or mechanical means into an approved drainage system that complies with Stormwater Management Ordinance #340, Chapter 72 of the Moon Township Code of Ordinances.

SECTION 1825.0 RETAINING WALLS

AMEND

1825.1 General: Walls built to retain or support the lateral pressure of earth or water or other

superimposed loads shall be designed and constructed of approved masonry, reinforced concrete, steel sheet piling or other approved materials within the allowable stresses specified in this code (see Section 1702.6.5). Retaining walls and similar structures shall require building permits prior to their construction. The retaining wall shall be designed by a registered professional engineer who shall certify that the wall is of sound construction, will not cause a dangerous condition and will not constitute a public or private nuisance. In appropriate cases, such structures may be required to be covered with suitable ground cover such as ivy or other plant material or an architectural surface treatment finish, or completely screened from abutting properties. Retaining walls shall not be erected on the right-of-way. When cribbing is used as a type of construction for retaining wall, the material used must have its exposed surface earth covered and seeded to prevent erosion. No retaining walls shall be constructed of Wood Cribbing.

AMEND

1825.2.1 Landscape walls: Landscape walls are walls less than 4 feet in height and used in the art of arranging or modifying the features of a landscape to secure beautiful or advantageous effects. Walls greater than 4 feet in height must meet the requirements in Section 1825.0 - Retaining Walls as amended.

AMEND

1825.5 Guards: Where retaining walls with differences in grade level on either side of the wall are in excess of 4 feet and the high side is located near a walk, path, parking lot or driveway or any other location that may be hazardous to pedestrians, such retaining walls shall be provided with guards that are constructed in accordance with Section 1021.0 or other protective measures.

CHAPTER 27 ELECTRICAL WIRING, EQUIPMENT AND SYSTEMS

SECTION 2703.0 PERMIT AND CERTIFICATE OF INSPECTION

AMEND

2703.1 General: Electrical wiring or equipment shall not be installed within or on any building, structure or premises, nor shall any alteration be made in any such existing installations, without first securing approval and a permit from the Building Inspector for Electrical Code Compliance except as provided for in Section 2703.2.1 through

2703.2.4. It shall be unlawful to use or allow the use of or to supply current for an electrical system in a building or structure, unless the required certificate of inspection and permit have been secured.

AMEND

2703.2 Exemptions: A permit shall not be required for the execution and use of the classes of work specified in Sections 2703.2.1 through 2703.2.4.

AMEND

2703.2.1 Repairs and Maintenance: A permit shall not be required for minor repair work, including the replacement of lamps or the connection of approved portable electrical equipment to approved permanently installed receptacles.

AMEND

2703.2.2 Public Service Agencies: A permit shall not be required for the installation, alteration or repair of electrical equipment for the operation of communications and signals or the transmission of intelligence by wire by public utility agencies, except as provided for in Article 9 for fire alarm systems and The National Electric Code/1996.

AMEND

2703.2.3 Power Companies: a permit shall not be required for the installation, alteration or repair of electrical equipment of a power or public service company for its use in the generation, transmission, distribution or metering of electricity except as provided for in the National Electric Code/1996.

AMEND

2703.2.4 Temporary Testing System: A permit shall not be required for the installation of any temporary system required for the testing or servicing of electrical equipment or apparatus.

ADD

2703.2.5 One or Two Family Dwellings: A permit shall not be required for the installation of Class 1, Class 2, Class 3 remote-control, signaling, and power limited circuits, telephone, alarm, communication wiring, cable-television and similar systems when

installed in 1 or 2 family dwellings. All such installations shall be installed in compliance with the applicable code article.

ADD

2703.5 All Applications shall, prior to occupancy of the building, structure or premises, obtain a Certificate of Final Approval from the Building Inspector for Electrical Code Compliance. This Certificate of Final Approval shall certify that all the necessary inspections have been made and that the electrical wiring conforms with the applicable provisions of the National Electrical Code and this Ordinance. Whenever any of the inspections show that the provisions of the National Electrical or this Ordinance have not been complied with, the Building Inspector for Electrical Code Compliance shall so inform the Code Administrator/ Building Official within five (5) days. The Building Inspector for Electrical Code Compliance or Code Administrator/ Building Official shall notify the applicant of the steps which must be taken to achieve compliance with the National Electrical Code or this Ordinance before a Certificate of Final Approval will be issued. Failure to secure a Certificate of Final Approval shall be sufficient reason for notification to the Electric Utility Company to disconnect or refuse to connect electrical power to the premises and the Township shall not issue a certificate of occupancy.

SECTION 2709.0 BUILDING INSPECTOR FOR
ELECTRIC CODE COMPLIANCE

ADD

2709.1 The Township Building Inspector for Electrical Code Compliance shall meet the criteria listed below and must be approved by Duquesne Light Company or other lawful utility regulated by the P.U.C. operating in Moon Township. The Township of Moon, Allegheny County, requires compliance with the following conditions by its Building Inspector for Electrical Code Compliance.

ADD

2709.1.1 The Building Inspector for Electrical Code Compliance shall carry and annually furnish Moon Township with certificates of insurance evidencing required statutory worker's compensation insurance.

ADD

2709.1.2 The Building Inspector for Electrical Code Compliance shall carry and annually furnish Moon Township certificates of insurance evidencing Comprehensive General

General Liability Insurance, including Completed Operations, with single-limit coverage in an amount not less than \$1,000,000.

ADD

2709.1.3 The Building Inspector for Electrical Code Compliance shall carry and annually furnish Moon Township with certificates of insurance evidencing Professional Liability Insurance with single-limit coverage in an amount not less than \$1,000,000.

ADD

2709.1.4 The Building Inspector for Electrical Code Compliance will require all electrical installations to meet the standards of the Township adopted edition of the National Electrical Code and this ordinance code.

ADD

2709.1.5 The Building Inspector for Electrical Code Compliance will ensure that inspecting employees are qualified and will certify their qualifications to Moon. A list of inspectors, which will be kept up to date, will be forwarded to Moon.

ADD

2709.1.6 An inspector shall not inspect his own work or the work of anyone whose business, family or other relationship with the inspector would render the inspection unethical or create the appearance of impropriety.

ADD

2709.1.7 The Township will, by regulation, establish regular office hours within Moon Township during which time employees of the electrical inspector shall be available to members of the public.

ADD

2709.1.8 Municipal Cards will be issued upon inspection to the Office of Building Inspection/Code Administration.

ADD

2709.1.9 The Agency will issue certificates to the applicant on all installations upon satisfactory completion.

ADD

2709.1.10 Code Administrator/ Building Official will be notified of violations over five (5) days old.

ADD

2709.1.11 Inspection fees will be charged at a rate established by resolution and published in a fee schedule and collected from the installer, contractor or owner by the Building Inspector for Electrical Code Compliance. Said resolution will require remittal by the inspector to the Township of all monies due the Township.

ADD

2709.1.12 For purposes of fire and safety, the Building Inspector for Electrical Code Compliance will, upon request, conduct a free inspection for the Code Administrator/ Building Official or Fire Marshal on any building deemed necessary. When wiring adjustments are made, the same Building Inspector for Electrical Code Compliance will make the necessary follow-up inspection upon the necessary receipt of an application and appropriate fee.

ADD

2709.1.13 Inspections will be made during a normal work day, but the Building Inspector for Electrical Code Compliance will be available at all times for emergencies.

ADD

2709.1.14 Building Inspector for Electrical Code Compliance shall be a full time employees of the company appointed as the Building Inspector for Electrical Code Compliance.

ADD

2709.1.15 Appointment of the Building Inspector for Electrical Code Compliance may be withdrawn by the Township Manager at any time upon evidence of non-compliance with any of the above conditions.

CHAPTER 29 PLUMBING SYSTEMS

SECTION 2901.0 GENERAL

AMEND

2901.1 Scope: The design and installation of plumbing systems, including sanitary and storm drainage, sanitary facilities, water supplies and storm water and sewage disposal in buildings, shall comply with the requirements of this Chapter, the plumbing code listed in Chapter 35, Allegheny County Plumbing Code Article 15, and the Township adopted Storm Water Ordinance.

ADD

2901.2 Plumbing Systems Managements: Plumbing Systems Management shall be adopted only so far as it does not conflict with regulations set forth by Moon Township Municipal Authority and Allegheny County Health Department Plumbing Division. The Township of Moon may require flow restrictions and other water conservation devices and equipment upon the recommendations of the Township Engineer, Code Administrator/ Building Official or Moon Township Municipal Authority.

CHAPTER 31 SPECIAL CONSTRUCTION

SECTION 3102.0 SIGNS

ADD

3102.1.1 Signs: Where there is a conflict between this Chapter 31 and the Moon Township Zoning Ordinance #345, the more restrictive shall apply.

SECTION 3104.0 TEMPORARY STRUCTURES

AMEND

3104.1 General: The provisions of this section shall apply to tents, membrane structures and other temporary structures erected for a period of less than six (6) months. Those erected for a longer period of time shall comply with Section 3103.0 or with all applicable sections of this code when Section 3103.0 is not applicable.

AMEND

3104.1.1 Permit Required: All temporary structures including all connecting areas or spaces with a common means of egress or entrance shall not be erected, operated or maintained for any purpose without obtaining a permit from the code official. Tents used exclusively for recreational camping purposes shall be exempt from the above requirements. Special permits required by this code shall be secured from the code official.

SECTION 3109.0 RADIO AND TELEVISION ANTENNAS

AMEND

3109.2 Permits Required: All antennal structures governed by the FCC must obtain a building permit. Antenna structures more than 12 feet in height are not permitted to be mounted on the roof of any building or structure in a residential zoning district. The location of all antennal structure must meet the regulations established in the Township Zoning Ordinance. The application shall be accompanied by detailed drawings of the structure and methods of anchorage. All connections to the roof structure shall be properly flashed to maintain water tightness. The design and materials of construction shall comply with the requirements of section 3108.3 for character, quality and minimum dimension.

AMEND

3109.3.1 Permit: A permit must be secured for all dish antennal structures more than 2 feet in diameter. Dish antennal structures are not permitted on the roof. The location of all dish antennal structures must meet the regulations established in the Township Zoning Ordinance.

CHAPTER 32 CONSTRUCTION IN THE
PUBLIC RIGHT-OF-WAY

SECTION 3201.0

ADD

3201.2 Construction in Township Right-of-Ways is regulated by Ordinances #342, #360 and Township Standard Details also known as Chapters 183 and 188 of the Moon Township Code of Ordinances.

DELETE

Sections 3202.0 through 3204.2.

CHAPTER 34 EXISTING STRUCTURES

SECTION 3401.0 GENERAL

AMEND

3401.1 Scope: The provisions of this chapter shall control the alteration, repair, addition and change of occupancy of existing structures. Alterations, repairs, additions and changes of occupancy to existing structures shall comply with Sections 3403.0 through 3407.0.

SECTION 3403.0 ADDITIONS

AMEND

3403.1 Compliance: An addition to a structure shall conform to the requirements for a new structure without requiring the existing structure to comply with the requirements of this code for new construction and shall not result in an increase in hazard to the occupants. Any existing building plus new addition shall not exceed the height, number of stories and area requirements specified for a new building. Refer to Chapter 5: General Building Limitations and Chapter 9: Fire Protection Systems. Any alterations made to the existing structure shall comply with the requirements of this chapter and Chapter 1.

SECTION 3404.0 ALTERATIONS

AMEND:

3404.3 Requirements: An alteration to any structure shall conform to the code requirements for a new structure and shall not result in an increase in hazard to the occupants. Portions of the structure not altered and not affected by the alteration are not required to comply with the code requirements for a new structure except that alteration which must meet Section 904.13 requirements.

SECTION 3408.0 COMPLIANCE ALTERNATIVES

DELETE

3408.1 through 3408.9.1

B. The International Mechanical Code/1996, as published by The International Code Council, Inc. is hereby adopted in their entirety in so far as they do not conflict with the adopted BOCA National Building Code/1996, as provided for in this Ordinance.

C. The CABO, One and Two Family Dwelling Code/1995 Edition, as published by The Building Officials and Code Administrators International., Inc., is hereby modified as follows:

CHAPTER 3-BUILDING PLANNING

SECTION 309 GARAGES

AMEND

R-309.1 Opening protection: Openings from a private garage directly into a room used for sleeping purposes shall not be permitted. Other openings between the garage and residence shall be equipped with either solid wood doors not less than 1 3/4 inch in thickness or a 20-minute labeled fire-rated doors.

R-309.2 Separation required: The garage shall be completely separated from the interior spaces and its attic area by means of 1/2 inch gypsum board to the garage side. The gypsum must be taped and spackled.

CHAPTER 4 FOUNDATIONS

SECTION 403 FOOTINGS

AMEND

403.1 General: All exterior walls, bearing walls, columns and piers shall be supported on continuous solid masonry or concrete footings, wood foundations, or other approved structural systems which shall be of sufficient design to support safely the loads imposed as determined from the character of the soil, and except when erected on solid rock or otherwise protected from frost, shall extend below the frost line. Typical

designs for concrete footings shall be as set forth in Table 401a. Minimum footing depth and design standards are established in Section 1806.1 and Section 1810.3.1 of this Ordinance. However, other footing designs shall be acceptable provided the footing design has been designed and submitted by a design professional for the loads imposed and determined from the character of the soil at the site. Footings for wood foundations shall be in accordance with the details set forth in Section 403.2, Figure 403.1b and 403.1c. Concrete footings for supporting deck posts shall be a minimum of 18" diameter for 4" wood post (or equivalent) or 24" diameter for 6" wood post (or equivalent) and be to a depth below the frost line.

CHAPTER 8 ROOF-CEILING CONSTRUCTION

SECTION 801 - GENERAL

AMEND

801.3 Roof Drainage: All dwellings shall have a controlled method of storm water disposal from roofs that will collect and discharge roof drainage as regulated by Township Standard Details and Stormwater Management Ordinance #340 also known as Chapter 180 of the Moon Township Code of Ordinances and detailed in the Township's Standard Details.

D. The BOCA National Fire Prevention Code/1996, Tenth Edition, as published by the Building Officials Code Administrators International, Inc. is hereby modified as follows:

CHAPTER 1- ADMINISTRATION

SECTION F-101.0 GENERAL

AMEND

F-101.1 Title: These regulations shall be known as the Fire Prevention Code as part of the Building Code of the Township of Moon hereafter referred to as "This Code".

CHAPTER 3-PRECAUTIONS AGAINST FIRE

SECTION F-316.0 KEY BOXES

ADD

F- 316.1 The Fire Marshal shall have the authority to require a key box to be installed in an accessible location where access to or within a structure or area is difficult because of security or where immediate access is necessary for life saving or fire-fighting purposes as determined by the fire department, a Knox Brand Key Box shall be required in an accessible location, as determined by the fire department. The key box shall be a type approved by the fire department and shall contain keys to gain necessary access to the common areas of the building. This shall apply to all Use Groups with the exception of R-3 and R-4.

E. The National Fire Codes/1996, as published by the National Fire Protection Association also known as NFIPA. The National Fire Codes are herein adopted in their entirety in so far as they are referenced in the BOCA National Building Code/1996, and listed in Chapter 35.

F. The National Electric Code/1996, as published by the National Fire Protection Association also known as NFIPA70. The following sections are hereby amended as follows:

CHAPTER 2 WIRING AND PROTECTION

ARTICLE 250 - GROUNDING

AMEND

250-91(b) Types of Equipment Grounding conductors. The equipment grounding conductor run with or enclosing the circuit conductors shall be one or more or a combination of the following: (1) a copper or other corrosion-resistant conductor. This conductor shall be solid or stranded; insulated, covered, or bare; and in the form of a wire or a busbar of any shape; (2) rigid metal conduit; (3) intermediate metal conduit; (4) electrical metallic tubing; (5) deleted (6) deleted (7) the sheath of mineral insulated, metal sheathed cable; (8) the combined metallic sheath and grounding conductors of Type MC cable; (9) cable trays are permitted in Sections 318-3(c) and 318-7; (10) cablebus framework as permitted in Section 365-2(a); (11) other electrically continuous metal raceway listed for grounding.

EXCEPTION NO. 1: Delete
EXCEPTION NO. 2: Delete

CHAPTER 3 WIRING, METHODS AND MATERIALS

ARTICLE 300 - WIRING METHODS

AMEND

300-4(b) Cables and electrical non-metallic tubing through metal framing members:

- (1) "Non-metallic sheathed cables may be used as electrical wiring in relation to metal framing members only with the assembly design and installation is in accordance with an "Approved Agency". The installation shall be subject to a "Special Inspection" outlined in Chapter 17.

ARTICLE IV. GENERAL PROVISIONS
=====

- A. Codification - It is the intention of the Board of Supervisors and hereby ordained that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of the Township of Moon, Pennsylvania, and the Sections of this Ordinance may be renumbered to accomplish such intention.
- B. Conflict of Codes - When provisions of this code conflict with the Pennsylvania Department of Labor & Industry's Fire and Panic Regulations or any other applicable codes, the more stringent code shall apply.
- C. Specific Repealer - Ordinance #145 enacted February 4, 1966, and Ordinance #208 enacted August 9, 1977, and Ordinance #292 enacted May 11, 1988, and Ordinance #361 enacted February 12, 1992, Ordinance #435 enacted March 8, 1995 and all amendments thereto are hereby specifically repealed.
- D. Short Title - This Ordinance, together with the codes listed as A through F as they appear in Article 1 of this Ordinance adopted herein shall be known and may be cited as the "Moon Township Building Code".

E. Severance Clause - Should any section, paragraph, clause or phrase of this Ordinance be declared unconstitutional or invalid by a Court of competent jurisdiction, the remainder of said Ordinance shall not be affected thereby, and shall remain in full force and effect.

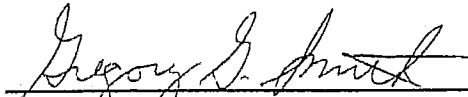
F. Application - The provisions set forth in this Ordinance shall apply throughout the entire Township.

G. Effective Date - The provisions set forth in this Ordinance shall take effect thirty-one (31) days after adoption.

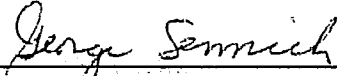
ORDAINED AND ENACTED this 13th day of November, 1996.

ATTEST:

TOWNSHIP OF MOON
BOARD OF SUPERVISORS



Gregory G. Smith
Township Manager/Secretary

BY: 

George Semich
Chairman

() SEAL

Exhibit 5-1-E

MOON TOWNSHIP BUILDING CODE ORDINANCE

ORDINANCE #525

AN ORDINANCE ESTABLISHING MINIMUM REGULATIONS GOVERNING THE DESIGN, CONSTRUCTION, ALTERATION, ENLARGEMENT, REPAIR, DEMOLITION, REMOVAL, MAINTENANCE AND USE OF ALL BUILDINGS AND STRUCTURES; PROVIDING FOR THE ISSUANCE OF PERMITS, COLLECTION OF FEES, MAKING OF INSPECTIONS; PROVIDING PENALTIES FOR THE VIOLATION THEREOF; KNOWN AS THE BUILDING CODE, AND REPEALING EXISTING ORDINANCE #453 OF THE TOWNSHIP OF MOON, ALLEGHENY COUNTY, PENNSYLVANIA.

BE IT ORDAINED and enacted by the Board of Supervisors of the Township of Moon,

Allegheny County, Pennsylvania (hereinafter called the Township) as follows:

ARTICLE I. ADOPTION OF BUILDING CODE.

Those certain documents, three (3) copies each of which are on file in the Administrative Office of the Township, being marked and designated as:

- A. **International Building Code/2000**, as published by the International Code Council, Inc.
- B. **International Residential Code** for One and Two Dwelling Family Dwellings/2000, as published by the International Code Council, Inc.
- C. **International Fire Code/ 2000**, as published by the International Code Council, Inc.
- D. **National Fire Codes/1999**, as published by the National Fire Protection Association, also known as NFPA.

E. National Electric Code/1999, as published by the National Fire Protection Association also known as NFIPA 70.

and are hereby adopted together with all appendices and shall be known as the Building Code of the Township of Moon, Allegheny County, Pennsylvania. The purpose of the adoption of these codes is to regulate the construction and use of new and existing buildings and structures and to protect the health, safety and welfare of the Moon Township residents and businesses and other persons utilizing these buildings and structures. All of the provisions, regulations, penalties, conditions and terms in the aforementioned codes are hereby referred to, adopted and made a part hereof as if fully set out in this Ordinance, with the amendments, insertions, and deletions as prescribed in Article III of this Ordinance.

ARTICLE II. INCONSISTENT ORDINANCES REPEALED.
=====

That Ordinance #453 of the Township of Moon entitled The Building Code and all other ordinances or parts of ordinances in conflict herewith are hereby repealed.

ARTICLE III. MODIFICATIONS MADE TO THE ADOPTED CODES
=====

Additions, amendments and deletions are hereby made to those certain documents in Article I above, listed as A through F.

A. The International Building Code/2000, as published by the International Code Council, Inc., is hereby modified as follows:

CHAPTER 1 ADMINISTRATION

SECTION 100 SCOPE

ADD

101.1 Title: These regulations shall be known as the Building Code of the *Township of Moon* hereinafter referred to as "this Code".

AMEND

101.2 Scope: The provisions of the International Building Code shall apply to the construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, maintenance, removal and demolition of every building or structure or any appurtenances connected to or attached to such buildings or structures; and shall apply with equal force to municipal, county, state, and private buildings; except as such matters are otherwise provided for in other ordinances or statutes, or in the rules and regulations authorized for promulgation under the provisions of this Code. This Code is available at cost from the office of Building Inspection and Code Administration.

SECTION 103 DEPARTMENT OF
BUILDING SAFETY

AMEND

103.1 Creation of enforcement agency: There is hereby created by the Township Board of Supervisors an office of the Township to be known as the "Office of Building Inspection /Code Administration". Said office and its staff shall be under the direction of the Township Manager or his designee and shall have the responsibility to administer and enforce this Ordinance and of those other codes and/or Ordinances of the Township (herein referred to as the applicable Codes and Ordinances), which designate said Office of Building Inspection/Code Administration as their official administration and enforcement agency.

103.2 Appointment of a Code Administrator/ Building Official: There shall be appointed by the Board of Supervisors, a Code Administrator / Building Official who shall be in charge of the Office of Building Inspection/Code Administration of the Township. The Board of Supervisors may appoint and contract with outside persons and entities to serve as subcontractors for the performance of such portions of the inspection or other duties of the Office of Code Administration as the Board of Supervisors may deem appropriate. The Code Administrator / Building Official shall supervise inspectors, subcontracted inspectors, and such other employees or assistants as shall be necessary for the administration and execution of the responsibilities of said Office, as appointed and approved by the Board of Supervisors. Said Code Administrator/ Building Official and other personnel shall be appointed and compensated by the Township.

ADD

103.2.1 Qualifications of the Code Administrator / Building Official: There shall be minimum qualifications with regard to certification, education and work experience established

for the position(s) held in the Office of Code Administration/ Building Inspection.

103.2.1.1 The Code Administrator/ Building Official shall be certified as a Building Inspector by BOCA International, Inc. approved testing program. Certification must be maintained by continuing education hours as recommended by BOCA International, Inc. Also the Code Administrator/ Code Official shall have graduated as a design professional, or have a minimum of 5 years work experience in construction in a supervisory position, or have worked as a Certified Building Inspector for a minimum of 5 years.

103.2.1.2 Other code enforcement personnel shall earn and subsequently maintain the applicable certification through a recognized testing program or nationally recognized equivalent which would pertain to their position within (1) one year of employment.

ADD

103.4 Fire Marshal: The Fire Marshal of the Township has been established as an authorized representative of the Office of Building Inspection/Code Administration of the Township and shall enforce and administer all of the provisions of fire prevention and fire protection system(s) requirements provided for in this Ordinance.

SECTION 104 DUTIES AND POWERS
OF THE BUILDING OFFICIAL

ADD

104.6.1 The assistance and cooperation of all other Township officials, including police and fire departments, shall be available to the Code Administrator/ Building Official to assist in the performance of his/her duties and in securing right-of-entry.

SECTION 105 PERMITS

AMEND

105.2 Work exempt from permit: Exemptions from permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction. Permits

shall not be required for the following:

Building:

1. One story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided the floor area does not exceed 60 square feet.
- 2 through 13 not amended.

AMEND

105.3.1 Action of Application: The Code Administrator/ Building Official shall examine or cause to be examined applications for permits and amendments thereto within thirty (30) days after the filing of an application and either approve or reject said application. If the application or the construction documents do not conform to the requirements or pertinent laws, the Code Administrator/ Building Official shall reject such application in writing, stating the reasons therefor. Failure to provide all required documentation or information shall be cause for rejection. If the Code Administrator/Building Official is satisfied that the proposed work conforms to the requirements of this code and laws and ordinances applicable thereto, the Code Administrator/ Building Official shall issue a permit therefor as soon as practical within the thirty (30) day review period.

ADD

105.8 Curbs, Gutters, Rights-of-Way: No change shall be permitted in the grade or contour of any street right-of-way, nor shall there be any alteration of any gutter, curbing, drainage ditch or storm sewer except as permitted by Moon Township Ordinance #342. No hedges, fences, brick pillars, planters or other obstructions shall be permitted within the rights-of-way of street so as to impair vision, interfere with pedestrian traffic or create a traffic hazard. Vehicles and equipment shall be taken into lots at the place where the driveway is located and shall not run over curbing or gutters.

ADD

105.9 Mailbox Post: Mailbox post shall be a maximum size of 4 inch by 4 inch wood post or equal. Refer to Moon Township Standard Details

ADD

105.10 Removal of Dirt, Mud and Debris from Roads: Measures shall be taken to prevent or inhibit the deposit of dirt, mud, soil, clay and debris from being washed, tracked or

otherwise deposited upon the pavement of any street or sidewalk. Any dirt, mud, soil, or debris deposited upon any street shall be removed immediately so as not to create any traffic safety hazard. In the event of a failure to comply with the foregoing requirements, the Code Administrator/ Building Official, in his/her sole discretion, in addition to any fines that may be imposed, may require that there shall be installed a driveway of red dog, cinders or of slag or other composition from the street to the building line, and traffic from the street onto the premises shall be limited to the driveway. Persons subject to these penalties are the general contractor, the sub-contractors whose actions created the safety hazard, and individuals to whom the appropriate permit has been issued.

ADD

105.11 Landscaping: Any portion of the premises left in its natural state and not disturbed during construction shall be kept free of junk, debris, dangerous or noxious matter, or other matter which threatens the health, safety and welfare of the public. The minimum requirements for landscaping, either grass, ground cover or other landscaping required by the Township, shall be completed and growing within six months after completion of the building or structure. Until ground cover is established, soil erosion controls must be maintained.

ADD

105.12 Permit Hours: The operation of heavy construction/excavation machinery (including but not limited to bulldozers, highlifts, backhoes, trucks, power shovels, pumps and jack hammers) and the use of construction equipment such as saws, drills or other types of machinery used outside a structure in conjunction with work requiring a building permit shall be prohibited when it is determined the noise is sufficient to disturb the peace and tranquility of the general public. This shall be enforced throughout the entire Township between the hours of 9:00 p.m. to 7:00 a.m., Monday through Saturday and all day Sunday and on Federally designated legal holidays, except in cases of emergencies involving life or property as designated by emergency personnel.

ADD

105.13 Street Numbers: Any building or structure to which a street number has been assigned shall have the number displayed in a location near the front or primary entrance of the building or structure, easily observed and readable from the public right-of-way. The minimum size (height) of the street number shall be 3" for residential building or structures and 6" for commercial buildings and structures. If not the number/building can not be seen from the street, the number must be clearly displayed

at the driveway entrance. Using the mailbox to display the street number is acceptable provided that the mailbox is located directly in front of the building (not along a side street or across the street) and the numbers must be located on both sides of the mailbox. The numbers shall be easily distinguishable such as black on white or white on black and posted as a number not written script.

ADD

105.14 Driveways and Driveway Approaches: The construction of driveways and driveway approaches must meet requirements established in the Township Standard Details.

1. Must be constructed without disturbing the existing Township road and in a manner to maintain proper drainage.
2. A maximum 1 ½ inch per foot slope of driveway is permitted in Township road right-of-way.
3. A maximum of 10% slope of driveway is permitted on 10 foot utility easement parallel to the Township road right-of-way.
4. A maximum of 15% slope of driveway is permitted on private property.

SECTION 106 APPLICATION FOR PERMIT-
CONSTRUCTION DOCUMENTS

ADD

106.1.1.2 Municipal Authority: One extra set of plumbing plans with a utility site plan must be submitted for Moon Township Municipal Authority (M.T.M.A.) review and approval.

ADD

106.1.1.3 Building construction plans: Shall show the following information:

1. Title page which includes:
 - a. List construction plans and pages.
 - b. Type of construction as listed in the International Building Code/2000
 - c. Use Group and area as listed in the International Building Code/2000
 - d. Net floor area.
 - e. List of any design options.
 - f. List of all installed fire protection.
2. Site plan. See Section 106.2.1 for site plan requirements.

3. Complete construction plans to include foundation design, floor plans, elevations, interior and exterior wall sections, floor sections, roof details, plumbing plans and electrical plans.
4. Use of all areas must be specified.
5. Complete door schedule with catalog cuts for all doors and hardware (including lock sets).
6. Complete window and glazing schedule.
7. Complete interior finish schedule with flame spread ratings.
8. Complete specifications.
9. List of all rated assemblies (include a diagram of assembly and design number).
10. Plans indicating handicapped requirements.
11. Occupant load for all areas.
12. Statement indicating shop drawing will be submitted for all fire protection systems.
13. List of all design loads for the building.
14. Complete information for special detailed requirements based on use and occupancy as outlined in Chapter 4 in the International Building Code /2000.
15. Complete information for all special structures (sky lights, roof, panels, awnings, etc.).
16. Soil test.
17. Plans must be signed and sealed by design professional and structural calculations.
18. Life Safety Plans which include:
 - a. Fire detection and alarm system plan.
 - b. Fire suppression system plan.
 - c. Sequence of operations for all special systems (smoke control, elevator recall, etc.).
 - d. Exit and means of egress lighting.
 - e. Fire Department notification means.

AMEND

106.2 Site plan: The construction documents submitted with the application shall be accompanied by a site plan (4 copies) showing to scale the size and location of all new construction and all existing structures on the site, distances from lot lines, established street grades and the proposed finished grades; and it shall be drawn in accordance with an accurate boundary line survey. *Site plans shall be prepared and/or designed by a design professional with the seal of registration of the State of Pennsylvania affixed to each sheet.* In the case of demolition, the site plan shall show all construction to be demolished and the location and size of all existing structures and construction that are to remain on the site or plot. The building inspector/ code official is authorized to waive

or modify the requirement for a site plan when the application for permit is for alteration or repair or when otherwise warranted.

106.2.1 A site plan shall show the following information:

1. Title Block:
 - a. Name and location of project
 - b. Name of owner, developer and/or agent
 - c. Name, title, address of person or firm preparing the site plan
 - d. Date of preparation, revisions
 - e. Scale

2. Vicinity map.
 - a. Scale

 - b. North arrow
 - c. Intersecting public roads
 - d. Reference to airport runways

3. Site information including:
 - a. An accurate boundary of the entire tract, north arrow scale.
 - *b. Existing and proposed topography: Scale - 1" = 20'.
 - *c. Erosion and sedimentation control measures designed in compliance to Moon Township Ordinance #211 also known as Chapter 88 in the Moon Township Code of Ordinances.
 - d. Existing zoning of the property and abutting properties. Landscaping and adequate screening as required in the Zoning Ordinance.
 - e. Any condition addressed in the Zoning Ordinance such as lighting, noise, driveways, dumpster location and screen, loading area, accessory structures, retaining walls, etc. must be shown.
 - f. Building setbacks for principal and accessory structure(s).
 - g. Parking facilities and pedestrian movement must be shown as per the Zoning Ordinance.
 - h. Adequate access for loading or unloading of emergency equipment, etc.
 - i. All rights of ways, easements, watercourses and drainage ways must be shown. Storm water Management Plan provisions as per Moon Township Ordinance #340.
 - j. Exact locations and exterior dimensions of all existing and proposed structures.
 - k. Exact locations of existing and proposed driveway(s), paved areas and street(s) within, adjacent and opposite the lot or parcel.

- l. Location of private fire hydrant(s) as required by Township Fire Marshall and all other utilities within, adjacent and opposite the lot or parcel.
 - *m. Storm water Management Plan provisions as per Ordinance #340.
- Note: *b, *c and *m can be shown on separate plans as needed.

- 4. Summary on the Plan must include:
 - a. Number of units
 - b. Net floor area
 - c. Mechanical storage area
 - d. Required number of parking spaces, including handicapped spaces as per the Zoning Ordinance
 - e. Actual number of parking spaces, including handicapped spaces
 - f. Maximum allowable and actual lot coverage
 - g. Total developed area
 - h. Total lot area

ADD

106.2.3 Private Sewage Disposal System: The site plan shall indicate the location of a private sewage disposal system where a public sewer is not available. Allegheny County Health Department/PA D.E.P. approval must be obtained. A copy of said approval must be submitted to the Township for a private sewage disposal systems.

ADD

106.2.4 Filling, Grading and Drainage: When an application for a building permit is submitted, the applicant shall show in detail any proposed cuts, fills, changes of grades, and existing watercourses, drains or ditches and shall show any proposed changes in same. No permit shall be issued if the cut, fill, change of grade or change of watercourse drain or ditch will cause a dangerous or unhealthy condition, or will cause damage to adjoining properties or public rights of way, or create a public or private nuisance. Filling, grading and soils & erosion control plans are regulated by Township Ordinance #211(Chapter 88 of the Code of Ordinances) and Ordinance #360 (Chapter 188 of the Code of Ordinances). Storm water Plan provisions are regulated by Township Ordinance #340 (Chapter 180 of the Code of Ordinances).

ADD

106.3.4.1.1 Architect/Engineer Letter Required: When a permit or certificate is sought from the Code Administrator/ Building Official for construction except single family dwellings

and their accessory structures, a letter bearing the registered design professional's signature and seal shall be submitted along with the construction documents he/she prepared. This letter must confirm that the building has been designed to meet or exceed the Township's adopted Building Code and shall attach all supportive documents.

ADD

106.6 Other Permits Required: At the time of filing an application for a permit, the applicant shall present to the Code Administrator/ Building Official evidence that he has obtained all necessary permits, licenses, Workers Compensation Insurance, approvals and/or variances as may be required by the laws of the Township, County and the Commonwealth. Individuals, Agencies, Boards and Commissions issuing aforesaid permits, licenses, approvals and/or variances shall include but not be limited to the Zoning Officer, Zoning Hearing Board, Moon Township Municipal Authority, Planning Director, Moon Township Planning Commission, Moon Township Board of Supervisors, the Fire Marshal, the Allegheny County Fire Marshal, the Allegheny County Department of Planning, the Allegheny County Health Department Plumbing Division, Allegheny County Health Department, Allegheny County Department of Aviation, the Pennsylvania Department of Labor & Industry, Pennsylvania Department of Community Affairs, Pennsylvania Department of Transportation, Pennsylvania Department of Environmental Resources, Federal Communication Commission, Federal Emergency Management Act, Federal Aviation Administration and the National Oceanic & Atmospheric Administration.

SECTION 108 FEES

ADD

108.7 Reinspection Fee: A reinspection fee may be charged to the permit holder if the violation(s), or inefficiency noted on the previous inspection are not brought into compliance or if the inefficiencies noted are not acceptable and performed in a workmanlike manner and the inspector is called to reinspect and the findings are such that a third inspection of the same violation and/or inefficiency must be called for. Prior to the third inspection of the same violation, the fee, as established by the Board of Supervisors by resolution, shall be paid at the Township Administrative offices. A reinspection fee shall be paid for any subsequent inspections for the same violation.

SECTION 110 CERTIFICATE OF OCCUPANCY

ADD

110.3.1 Additional Certificates of Approval: There may be additional certificates of approval by others that are required by law, ordinance, resolution or regulation and must be complied with before a building permit or Certificate of Occupancy, as appropriate, shall be issued.

SECTION 113 VIOLATIONS

AMEND

113.4 Violation Penalties: Any person who shall violate a provision of this Ordinance 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 of the building official, or of a permit or certificate issued under the provisions of this Ordinance, shall upon being found liable therefor in a civil enforcement proceeding, pay a fine of not less than \$300.00 or more than \$1,000.00 plus all court costs, including reasonable attorney fees incurred by the Township. Each day that a violation continues shall be deemed a separate offense.

SECTION 114 STOP WORK ORDER

AMEND

114.3 Unlawful Continuance: Any person who shall continue any work in or about the structure 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 conditions, shall be liable to a fine of not less than \$300.00 or more than \$1,000.00. Further, the work performed following the issuance of the stop work order shall be removed at the expense of the erector or owner, if in his/her discretion the Code Administrator/ Building Official shall so determine for code compliance reasons.

SECTION 112 BOARD OF APPEAL

AMEND

121.1 Application for Appeal: Any person shall have the right to appeal a decision of the Code Administrator/ Building Official to the Board of Appeals. Application for appeal shall be based on a claim that the true intent of this Code or the rules legally adopted

hereunder have been incorrectly interpreted, the provisions of the Code do not fully apply, or an equally good or better form of construction can be used. The Board shall have no authority to waive requirements of this code. The appeal must be perfected, in writing, on the required form, no later than thirty (30) calendar days following the decision being issued by the Code Administrator/ Building Official.

AMEND

112.3 Membership of the Board: The Board of Appeals shall consist of five (5) residents of Moon Township approved by a majority of the Moon Township Board of Supervisors as follows: one for five years, one for four years, one for three years, one for two years, and one for one year. Thereafter, each new member shall serve for five years or until a successor has been appointed.

ADD

112.3.1 Qualifications: Each member shall be a registered design professional such as a Registered Architect, Structural Engineer; or have considerable work experience in the building construction trade such as an electrical, mechanical or plumbing design professional or contractor; or have a working knowledge and experience with fire protection design professional or contractor; or have considerable working knowledge of the construction industry. Not more than two members shall be from the same profession or occupation.

ADD

112.3.2 Secretary: The Township Manager, or his designee, shall act as Secretary to the Board. The Secretary shall file a detailed record of all proceedings in the Manager's office.

ADD

112.3.3 Functions and Duties: The Board of Appeals shall hold meetings, keep minutes, and pursuant to notice, shall conduct hearings, compel the attendance of witnesses, take testimony under oath, and render decisions in writing, all as required by law. A fee shall be charged in accordance with a schedule fixed by resolution for any appeal or proceedings filed with the Board of Appeals. The Board of Appeals shall have the functions, powers and duties specifically granted by law and by this Ordinance.

ADD

112.4 Notice of Meeting: The Board shall meet upon notice of the Chairman within thirty (30) days of filing of an appeal or at stated periodic meetings if warranted by the volume of work.

ADD

112.4.1 Public Hearing: All hearings shall be public. The appellant, the appellant's representative, the official of the jurisdiction and any other person whose interest may be materially affected by the matter on appeal, shall be given an opportunity to be heard, however, the Board may prohibit repetitive testimony.

ADD

112.4.2 Procedure: The Board shall adopt and make available to the public, through the Secretary, procedures under which a hearing will be conducted. The procedures shall not require compliance with strict rules of evidence but shall mandate that only relevant information be received. In general, the due process procedures shall reflect the standards required of hearings conducted under the Pennsylvania Local Agency Act.

ADD

112.4.3 Postponed Hearing: When less than three (3) members of the Board of Appeals are present to hear an appeal, the hearing shall be postponed. A new hearing shall be held within five (5) days. No member of the Board of Appeals may participate in making a decision on an appeal unless the member has been present during the entire hearing or, alternatively, has reviewed a transcript of those portions of the proceedings at which he/she was not present.

AMEND

112.5 Board Decision: The Board shall approve, modify or reverse the decision of the Fire Marshal or of the Code Administrator/ Building Official by a concurring vote of not less than three (3) members of the Board within forty-five (45) days from the close of the hearing or the receipt of the transcript, whichever is later. In the event that no adjudication is rendered within this time frame, the decision of the Fire Marshal or Code Administrator/ Building Official shall stand.

ADD

112.5.1 Resolution: The decision of the Board of Appeals shall be by resolution. Certified copies shall be furnished to the appellant and to all participants, and shall be made public.

ADD

112.5.2 Administration: The Code Administrator/ Building Official or Fire Marshal shall take immediate action in accordance with the decision of the Board.

ADD

112.6 Court Review: Any person materially aggrieved by a decision of the Board of Appeals, whether or not a previous party to the decision, or any relevant officer or Board of the Township may apply to the appropriate court for a writ of certiorari to correct errors of laws in such decisions. Application for review so to be timely, shall be made to the proper court of jurisdiction within thirty (30) days after the filing of the Board's decision in the office of the Code Administrator/ Building Official.

CHAPTER 2 DEFINITIONS

SECTION 202 DEFINITIONS

ADD

202.1. Attached Buildings: All attached wings or auxiliary structures to a building shall meet or exceed the same requirements as established by the building code for the highest level and area of that building.

AMEND

202.2 Building: Any structure used or intended for supporting or sheltering any use or occupancy. For application of this code, each portion of a building completely separated from other portions by fire walls complying with Section 707.0 shall be considered as a separate building. Each separate building shall meet the yard setback requirements established in the Moon Township Zoning Ordinance.

Exception: The fire walls as required above shall not constitute a separate building classification when Section 903 Automatic Sprinkler System Requirements, is applicable as designated in Chapter 9 entitled Fire Protective Systems of this Ordinance.

ADD

202.3 Grand fathered Structures: Grand fathered structures shall refer to buildings or structures built prior to May 11, 1988, the adoption date of Ordinance #292. All Grand fathered structures/buildings in which there is work involving alterations or changes in use shall be made to conform to the current Building Code as required in Chapter 34.

ADD

202.4 Temporary Structures: Any structure, non-permanent in nature, not attached to a permanent foundation, placed on a site and used for a period of time not to exceed six (6) months. Temporary structures shall include but are not limited to land sales trailers, tents, bleachers, air support structures, seasonal displays, etc.

CHAPTER 4 SPECIAL DETAILED REQUIREMENTS BASED
ON USE AND OCCUPANCY

SECTION 406.2 PARKING GARAGES

ADD

406.2.10 Stand pipes: There shall be standpipe hose connections located at each entrance to an exit passageway, exit corridor or enclosed stairway and at all exterior entrances to the public parking structures.

AMEND

406.3.10 Sprinkler systems. Open parking structures are required to conform to Section 406.4 for enclosed parking garages and conform to the provisions of Chapter 9.

INSERT

SECTION 419 MOBILE UNITS

419.1 General: Mobile units shall be designed, constructed and maintained to be transported from one location to another and not mounted on a permanent foundation. These mobile units not mounted on a permanent foundation shall be considered a temporary structure and only permitted as authorized in Moon Township Zoning Ordinance and/or

approved by the Zoning Hearing Board. Upon Zoning Ordinance authorization, a Township Permit for Temporary Mobile Units must be obtained prior to placement on the approved site. The permit shall be valid for a period not to exceed six (6) months and may be renewed for an additional six (6) month period. All other mobile units or manufactured housing must obtain a Building Permit, be made permanent and placed on a permanent perimeter foundation.

419.2 Construction: All mobile units placed on a permanent foundation must be designed and constructed to comply with all the requirements of this code for on-site and prefabricated construction. Permanent perimeter foundations must be constructed of materials as required by this code for regular foundation constructions. Anchorage shall be adequate to withstand forced and uplift as required in Chapter 16 for structures and buildings. Skirting is not permitted. The exterior finish product to grade requirements as established in Section 1401.2 shall also apply. All mobile units placed on a permanent foundation shall be evaluated, inspected and labeled by an approved agency in accordance with Section 1703.7. All "temporary" mobile units as established in the Zoning Ordinance must meet all Federal, State, County and local statutes regarding its construction and tie down requirements.

CHAPTER 9 FIRE PROTECTIVE SYSTEMS

SECTION 903 AUTOMATIC SPRINKLER SYSTEMS

AMEND

903.2.1.1 Group A-1. an automatic sprinkler system shall be provided throughout a fire area containing Group A-1 occupancy where one of the following conditions exists:

1. The fire area exceeds 7,000 square feet in area.
2. The fire area has an occupant load of 300 or more.
3. The fire area is located on a floor other than the level of exit discharge.
4. The fire area contains a multi-theater complex.

AMEND

903.2.1.3 Group A-3: An automatic sprinkler system shall be provided throughout a fire area containing a Group A-3 occupancy where one of the following conditions exists:

1. The fire area exceeds 7,000 square feet.

2. The fire area has an occupant load of 300 or more.
3. The fire area is located on a floor other than the level of exit discharge.

Exception: Areas used exclusively as participant sports areas where the main floor area is located at the same level as the level of exit discharge in the main entrance and exit.

903.2.1.4 Group A-4: An automatic sprinkler system shall be provided throughout a fire area containing a Group A-4 occupancy where one of the following conditions exists:

1. The fire area exceeds 7,000 square feet.
2. The fire area has an occupant load of 300 or more.
3. The fire area is located on a floor other than the level of exit discharge

Exception: Areas used exclusively as participant sports areas where the main floor area is located at the same level as the level of exit discharge in the main entrance and exit and the entire building is less than 7,000 square feet.

AMEND

903.2.2 Group E: An automatic sprinkler system shall be provided throughout all Group E fire areas greater than 7,000 square feet in area. An automatic sprinkle system shall also be provided for every portion below the level of exit discharge.

Exception: Where each classroom has at least one exterior exit door at ground level.

AMEND

903.2.3 Group F-1: An automatic sprinkler system shall be provided throughout all buildings where the fire area containing a Group F-1 occupancy exceeds 7,000 square feet, or where more than 2 stories in height.

AMEND

903.2.6 Group M An automatic sprinkler system shall be provided throughout all buildings where the fire area containing a Group M occupancy exceeds 7,000 square feet, or where more than 2 stories in height.

AMEND

903.2.7 Group R-1 An automatic sprinkler system shall be provided throughout buildings with a R-1 fire area.

Exceptions:

1. Where guestrooms are not more than two stories above the lowest level of exit discharge and each guestroom has at least one door leading directly to an exterior exit access that leads to approved exits.
2. A residential sprinkler system installed in accordance with section 903.3.1.2 shall be allowed in buildings, or portions thereof, of Group R-1

AMEND

903.2.8 Group R-2: An automatic fire suppression system shall be provided throughout all buildings with a Group R-2 fire area where one of the following conditions exists:

1. The building is more than two stories in height, including basements which are not considered as a story above grade.
2. The building is more than 10,000 square feet in area
3. There are more than 12 dwelling units per building.

Each dwelling unit shall have at least one door opening to an exterior exit access that leads directly to the exits required to serve that dwelling unit.

Exception: A residential sprinkler system installed in accordance with Section 903.3.1.2 shall be allowed in buildings, or portions thereof, of Group R-2

AMEND

903.2.10 Group S-1 An automatic sprinkler system shall be provided throughout all buildings where the fire area containing a Group S-1 occupancy exceeds 7,000 square feet, or where more than 2 stories in height.

903.2.10.1 Repair Garages. An Automatic sprinkler system shall be provided throughout all buildings used as repair garages in accordance with Section 903.2.10

AMEND

903.2.12 Group S-2 An automatic sprinkler system shall be installed in the locations set forth in Sections 903.2.12.1 through 903.2.12.1.3

Exception: Group U

ADD

903.2.16 Group R-3: An automatic fire suppression system shall be provided throughout all buildings with a Group R-2 fire area where one of the following conditions exists:

1. The building is more than two stories in height, including basements which are

not considered as a story above grade.

2. The building is more than 10,000 square feet in area.

Each dwelling unit shall have at least one door opening to an exterior exit access that leads directly to the exits required to serve that dwelling unit.

Exception: A residential sprinkler system installed in accordance with Section 903.3.1.2 or 903.3.1.3 shall be allowed in buildings, or portions thereof, of Group R-3

ADD

903.2.17 All Use Groups: Except when more restrictive regulations apply as established in the Building Code, the minimum standards regulating when a fire suppression system is required shall be in accordance with 903.17.1 and 903.17.2.2.

ADD

903.2.17.1 Fire Suppression System: Shall be installed and maintained in full operating condition in all new buildings or structures or new portions thereof when more than 7,000 square feet in area except Use Group R-3 ("New" construction is that occurring after the passage of Ordinance #292, specifically May 11, 1988).

ADD

903.2.17.2 Fire Suppression System: Shall be installed and maintained in full operating condition in all new buildings or structures or new portions thereof of when more than two (2) stories in height. ("New" construction is that occurring after the passage of the Ordinance #292, specifically May 11, 1988).

Exception: In Use Group R-4, A-5, U.

ADD

903.2.18 Grand fathered Structures: It is the intent of the Township that this language shall require an automatic fire suppression system for any and all new additions to Grand fathered structures once the total square footage of any single new addition, or the total square footage of one or more new additions in combination, reaches 7,000 square feet or when the number of stories in the structure would require a fire suppression system in a new structure, then the whole structure must be protected by such system.

SECTION 905 STANDPIPE SYSTEM

ADD

905.2.1 Automatic water supply: An automatic water supply is required for all standpipe systems. The automatic water supply and supply piping shall be capable of delivering a flow of 500 g.p.m. at the residual pressure specified in Section 915.4 for a duration of 30 minutes.

Exceptions:

1. In buildings equipped throughout with an automatic sprinkler system installed in accordance with Section 906.2.1 the automatic water supply is not required to exceed the requirements of NFPA 13 listed in Chapter 35.
2. Dry standpipe systems installed in open parking structures.

AMEND

905.3 Required installations: Standpipe systems shall be installed where required by this code in Sections 905.3.1 through 905.3.2 and in locations indicated in Sections 905.4, 905.5 and 905.6. Standpipe systems are permitted to be combined with automatic sprinkler systems.

905.3.1 Building height: Class III standpipe systems shall be installed throughout buildings when more than two stories in height or more than one story below grade.

Exceptions:

1. Delete
2. Delete
3. Delete
4. Delete

ADD

5. Occupancies in Use Group R-3

AMEND

905.3.2 Building area: Class III standpipe systems shall be installed in all buildings where the total building area is more than 7,000 square feet or where any portion of the building floor area is more than 200 feet of travel, vertically and horizontally, from the nearest point of fire department vehicle access.

Exception:

1. Delete
2. Delete
3. Automatic dry and semiautomatic dry standpipes are allowed as provided for in NFPA 14

AMEND

905.3.3 Group A: Class III automatic wet standpipes shall be provided in nonsprinkled Group A buildings having an occupant load exceeding 1,000 persons.

Exceptions:

1. Open air seating spaces without enclosed spaces
2. Delete

AMEND

905.3.4 Covered mall buildings: Covered mall buildings and buildings connected thereto shall be equipped throughout with a Class III automatic wet standpipe system.

ADD

905.3.7 Public parking garages: Standpipes shall be installed in all public garages in accordance with Section 406.2.10.

SECTION 907 FIRE ALARM AND
DETECTION SYSTEMS

AMEND

907.2.1 Group A: A manual fire alarm system shall be installed in accordance with NFPA 72 in Group A occupancies having an occupant load of 300 or more. Portions of Group E occupancies occupied for assembly purposes shall be provided with a fire alarm as required for the Group E occupancy.

Exception: deleted

AMEND

907.2.2 Group B: A manual fire alarm system shall be installed in Group B occupancies having an occupant load of 500 or more persons or more than 100 persons above or below the lowest level of exit discharge.

Exception: deleted

AMEND

907.2.6.2.3 Smoke detectors: An approved automatic smoke detection system shall be installed throughout residential housing units, including sleeping areas and contiguous day rooms, group activity spaces and other common spaces normally accessible to residents.

Exception:

2. deleted
3. deleted

907.2.8 Use Group R-1: A manual fire alarm system and an automatic fire detection system shall be installed in Group R-1 occupancies.

Exceptions:

1. Delete
2. Delete
3. A separate fire alarm system is not required in buildings that are equipped throughout with an approved supervised automatic sprinkler system and which have a local fire alarm that meets the notification requirements of Section 907.9.2.

AMEND

907.3.1 Location: Manual fire alarm boxes shall be located not more than 5 feet from the entrance to each exit. Additional manual fire alarm boxes shall be located so that travel distance to the nearest box does not exceed 20 feet.

Exception: deleted

CHAPTER 14 EXTERIOR WALL COVERINGS

SECTION 1401.0 GENERAL

ADD

- 1404.1.1 Exterior Finish To Grade: The exterior finish of the building, whether finished face brick, wood veneer, siding or any other finished facing materials approved by the Code Administrator/Building Official, shall come down the building to within six (6") inches of finished grade. Plain masonry block or poured concrete shall not be considered a finished product; nor shall either of these construction surfaces be considered as a finished product if painted.

CHAPTER 15 ROOF STRUCTURES

SECTION 1510.0 ROOF STRUCTURES

ADD

- 1509.1.1 Roof Structures: When mechanical equipment is designed to be located on the roof of a structure/building then this equipment must be screened with typical building materials approved by the Building Code Official that will complement building design and conceal this equipment from neighboring property owners and the public on adjacent roadways.

CHAPTER 18 FOUNDATIONS AND RETAINING WALLS

SECTION 1805 FOOTINGS AND FOUNDATIONS

AMEND

- 1805.2.1 Frost Protection: Except when erected upon solid rock or otherwise protected from frost, foundation walls, piers and other permanent supports of all buildings and structures larger than 100 square feet (9.30m²) in area or 10 feet (3048 mm) in height shall extend to the frost line measurement of 36 inches from finish grade to the bottom of the footer and where necessary spread footings of adequate size shall be provided to distribute properly the load within the allowable bearing value of the soil. Alternatively, such structures shall be supported on piles adequately designed to a proper depth and

construction when solid earth or rock is not available. The area and height exception does not apply when the building or structure is an addition to an existing building. Footings shall not bear on frozen soils unless such frozen condition is of a permanent character.

SECTION 1610 SOIL LATERAL LOADS

AMEND

1610.2.1 General requirements: Retaining walls and similar structures shall be considered accessory structures. A building permit is required prior to construction. The retaining wall shall be designed by a registered professional engineer who shall certify that the wall is of sound construction, will not cause a dangerous condition and will not constitute a public or private nuisance. In appropriate cases, such structures may be required to be covered with suitable ground cover such as ivy or other plant material or an architectural surface treatment finish, or completely screened from abutting properties. Retaining walls shall not be erected on the right-of-way. When cribbing is used as a type of construction for retaining wall, the material used must have its exposed surface earth covered and seeded to prevent erosion. No retaining walls shall be constructed of Wood Cribbing.

ADD

1610.2.2 Guards: Where retaining walls with differences in grade level on either side of the wall are in excess of 30 inches and the high side is located near a walk, path, parking lot or driveway or any other location that may be hazardous to pedestrians, such retaining walls shall be provided with guards that are constructed in accordance with Section 1003.12 or other protective measures.

ADD

1610.3 Landscape walls: Landscape walls are walls less than 30 inches in height and used in the art of arranging or modifying the features of a landscape to secure beautiful or advantageous effects. Walls greater than 30 inches in height must meet the requirements in Section 1610 as amended.

CHAPTER 27 ELECTRICAL

SECTION 2703 PERMIT AND CERTIFICATE OF INSPECTION

ADD

- 2703.1 General: Electrical wiring or equipment shall not be installed within or on any building, structure or premises, nor shall any alteration be made in any such existing installations, without first securing approval and a permit from the Building Inspector for Electrical Code Compliance except as provided for in Section 2703.2.1 through 2703.2.4. It shall be unlawful to use or allow the use of or to supply current for an electrical system in a building or structure, unless the required certificate of inspection and permit have been secured.
- 2703.2 Exemptions: A permit shall not be required for the execution and use of the classes of work specified in Sections 2703.2.1 through 2703.2.4.
- 2703.2.1 Repairs and Maintenance: A permit shall not be required for minor repair work, including the replacement of lamps or the connection of approved portable electrical equipment to approved permanently installed receptacles.
- 2703.2.2 Public Service Agencies: A permit shall not be required for the installation, alteration or repair of electrical equipment for the operation of communications and signals or the transmission of intelligence by wire by public utility agencies, except as provided for in Article 7 for fire alarm systems and The National Electric Code/1999.
- 2703.2.3 Power Companies: a permit shall not be required for the installation, alteration or repair of electrical equipment of a power or public service company for its use in the generation, transmission, distribution or metering of electricity except as provided for in the National Electric Code/1996.
- 2703.2.4 Temporary Testing System: A permit shall not be required for the installation of any temporary system required for the testing or servicing of electrical equipment or apparatus.
- 2703.2.5 One or Two Family Dwellings: A permit shall not be required for the installation of Class 1, Class 2, Class 3 remote-control, signaling, and power limited circuits, telephone, alarm, communication wiring, cable-television and similar systems when installed in 1 or 2 family dwellings. All such installations shall be installed in compliance with the applicable code article.

2703.5 All Applications shall, prior to occupancy of the building, structure or premises, obtain a Certificate of Final Approval from the Building Inspector for Electrical Code Compliance. This Certificate of Final Approval shall certify that all the necessary inspections have been made and that the electrical wiring conforms with the applicable provisions of the National Electrical Code and this Ordinance. Whenever any of the inspections show that the provisions of the National Electrical or this Ordinance have not been complied with, the Building Inspector for Electrical Code Compliance shall so inform the Code Administrator/ Building Official within five (5) days. The Building Inspector for Electrical Code Compliance or Code Administrator/ Building Official shall notify the applicant of the steps which must be taken to achieve compliance with the National Electrical Code or this Ordinance before a Certificate of Final Approval will be issued. Failure to secure a Certificate of Final Approval shall be sufficient reason for notification to the Electric Utility Company to disconnect or refuse to connect electrical power to the premises and the Township shall not issue a certificate of occupancy.

SECTION 2704 BUILDING INSPECTOR FOR ELECTRIC CODE COMPLIANCE

ADD

2709.1 The Township Building Inspector for Electrical Code Compliance shall meet the criteria listed below and must be approved by Duquesne Light Company or other lawful utility regulated by the P.U.C. operating in Moon Township. The Township of Moon, Allegheny County, requires compliance with the following conditions by its Building Inspector for Electrical Code Compliance.

2709.1.1 The Building Inspector for Electrical Code Compliance shall carry and annually furnish Moon Township with certificates of insurance evidencing required statutory worker's compensation insurance.

2709.1.2 The Building Inspector for Electrical Code Compliance shall carry and annually furnish Moon Township certificates of insurance evidencing Comprehensive General Liability Insurance, including Completed Operations, with single-limit coverage in an amount not less than \$1,000,000.

2709.1.3 The Building Inspector for Electrical Code Compliance shall carry and annually furnish Moon Township with certificates of insurance evidencing Professional Liability Insurance with single-limit coverage in an amount not less than \$1,000,000.

2709.1.4 The Building Inspector for Electrical Code Compliance will require all electrical installations to meet the standards of the Township adopted edition of the National Electrical Code and this ordinance code.

- 2709.1.5 The Building Inspector for Electrical Code Compliance will ensure that inspecting employees are qualified and will certify their qualifications to Moon. A list of inspectors, which will be kept up to date, will be forwarded to Moon.
- 2709.1.6 An inspector shall not inspect his own work or the work of anyone whose business, family or other relationship with the inspector would render the inspection unethical or create the appearance of impropriety.
- 2709.1.7 The Township will, by regulation, establish regular office hours within Moon Township during which time employees of the electrical inspector shall be available to members of the public.
- 2709.1.8 Municipal Cards will be issued upon inspection to the Office of Building Inspection/Code Administration.
- 2709.1.9 The Agency will issue certificates to the applicant on all installations upon satisfactory completion.
- 2709.1.10 Code Administrator/ Building Official will be notified of violations over five (5) days old.
- 2709.1.11 Inspection fees will be charged at a rate established by resolution and published in a fee schedule and collected from the installer, contractor or owner by the Building Inspector for Electrical Code Compliance. Said resolution will require remittal by the inspector to the Township of all monies due the Township.
- 2709.1.12 For purposes of fire and safety, the Building Inspector for Electrical Code Compliance will, upon request, conduct a free inspection for the Code Administrator/ Building Official or Fire Marshal on any building deemed necessary. When wiring adjustments are made, the same Building Inspector for Electrical Code Compliance will make the necessary follow-up inspection upon the necessary receipt of an application and appropriate fee.
- 2709.1.13 Inspections will be made during a normal work day, but the Building Inspector for Electrical Code Compliance will be available at all times for emergencies.
- 2709.1.14 Building Inspector for Electrical Code Compliance shall be a full time employees of the company appointed as the Building Inspector for Electrical Code Compliance.
- 2709.1.15 Appointment of the Building Inspector for Electrical Code Compliance may be withdrawn by the Township Manager at any time upon evidence of non-compliance with

any of the above conditions.

CHAPTER 29 PLUMBING SYSTEMS

SECTION 2901.0 GENERAL

AMEND

2901.1 Scope: The design and installation of plumbing systems, including sanitary and storm drainage, sanitary facilities, water supplies and storm water and sewage disposal in buildings, shall comply with the requirements of this Chapter, the International Plumbing Code, Allegheny County Plumbing Code Article 15, Moon Township Municipal Authority and the Township adopted Storm Water Ordinance accordingly.

CHAPTER 31 SPECIAL CONSTRUCTION

SECTION 3107 SIGNS

ADD

3107.1.1 Signs: Where there is a conflict between this Chapter 31 and the Moon Township Zoning Ordinance #345, the more restrictive shall apply.

SECTION 3108 RADIO AND TELEVISION TOWERS

ADD

3108.6 Permits Required: All antennal structures governed by the FCC must obtain a building permit. Antenna structures more than 12 feet in height are not permitted to be mounted on the roof of any building or structure in a residential zoning district. The location of all antennal structure must meet the regulations established in the Township Zoning Ordinance. The application shall be accompanied by detailed drawings of the structure and methods of anchorage. All connections to the roof structure shall be properly flashed to maintain water tightness. The design and materials of construction shall comply with the requirements of section 3108.3 for character, quality and minimum dimension.

ADD

3108.7 Permit: A permit must be secured for all dish antennal structures more than 2 feet

in diameter. Dish antennal structures are not permitted on the roof. The location of all dish antennal structures must meet the regulations established in the Township Zoning Ordinance.

CHAPTER 32 CONSTRUCTION IN THE
PUBLIC RIGHT-OF-WAY

SECTION 3201 GENERAL

ADD

3201.3.1 Construction in Township Right-of-Ways is regulated by Ordinances #342, #360 and Township Standard Details also known as Chapters 183 and 188 of the Moon Township Code of Ordinances.

CHAPTER 34 EXISTING STRUCTURES

SECTION 3401 GENERAL

AMEND

3401.1 Scope: The provisions of this chapter shall control the alteration, repair, addition and change of occupancy of existing structures. Alterations, repairs, additions and changes of occupancy to existing structures shall comply with Chapters 2 through 33 or Sections 3401.3 through 3406.

SECTION 3409 COMPLIANCE ALTERNATIVES

AMEND

3408.1 through 3408.9.1: deleted

B. The International Residential Code/2000, as published by The International Code Council, Inc. is hereby adopted in its entirety in so far as it does not conflict with the adopted International Building Code/2000, as provided for in this Ordinance.

C. The International Fire Code/2000 Edition, as published by The International Code Council, Inc. is hereby adopted in its entirety in so far as it does not conflict with the adopted

International Building Code/2000, as provided for in this Ordinance.

D. The National Fire Codes/1999, as published by the National Fire Protection Association also known as NFIPA are herein adopted in their entirety in so far as they are referenced in the adopted International Building Code/2000, as provided for here in.

F. The National Electric Code/1999, as published by the National Fire Protection Association also known as NFIPA70 is hereby adopted in its entirety in so far as it does not conflict with the adopted International Building Code/2000, as provided.

ARTICLE IV. GENERAL PROVISIONS

=====

A. Codification - It is the intention of the Board of Supervisors and hereby ordained that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of the Township of Moon, Pennsylvania, and the Sections of this Ordinance may be renumbered to accomplish such intention.

B. Conflict of Codes - When provisions of this code conflict with the Pennsylvania Department of Labor & Industry's Fire and Panic Regulations or any other applicable codes, the more stringent code shall apply.

C. Specific Repealer - Ordinance #145 enacted February 4, 1966, and Ordinance #208 enacted August 9, 1977, and Ordinance #292 enacted May 11, 1988, and Ordinance #361 enacted February 12, 1992, Ordinance #435 enacted March 8, 1995, Ordinance #453 enacted November 13, 1996 and all amendments thereto are hereby specifically repealed.

D. Short Title - This Ordinance, together with the codes listed as Subsection A through F as they appear in Article 1 of this Ordinance adopted herein shall be known and may be cited as the "Moon Township Building Code".

E. Severance Clause - Should any section, paragraph, clause or phrase of this Ordinance be declared unconstitutional or invalid by a Court of competent jurisdiction, the remainder of said Ordinance shall not be affected thereby, and shall remain in full force and effect.

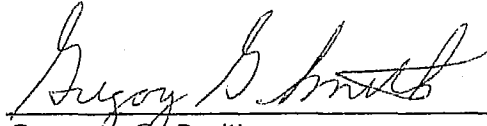
F. Application - The provisions set forth in this Ordinance shall apply throughout the entire Township.

G. Effective Date – The provisions set forth in this Ordinance shall take effect thirty-one (31) days after adoption.

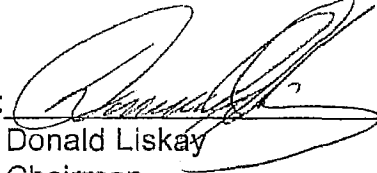
ORDAINED AND ENACTED this 10th day of October, 2001.

ATTEST:

TOWNSHIP OF MOON
BOARD OF SUPERVISORS



Gregory G. Smith
Township Manager/Secretary

By: 

Donald Liskay
Chairman

() SEAL

Part 2**Property Maintenance Code****§5-201. Title.**

This Part shall be known and may be cited as the “Property Maintenance Code.”
(*Ord. 619B*, 6/6/2007; as added by *Ord. 656*, 4/9/2015)

§5-202. Adoption of Property Maintenance Code.

The Township hereby adopts the International Property Maintenance Code, 2009 Edition, as published by the International Code Council, Inc., as the Property Maintenance Code of Moon Township for regulating and governing the conditions and maintenance of all property, buildings and structures; by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; and the condemnation of buildings and structures unfit for human occupation and use, and the demolition of such existing structures as herein provided; 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 Property Maintenance Code on file in the Township Office are hereby referred to, adopted, and made a part hereof, as if fully set out in this Part, with the additions, insertions, deletions and changes, if any, prescribed in §5-203.B of this Part.

(*Ord. 619B*, 6/6/2007; as amended by *Ord. 656*, 4/9/2015)

§5-203. Modifications to Standards.

The following sections and subsections of the 2009 International Property Maintenance Code are hereby added, inserted, deleted, restated or changed as set forth below. [*Ord. 656*]

A. *Section 101.1*: § 101.1 is amended by inserting “Moon Township” in the space provided.

B. *Section 102.3*: §102.3 is restated as follows:

102.3 Application of Other Codes. Repairs, additions or alterations to a structure, or changes of occupancy, shall be done in accordance with the procedures and provisions of Chapter 5, Part 1 of the Moon Township Code of Ordinances, Construction Code, as amended (hereinafter referred to as the “Township Construction Code”). Nothing in this code shall be construed to cancel, modify or set aside any provisions of Chapter 27 of the Moon Township Code of Ordinances, Zoning, as amended (hereinafter referred to as the “Zoning Ordinance”). [*Ord. 656*]

C. *Section 103*: §103 is amended by changing the title of the Section to “Office of Code Administration/Building Inspection.” [*Ord. 656*]

D. *Section 103.1*: §103.1 is restated as follows:

103.1 General. The Office of Code Administration/Building Inspection is hereby created within the Community Development Department and is

charged with the implementation, administration and enforcement of the provisions of this code. [Ord. 656]

E. *Section 103.2*: §103.2 is restated as follows:

103.2 Appointment. The Township Board of Supervisors shall appoint a Code Official/Building Inspector who shall be part of the Office of Code Administration/Building Inspection. For the purposes of this code, the Code Official/Building Inspector shall also be referred to as the “Code Official.” The Township Board of Supervisors may appoint and contract with outside persons and entities to serve as subcontractors for the performance of such portions of the inspection or other duties of the Code Official as the Township Board of Supervisors may deem appropriate. [Ord. 656]

F. *Section 103.5*: §103.5 is restated as follows:

103.5 Fees. The fees for applications and permits referenced in this code and for the activities and services performed by the Code Official in carrying out his/her responsibilities under this code shall be established, from time to time, by resolution of the Township Board of Supervisors.

G. *Section 106.3*: §106.3 is amended by restating the last sentence of the Section as follows:

“Any action taken by the Township in the prosecution of a violation of this code and any costs incurred by the Township related thereto shall be charged against the real estate upon which the violation exists and shall be a municipal lien upon such real estate.”

H. *Section 106.4*: §106.4 is restated as follows:

106.4 Violation Penalties. Any person, firm or corporation who shall violate any provision of this code, or fails to comply therewith, or with any of the requirements thereof, upon conviction thereof in an action brought before the magisterial district judge in the manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure, shall be sentenced to pay a fine of not less than \$300 nor more than \$1,000 plus costs, including reasonable attorney fees incurred by the Township, and to imprisonment to the extent permitted by law for the punishment of summary offenses. A separate offense shall arise for each day or portion thereof in which a violation is found to exist and for each section of the code found to have been violated. The Township may also commence appropriate actions in equity, at law or otherwise to prevent, restrain, correct, enjoin, or abate violations of this code. All fines and penalties collected for violation of this code shall be paid to the Township Treasurer. The initial determination of ordinance violation and the service of notice of violation are hereby delegated to the Township Manager, the Police Department, the Code Official, the authorized designee of the Township Manager, and to any other officer or agent that the Township Manager or the Township Board of Supervisors shall deem appropriate. [Ord. 656]

I. *Section 111*: §111, “Means of Appeals,” is deleted in its entirety and restated as follows:

SECTION 111

MEANS OF APPEALS

111.1 Application for Appeal. Any applicant or person aggrieved by a decision of the Code Official or a notice or order issued under this code shall have the right of appeal to the Board of Appeals established under the Township Construction Code [Chapter 5, Part 1], provided that a written application for an appeal is filed within 10 days after receipt of said decision, notice or order, along with payment of an appeal hearing fee in an amount set from time to time by resolution of the Township Board of Supervisors. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted hereunder has been incorrectly interpreted, the provisions of this code do not fully apply, or the requirements of this code are adequately satisfied by other means.

111.2 Regulations and Procedures for Appeals. All appeals under this code shall proceed under the regulations and procedures established under the Township Construction Code [Chapter 5, Part 1].

J. *Section 112.4:* §112.4 is restated as follows:

112.4 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 considered to be in violation of this code and subject to the violation penalties under §106 of this code.

[Ord. 656]

K. *Section 113:* A new §113, “Rental Property Inspection Permit,” is hereby inserted as follows: [Ord. 656]

SECTION 113 RENTAL PROPERTY INSPECTION PERMIT

113.1 General. A rental property inspection permit, certifying that the use and structure is in compliance with this code and all other ordinances of Moon Township, shall be obtained before any change of occupancy may occur in a dwelling unit of a residential property let for occupancy (as those terms are defined in §202 of this code), except as provided for annual permits in §113.1.1 below. Prior to occupying the dwelling unit in which the change in occupancy is established, the property owner or lessee shall be required to make application for a rental property inspection permit, except as provided for annual permits in §113.1.1 below. [Ord. 656]

113.1.1 Annual Rental Property Inspection Permit. In lieu of the individual dwelling unit permit established in §113.1 above, the Code Official is authorized to issue an annual rental property inspection permit for a residential property let for occupancy which satisfies the following criteria: [Ord. 656]

1. The residential property let for occupancy contains more than 10 dwelling units per lot.
2. The property is not the subject of a current or pending Township code enforcement proceeding and/or notice of violation.
3. The property owner maintains detailed records and written

documentation which verify that:

a. Portable fire extinguishers are installed and continually maintained in proper operating condition throughout the subject property in accordance with the requirements of the Township Construction Code, [Chapter 5, Part 1], including, but not limited to, §906 of the 2009 International Fire Code, as amended. [Ord. 656]

b. Fire suppression systems (i.e., required sprinklers and fire hoses) are installed and continually maintained in proper operating condition throughout the subject property in accordance with the requirements of this code and the Township Construction Code [Chapter 5, Part 1], including, but not limited to, the International Fire Code implemented by the Township Construction Code. [Ord. 656]

c. Fire protection systems (i.e., fire alarms and smoke detectors) are installed and continually maintained in proper operating condition throughout the subject property in accordance with the requirements of this code and the Township Construction Code [Chapter 5, Part 1], including, but not limited to, §704 of this code, and the International Fire Code implemented by the Township Construction Code. [Ord. 656]

These detailed records and written documentation shall be permanently kept on file at the building/property that is the subject of the annual permit and shall be immediately available for review by the Code Official, or his/her designee, upon request. On not less than an annual basis, the property owner shall provide the Code Official with written certification and supporting documentation verifying compliance with these requirements.

Properties which are the subject of an annual rental property inspection permit shall only require an annual inspection unless the Code Official determines, in his sole discretion, that more frequent inspections are required.

113.2 Permit Application. Applications for a rental property inspection permit shall be submitted to the Code Official. This application shall include, among other things, the current address and telephone number of the property owner and the property manager, if any. [Ord. 656]

113.3 Issuance of Permit and Inspection. Prior to the issuance of a permit under this Section, and as a condition precedent thereto, the Code Official, or his/her designee, shall inspect the premises and structure that is the subject of the change in occupancy. The Code Official shall issue a permit under this Section once it has been determined that the subject premises and structure are in compliance with this code and all other ordinances of Moon Township. [Ord. 656]

113.4 Notice of Change in Occupancy to Township. In order to facilitate the inspection required by this Section, the property owner shall notify the Code Official at least 30 days prior to any change in occupancy.

[Ord. 656]

113.5. Notice of Change in Ownership. The current property owner shall notify the Code Official at least 30 days prior to any change in ownership or ownership structure of the subject property, and at that time provide the Code Official with the new/proposed property owner's address and telephone number. This notice of change of ownership shall be a condition of any permit issued under this Section. [Ord. 656]

113.6 Notice of Property Owner Change of Address. The property owner shall notify the Code Official at least 30 days prior to property owner's change of address or telephone number, and shall at that time provide the Code Official with the property owner's new address or telephone number. This notice of change of address shall be a condition of any permit issued under this Section. [Ord. 656]

113.7 Display of Permit. Any permit issued under this Section shall be exhibited at any time on request of the Code Official, or his/her designee.

113.8 Revocation of Permit. Any property owner or lessee violating this Section shall be subject to immediate revocation of his/her rental property inspection permit. [Ord. 656]

113.9 Enforcement Remedies. Any person who violates a provision of this Section shall be subject to the violation penalties set forth in §106 of this code, additionally the Township may direct the Moon Township Municipal Authority to cease water service to the subject property until compliance with this code and all other applicable Township ordinances is achieved. [Ord. 656]

L. *Section 201.3:* §201.3 is amended by deleting the reference to the "International Zoning Code" in the Section.

M. *Section 202:* §202 is amended by adding the following definition:

Junk vehicle—any vehicle which is without a currently valid license plate or State registration and/or is in a rusted, wrecked, discharged, dismantled, partly dismantled, inoperative, or abandoned condition, and/or for which the certificate of title has been returned to the Pennsylvania Department of Transportation in accordance with the provision of the State Vehicle Code, 75 Pa.C.S.A. §101 *et seq.*, as amended, and/or which by its appearance is unsightly and not in repairable condition, and/or which had been declared abandoned according to the provisions of the State Vehicle Code. Where a certificate of junk has been issued by the Pennsylvania Department of Transportation, such certificate shall be conclusive evidence that the subject vehicle is a junk vehicle; however, where no such certificate has been issued or applied for, the failure to have the vehicle licensed shall be prima facie evidence that the subject vehicle is a junk vehicle. Also included in this definition is any trailer, semi-trailer or any other article which would be classified as a vehicle, as well as any disabled, abandoned, non-operable, non-registered, wrecked, ruined or dismantled motor vehicle. [Ord. 656]

N. *Section 301:* §301 is amended by inserting §301.4 as follows:

301.4 Lead-Based Paint. Lead-based paint with a lead content of more

than 0.5 percent shall not be applied to any interior or exterior surface of a dwelling, dwelling unit or child care facility, including fences and outbuildings at these locations. Existing interior and exterior painted surfaces of dwelling units and child care facilities that contain lead paint with a lead content of more than 0.5 percent shall be removed or covered with paneling or other suitable covering approved by the Code Official.

O. *Section 302.4*: §302.4 is amended by restating the first paragraph of the Section as follows:

302.4 Weeds. All premises and exterior property shall be maintained free from weeds or plant growth in excess of 10 inches and shall be landscaped so as to have either grass or other form of approved ground cover, growing or artificial or maintained in its natural state as permitted by the Zoning Ordinance [Chapter 27], as amended. The property owner shall install an approved form of ground cover within 6 months of completing the construction or alteration of a building or structure or other disturbance of the ground cover. All noxious weeds shall be prohibited. Weeds shall be defined as all grasses, annual plants and vegetation, other than trees or shrubs; provided, however, this term shall not include cultivated flowers and gardens.

P. *Section 302.8*: §302.8 is amended by adding the following sentences at the end of the first paragraph: “No junk vehicle shall be stored outside any private or public property, including vacant lots, streets or alleys in the Township.”

Q. *Section 302.10*: A new §302.10 is inserted as follows:

302.10 Mailbox Post. For vehicular safety reasons, a mailbox post shall be a maximum size of 4 inches by 4 inches wood post or an equivalent material. Refer to the Township Standards Details, as defined by the Street Ordinance [Chapter 21, Part 2]. The Township is not responsible and/or liable for any damage to mailbox posts which do not comply with this Section. [Ord. 656]

R. *Section 304.3*: §304.3 is amended to insert the following sentence: “The mailbox may be used to display the street number provided that the mailbox is located directly in front of the building (not along a side street or across the street) and the numbers must be located on both sides of the mailbox.”

S. *Section 304.14*: §304.14 is amended by inserting “June 1 to September 30” in the space provided.

T. *Section 307.1*: §307.1 is amended and restated as follows:

307.1 Accumulation of Rubbish, Garbage or Other Materials. All exterior property and premises, including accessory buildings, shall be free from the accumulation or storage of the following:

(a) Rubbish or garbage, including any such accumulation or storage in the interior of any structure.

(b) Commercial, industrial or building materials, except when such materials are for the purpose of rehabilitating any building or structure on the subject premises.

(c) Scrap material of any kind, any old scrapped or used appliances, fixtures, automobile parts, machinery and machinery parts and/or other similar material or any other form of discarded or unused or unusable

materials (including building materials) which by their appearance are unsightly.

U. *Section 602.3.* Section 602.3 is amended by inserting "October 1 to May 1" in the space provided.

V. *Section 602.4.* Section 602.4 is amended by inserting "October 1 to May 1" in the space provided.

(*Ord. 619B, 6/6/2007; as amended by Ord. 656, 4/9/2015*)

§5-204. More Restrictive Provisions to Apply.

When the provisions of this Part are in conflict with other Sections of the Code or any other ordinances of the Township or any other applicable codes, the more stringent code, ordinance, or regulation shall apply.

(*Ord. 619B, 6/6/2007; as amended by Ord. 656, 4/9/2015*)

Part 3**Registration of Occupants****§5-301. Title.**

This Part shall be known and may be cited as the “Occupant Registration Ordinance.”

(Ord. 656, 4/9/2015)

§5-302. Definitions.⁶

As used in this Part, the following terms shall have the meanings indicated:

Premises—any building, structure or portion thereof suitable or adaptable for human or property occupancy for residential or nonresidential purposes.

Property owner—a person who owns a premises.

Zoning and occupancy permit—same definition as in the Zoning Ordinance [Chapter 27].

(Ord. 656, 4/9/2015)

§5-303. Registration of Occupants by Owner of Premises.

All persons who own residential or nonresidential premises within the Township shall report, on forms provided by the Township, the name and address of all persons and businesses occupying the same and the names of their respective employers, if any.

(Ord. 656, 4/9/2015)

§5-304. Owner Responsible for Registration.

The responsibility of making said reports shall be on the owner of the premises.

(Ord. 656, 4/9/2015)

§5-305. Filing of Reports.

An annual report shall be submitted by all property owners in the Township between May 1 and June 1 of each year and each successive year setting forth the names, addresses and employers of all persons and businesses on their premises. Reports shall be supplemented within 10 days of the arrival of occupants not previously reported or the departure of occupants previously reported.

(Ord. 656, 4/9/2015)

§5-306. Zoning and Occupancy Permits.

1. No person shall occupy a premises until a zoning and occupancy permit is issued by the Zoning Officer.

⁶Editor’s Note: see also the general definitions contained in Chapter 1, Part 1 of this Code.

2. A zoning and occupancy permit shall not be issued by the Township for a premises unless or until all Township ordinances are in full compliance, including this Part.

(Ord. 656, 4/9/2015)

§5-307. Violations and Penalties.

Any person, firm, or corporation who shall violate any provision of this Part, or fails to comply therewith, or with any of the requirements thereof, upon being found liable therefor in a civil enforcement proceeding commenced by the Township, shall pay a judgment of not less than \$100 nor more than \$600 plus costs, including reasonable attorney fees incurred by the Township. A separate offense shall arise for each day or portion thereof in which a violation of this Part is found to exist and for each section of this Part found to have been violated. The Township may also commence appropriate actions in equity or other to prevent, restrain, correct, enjoin, or abate violations of this Part. All penalties collected for violations of this Part shall be paid to the Township Treasurer. The initial determination of ordinance violation is hereby delegated to the Township Manager, the Police Department, the Code Official, the authorized designee of the Township Manager, and to any other officer or agent that the Township Manager or the Board of Supervisors shall deem appropriate.

(Ord. 656, 4/9/2015)