

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

ORDINANCE NO. 374

AN ORDINANCE OF LOWER POTTS GROVE TOWNSHIP REPEALING THE 2018 EDITIONS OF THE INTERNATIONAL CODE COUNCIL CODES AND ADOPTING THE 2021 EDITIONS OF THE INTERNATIONAL CODE COUNCIL CODES AS AMENDED AND MODIFIED BY THE PENNSYLVANIA UNIFORM CONSTRUCTION CODE; AMENDING CERTAIN LOCAL PROVISIONS OF THE 2021 EDITION OF THE INTERNATIONAL PROPERTY MAINTENANCE CODE; AND PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES THEREFORE.

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

SECTION 1. Chapter 100, Article III, Section 100-11 of the of the Lower Pottsgrove Township Code of Ordinances, as amended, adopting by reference the 2018 Edition of the International Building Code is hereby repealed in its entirety and replaced with the following:

§ 100-11. Adoption of International Building Code, 2021 Edition.

Except as amended and modified by the Pennsylvania Uniform Construction Code (Act 45 of 1999), 34 Pa. Code Chapters 401 through 405, a certain document being marked and designated as the International Building Code, 2021 Edition (hereinafter the “2021 IBC”), as published by the International Code Council, Inc., be and is hereby adopted as the Building Code of the Township of Lower Pottsgrove, Montgomery County, in the Commonwealth of Pennsylvania, for the control of buildings and structures as herein provided, and each and all of the regulations, provisions, penalties, conditions, and terms of said 2021 IBC, are hereby referred to, adopted, and made a part hereof, as if fully set out in the article, as set forth herein. Three (3) copies of the 2021 IBC are on file at the Lower Pottsgrove Township Building.

SECTION 2. Chapter 100, Article III, Section 100-15.3 of the of the Lower Pottsgrove Township Code of Ordinances, as amended, is deleted in its entirety and replaced with the following:

§ 100-15.3. Changes to the 2021 IBC Building Code.

The 2021 IBC is hereby changed and supplemented with the following:

A. Add a new Section 708.10 to read as follows:

708.10 Use Groups A, B, E, F, H, I, M, R, S, and U structures having more than one tenant and/or owner/occupier shall provide tenant separation walls between each such tenant and/or owner/occupier. Said walls shall consist of a minimum one hour (1-hour) Underwriters' Laboratory ("UL") fire-rated assembly, unless other sections of this code require a higher rating. All fire-rated tenant separation walls shall be constructed of material consistent with the type of construction of the building.

B. Sections 903.2.1.1 (Group A-1), 903.2.1.3 (Group A-3), and 903.2.1.4 (Group A-4), Condition 1, shall be deleted and a new Condition 1 shall be inserted to read as follows:

1. The fire area exceeds 5,000 square feet (464 m²).

C. Section 903.2.3 (Group E), Condition 1, shall be deleted and a new Condition 1 shall be inserted to read as follows:

1. Throughout all Group E fire areas greater than 5,000 square feet (464 m²) in area.

D. Section 903.2.4 (Group F-1) shall be deleted and a new section shall be inserted to read as follows:

903.2.4 Groups F-1 and F-2. An automatic fire-suppression system shall be provided for any building or structure where Use Groups F-1 and F-2 fire areas exceed 5,000 square feet (464 m²) in area.

E. Section 903.2.7 (Group M) shall be deleted and a new section shall be inserted to read as follows:

903.2.7 Groups B and M. An automatic fire-suppression system shall be provided for any building or structure where Use Groups B or M fire areas exceed 5,000 square feet (464 m²) in area.

F. Section 903.2.9 (Group S-1) shall be deleted and a new section shall be inserted to read as follows:

903.2.9 Group S-1. An automatic fire-suppression system shall be provided for any building or structure where Use Group S-1 fire areas exceed 5,000 square feet (464 m²) in area.

- G. Section 903.2.9.1 (Repair Garages) shall be deleted and a new section shall be inserted to read as follows:

903.2.9.1 Repair Garages. An automatic fire-suppression system shall be provided throughout all buildings used as repair garages in accordance with Section 406, as shown, where the S-1 fire areas exceed 5,000 square feet (464 m²) in area.

- H. Sections 903.2.10 (Group S-2 Parking Garages) and 903.2.10.1 (Commercial Parking Garages) shall be deleted and a new Section 903.2.10 shall be inserted as follows:

903.2.10 Group S-2. An automatic fire-suppression system shall be provided for any building or structure where Use Group S-2 fire areas exceed 5,000 square feet (464 m²) in area.

- I. Paragraph 1 of Section 903.2.11 (Specific Building Areas and Hazards) shall be deleted and a new Paragraph 1 shall be inserted as follows:

In all occupancies other than Group U, excepting Animal Housing Facilities, as defined hereinafter, an automatic sprinkler system shall be installed for building design or hazards in the locations set forth in Sections 903.2.11.1 through 903.2.11.7.

- J. A new Section 903.2.11.7 (Animal Housing Facilities) shall be added to read as follows:

903.2.11.7 Animal Housing Facilities. All Animal Housing Facilities, as defined by NFPA 150, where animals are kept for any purpose including, but not limited to, barns, stables, kennels, animal shelters, veterinary facilities, zoos, laboratories, and racetracks shall be equipped with an automatic fire-suppression system where the floor area of the Animal Housing Facility exceeds 5,000 square feet (464 m²) in area.

- K. A new Section 903.3.1.4 (NFPA 13D Light Hazard Systems) shall be added to read as follows:

903.3.1.4 NFPA 13 Light Hazard Systems. All NFPA 13 “Light Hazard Systems” shall be designed to have a maximum of 168-square feet (or less) sprinkler head spacing. This is the maximum that sprinkler heads shall be spaced in any occupancy permitted to be designed under a “light hazard” type classification in accordance with NFPA 13.

- L. A new Section 903.3.1.5 (Safety Factor) shall be added to read as follows:

903.3.1.5 Safety Factor. All NFPA 13, 13R, and 13D fire-suppression systems shall be designed to provide a safety factor of 10 pounds per square inch (psi), as defined in NFPA 13.

- M. A new Section 1013.7 (Additional Locations/Low-Level Exit Signs) shall be added to read as follows:

1013.7 Additional Locations/Low-Level Exit Signs. All A-1, A-2, A-3, B, E, R, I-1, and I-2 occupancies that are required to have more than one exit or exit access shall be supplemented by additional low-level exit signs reading “EXIT” on the face of the sign. Additional exit signs shall be located on the latch side of the door frame wall within six (6) inches to eight (8) inches of the floor in addition to the exit sign located above, or an egress access area. Self-illuminated or luminous exit signs shall be UL-listed for this purpose and approved by the Fire Marshal or Code Administration Officer.

- N. A new Section 1210.0 (Radon) shall be added to read as follows:

1210.0 Radon. At the time of application for a building permit, plans must depict reasonable measures to be constructed below grade level for future radon gas mitigation. Designs should accommodate the addition of a venting system for removal of radon gas from the premises in the future, should such Radon gas be determined to be present at levels that exceed the maximum safe concentrations of Radon gas as determined by the United States Environmental Protection Agency. A minimum four-inch diameter perforated pipe shall be installed below the basement slab around the interior perimeter of the foundation and shall terminate into a sump pit of sufficient size to accommodate the installation of a Radon mitigation system.

- O. A new Section 1809.5.1 (Frost Line) shall be added to read as follows:

1809.5.1 Frost Line. For shallow foundation footings governed under this Section, the frost line in Lower Pottsgrove Township shall be a minimum of thirty-six (36) inches below grade. This shall be considered a minimum depth to the bottom of the footing.

- P. A new Section 3303.8 (Extermination Required) shall be added to read as follows:

3303.8 Extermination Required. The applicant shall show proof that a building or structure scheduled for demolition pursuant to this Section has been subject to the extermination of rodents, vermin, and other pests no less than two (2) weeks prior to the scheduled demolition.

SECTION 3. Chapter 100, Article IV, Section 100-17 of the of the Lower Pottsgrove Township Code of Ordinances, as amended, adopting by reference the 2018 Edition of the

International Residential Code for One- and Two-Family Dwellings is hereby repealed in its entirety and replaced with the following:

§ 100-17. Adoption of the International Residential Code for One- and Two-Family Dwellings, 2021 Edition.

Except as amended and modified by the Pennsylvania Uniform Construction Code (Act 45 of 1999), 34 Pa. Code Chapters 401 through 405, a certain document being marked and designated as the International Residential Code, 2021 Edition (hereinafter the “2021 IRC”), as published by the International Code Council, Inc., be and is hereby adopted as the Residential Building Code of the Township of Lower Pottsgrove, Montgomery County, in the Commonwealth of Pennsylvania, for the control of buildings and structures as herein provided, and each and all of the regulations, provisions, penalties, conditions, and terms of said 2021 IRC, are hereby referred to, adopted, and made a part hereof, as if fully set out in the article, as set forth herein. Three (3) copies of the 2021 IRC are on file at the Lower Pottsgrove Township Building.

SECTION 4. Chapter 100, Article IV, Section 100-18 of the of the Lower Pottsgrove Township Code of Ordinances, as amended, is deleted in its entirety, and replaced with the following:

§ 100-18. Changes to the 2021 IRC.

- A. Section R101.1 shall be deleted and a new section shall be inserted to read as follows:

R101.1 Title. These provisions shall be known as the Residential Code for One- and Two-Family Dwellings of the Township of Lower Pottsgrove, and shall be cited as such and will be referred to herein as “this Code.”

- B. Sections 103.2 (Appointment) and 103.3 (Deputies) shall be deleted and substituted therefore by the following sections:

R103.2 Appointment. The Code Administration Officer shall be appointed by the Board of Commissioners of Lower Pottsgrove Township and shall serve at its pleasure. The Code Administration Officer may also be referred herein as the “Building Official” or “Code Official.”

R103.3 Assistant Code Administration Officer. The Board of Commissioners may designate an employee as an assistant, who shall exercise all the powers of the Building Official during the temporary absence or disability of the Code Administration Officer. The Assistant Code Administration Officer shall serve at the pleasure of the Board of Commissioners. The Assistant Code Administration

Officer may also be referred to herein as the “Assistant Building Official” or Assistant Code Official.”

- C. A new Section R103.4 (Organization) shall be added to read as follows:

R103.4 Organization. The Board of Commissioners shall appoint such number of officers, technical assistants, inspectors, and other employees as shall be necessary, in its sole discretion, for the administration of this code.

- D. A new Section R105.10 (Certificates of Insurance) shall be added to read as follows:

R105.10 Certificates of Insurance. Before the issuance of a permit, the owner or their authorized representative, together with the contractor, shall provide the Township with a certificate of insurance naming the Township as a certificate holder and as an additional insured. The certificate shall indicate the amounts of Contractor’s Liability and Workers’ Compensation insurance coverage that is provided, and the policy expiration dates for each type of coverage. The Contractor’s Liability insurance shall cover any damages or injury resulting from said construction, operation, or demolition performed under a validly issued permit. Receipt of said certificates of insurance are conditions precedent to the issuance of a permit under this Chapter.

- E. A new Section R112.3.1 (Appointment of Appeals Board) shall be added to read as follows:

R112.3.1 Appointment of Appeals Board. The Board of Appeals shall be the Lower Pottsgrove Township Construction Code Board of Appeals as appointed by the Board of Commissioners.

- F. Section 113.4 (Violation Penalties) shall be deleted and a new section shall be inserted to read as follows:

R113.4 Violation Penalties. Any person who shall violate a provision of this article or shall fail to comply with any requirement thereof or who shall erect, construct, alter, or repair a building or structure in violation of an approved plan or directive of the Code Official, or of a permit or use and occupancy permit issued under the provisions of this article, shall be guilty of a summary offense, punishable by a fine of not less than \$100.00 or more than \$1,000.00 plus reasonable costs of the Township, and upon default of the payment of the fine and costs, imprisonment not exceeding thirty (30) days. Each day that a violation continues unabated shall be deemed a separate offense.

- G. Section 114.4 (Failure to Comply) shall be deleted and a new section shall be inserted to read as follows:

R114.4 Unlawful Continuance. Any person who shall continue any work in or about a 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 guilty of a summary offense, punishable by a fine of not less than \$100.00 or more than \$1,000.00 plus reasonable costs of the Township, and upon default of the payment of the fine and costs, imprisonment not exceeding thirty (30) days. Each day that a violation continues unabated shall be deemed a separate offense.

H. Table R301.2 (Climatic and Geographic Design Criteria) shall be revised to reflect the following values for the variables described below:

Ground Snow Load	30
Wind Speed	90
Topographic Effects	No
Special Wind Region	No
Windborne Debris Zone	No
Seismic Design Category	B
Weathering	Severe
Frost Line Depth	36-inches
Termite	Moderate heavy
Winter Design Temp	14° F
Ice Shield Underlayment Required	No
Flood Hazards	Ord. 127, 1973; Amended by Ord. 202, 12/16/1996
Air Freezing Index	500
Mean Annual Temp.	50° F

I. New sections R331.0 through R331.12 (Wood Decks/Porches/Patios/Balconies/Stoops) shall be added, which sections shall read as follows:

R331.0 Wood decks/porches/patios/balconies/stoops. Minimum construction requirements.

R331.1 Design criteria for wood decks, porches, balconies, stoops. All wood decks, porches, balconies, stoops shall be designed for 60 pounds per square foot live load and 10 pounds per square foot dead load, for a total of 70 pounds per square foot. Joist and beams shall be pressure treated No. 2 grade or better southern yellow pine or equivalent.

R331.2 Cantilever. Maximum overhanging cantilever shall be two (2) feet.

R331.3 Footings. Footings shall be a minimum of 36 inches below finished grade. Excavations shall be smooth and straight edges and three times the diameter of the post used.

R331.4 Guardrails. Where the deck, porch, balcony surface is more than 21 inches above finished grade, a minimum 36-inch-high railing shall be provided. Balusters shall be vertical and be constructed such that a sphere with a diameter of 4-inches cannot pass

through any opening. Guardrail post shall be a minimal size of 4-inches by 4-inches, spaced no more than four (4) feet on center.

R331.5 Stairs. Stairs shall be three (3) feet in width minimum, and treads shall be no less than 11 inches and have nosing or effective projection of not less than 1-inch. Maximum riser height shall be 7-inches and a minimum of 4-inches. Handrails shall be provided on one (1) side of all stairs having more than three (3) or more risers. If stairs are 21 inches or more above grade, guardrails shall be provided.

R331.6 Landings. Minimum landings shall be 3-feet by 3-feet. If the landing is more than 21 inches above finished grade, a guardrail is required. The guardrail shall meet Section R312 requirements.

R331.7 Maximum joist spans. Maximum spans for floor joist, spaced at 16-inches on center, shall be as listed below. Approved metal hanger of proper size or ledger of proper size shall support all floor joists.

Maximum spans for floor joist (pressure treated lumber):	2 inches x 6 inches = 7 feet 8 inches
	2 inches by 8 inches = 10 feet 2 inches
	2 inches x 10 inches = 13 feet 0 inches
	2 inches x 12 inches = 15 feet 9 inches

R331.8 Support post. Where the deck surface is four (4) feet or less 4-inch by 4-inch posts are permitted; if the deck is more than 48 inches above finished grade, a minimum post size shall be 6-inches by 6-inches.

R331.9 Maximum Post/Support Spacing:

Joist Span	6 feet	8 feet	10 feet	12 feet	14 feet	16 feet
Beam Size						
With two-foot cantilever (without cantilever)						
Two 2 inches x 6 inches	5 feet	4 feet 3 inches	3 feet 8 inches	3 feet 3 inches	-----	-----
	(6 feet 10 inches)	(5 feet 11 inches)	(5 feet 3 inches)	(4 feet 5 inches)	(3 feet 9 inches)	(3 feet 4 inches)
Two 2 inches x 8 inches	6 feet 7 inches	5 feet 7 inches	4 feet 10 inches	4 feet 3 inches	3 feet 10 inches	3 feet 5 inches
	(9 feet)	(7 feet 9 inches)	(7 feet)	(5 feet 10 inches)	(5 feet)	(4 feet 4 inches)

Two 2 inches x 10 inches	8 feet 5 inches	7 feet 2 inches	6 feet 3 inches	5 feet 6 inches	4 feet 11 inches	4 feet 5 inches
	(11 feet 6 inches)	(9 feet 11 inches)	(9 feet 11 inches)	(7 feet 5 inches)	(6 feet 5 inches)	(5 feet 7 inches)
Two 2 inches x 12 inches	10 feet 3 inches	8 feet 9 inches	7 feet 7 inches	6 feet 8 inches	6 feet	5 feet 4 inches
	(14 feet)	(12 feet 1 inches)	(10 feet 10 inches)	(9 feet 1 inches)	(7 feet 9 inches)	(6 feet 10 inches)
Three 2 inches x 12 inches	12 feet 10 inches	11 feet 10 inches	11 feet	10 feet	8 feet 11 inches	8 feet 1 inches
	(17 feet 11 inches)	(14 feet 10 inches)	(13 feet 3 inches)	(12 feet 1 inches)	(11 feet 2 inches)	(10 feet 3 inches)

Values based on: Dead Load 10 psf/Live Load 60 psf = 70 pounds per square foot total
fb = 975 psi Southern yellow pine (moisture content 19%)
fv = 86 psi Southern yellow pine (moisture content 19%)

R331.10 Maximum Post/Support Spacing Intermediate Beam:

Joist Span	6 feet	8 feet	10 feet	12 feet	14 feet	16 feet
Two 2 inches x 6 inches	3 feet 5 inches	2 feet 11 inches	2 feet 7 inches	-----	-----	-----
Two 2 inches x 8 inches	4 feet 6 inches	3 feet 11 inches	3 feet 6 inches	2 feet 11 inches	-----	-----
Two 2 inches x 10 inches	5 feet 9 inches	5 feet	4 feet 5 inches	3 feet 8 inches	3 feet 2 inches	-----
Two 2 inches x 12 inches	7 feet	6 feet	5 feet 5 inches	4 feet 6 inches	3 feet 10 inches	3 feet 5 inches

R331.11 Bridging: Where floor joists are longer than 11-feet, 6-inches, one row of solid bridging is required to be placed mid span every 11-feet, 6-inches. Lateral bracing shall be provided.

R331.12 Ledger/Ban/Ribbon Board Attachment to Structure: Ledger/ban/ribbon board shall be to same size as the floor joist. Ledger/ban/ribbon board shall be firmly attached to house using through bolts and placed 16-inches on center. Minimum size bolts shall be ½-inch by 4 ½-inches. Lag bolts or other approved anchors are permitted with approval from the Code Administration Officer prior to the installation.

SECTION 5. Chapter 100, Article V, Section 100-23 of the of the Lower Pottsgrove Township Code of Ordinances, as amended, adopting by reference the 2018 Edition of the International Plumbing Code is hereby repealed in its entirety and replaced with the following:

§ 100-23. Adoption of the International Plumbing Code, 2021 Edition.

Except as amended and modified by the Pennsylvania Uniform Construction Code (Act 45 of 1999), 34 Pa. Code Chapters 401 through 405, a certain document being marked and designated as the International Plumbing Code, 2021 Edition (hereinafter the “2021 IPC”), as published by the International Code Council, Inc., be and is hereby adopted as the Plumbing Code of the Township of Lower Pottsgrove, Montgomery County, in the Commonwealth of Pennsylvania, for regulating the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use, or maintenance of plumbing systems in the Township; providing for the issuance of permits and collection of fees therefore; and each and all of the regulations, provisions, conditions, and terms of such 2021 IPC published by the International Code Council on file in the office of Lower Pottsgrove Township are hereby referred to, adopted, and made a part hereof, as if fully set out in the article, as set forth herein. Three (3) copies of the 2021 IPC are on file at the Lower Pottsgrove Township Building.

SECTION 6. Chapter 100, Article VI, Section 100-29 of the of the Lower Pottsgrove Township Code of Ordinances, as amended, adopting by reference the 2018 Edition of the International Mechanical Code is hereby repealed in its entirety and replaced with the following:

§ 100-29. Adoption of the International Mechanical Code, 2021 Edition.

Except as amended and modified by the Pennsylvania Uniform Construction Code (Act 45 of 1999), 34 Pa. Code Chapters 401 through 405, a certain document being marked and designated as the International Mechanical Code, 2021 Edition (hereinafter the “2021 IMC”), as published by the International Code Council, Inc., be and is hereby adopted as the Mechanical Code of the Township of Lower Pottsgrove, Montgomery County, in the Commonwealth of Pennsylvania, for regulating the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use, or maintenance of mechanical systems in the Township; providing for the issuance of permits and collection of fees therefore; and each and all of the regulations, provisions, conditions, and terms of such 2021 IMC published by the International Code Council on file in the office of Lower Pottsgrove Township are hereby referred to, adopted, and made a part hereof, as if fully set out in the article, as set forth herein. Three (3) copies of the 2021 IMC are on file at the Lower Pottsgrove Township Building.

SECTION 7. Chapter 100, Article VIII, Section 100-41 of the of the Lower Pottsgrove Township Code of Ordinances, as amended, adopting by reference the 2018 Edition of the International Fire Prevention Code is hereby repealed in its entirety and replaced with the following:

§ 100-41. Adoption of the International Fire Code, 2021 Edition.

Except as amended and modified by the Pennsylvania Uniform Construction Code (Act 45 of 1999), 34 Pa. Code Chapters 401 through 405, a certain document being marked and designated as the International Fire Code, 2021 Edition (hereinafter the “2021 IFC”), as published by the International Code Council, Inc., be and is hereby adopted as the Fire Code of the Township of Lower Pottsgrove, Montgomery County, in the Commonwealth of Pennsylvania, for regulating the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use, or maintenance of fire prevention systems in the Township; providing for the issuance of permits and collection of fees therefore; and each and all of the regulations, provisions, conditions, and terms of such 2021 IFC published by the International Code Council on file in the office of Lower Pottsgrove Township are hereby referred to, adopted, and made a part hereof, as if fully set out in the article, as set forth herein. Three (3) copies of the 2021 IFC are on file at the Lower Pottsgrove Township Building.

SECTION 8. Chapter 100, Article IX, Section 100-47 of the of the Lower Pottsgrove Township Code of Ordinances, as amended, adopting by reference the 2018 Edition of the International Fuel Gas Code is hereby repealed in its entirety and replaced with the following:

§ 100-47. Adoption of the International Fuel Gas Code, 2021 Edition.

Except as amended and modified by the Pennsylvania Uniform Construction Code (Act 45 of 1999), 34 Pa. Code Chapters 401 through 405, a certain document being marked and designated as the International Fuel Gas Code, 2021 Edition (hereinafter the “2021 IFGC”), as published by the International Code Council, Inc., be and is hereby adopted as the Fuel Gas Code of the Township of Lower Pottsgrove, Montgomery County, in the Commonwealth of Pennsylvania, for regulating the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use, or maintenance of fuel gas systems in the Township; providing for the issuance of permits and collection of fees therefore; and each and all of the regulations, provisions, conditions, and terms of such 2021 IFGC published by the International Code Council on file in the office of Lower Pottsgrove Township are hereby referred to, adopted, and made a part hereof, as if fully set out in the article, as set forth herein. Three (3) copies of the 2021 IFGC are on file at the Lower Pottsgrove Township Building.

SECTION 9. Chapter 100, Article X, Section 100-53 of the Lower Pottsgrove Township Code of Ordinances, as amended, adopting by reference the 2018 Edition of the International Energy Conservation Code is hereby repealed in its entirety and replaced with the following:

§ 100-53. Adoption of the International Energy Conservation Code, 2021 Edition.

Except as amended and modified by the Pennsylvania Uniform Construction Code (Act 45 of 1999), 34 Pa. Code Chapters 401 through 405, a certain document being marked and designated as the International Energy Conservation Code, 2021 Edition (hereinafter the "2021 IECC"), as published by the International Code Council, Inc., be and is hereby adopted as the Energy Conservation Code of the Township of Lower Pottsgrove, Montgomery County, in the Commonwealth of Pennsylvania, for regulating the energy efficiency of mechanical, lighting, and power systems in the Township; providing for the issuance of permits and collection of fees therefore; and each and all of the regulations, provisions, conditions, and terms of such 2021 IECC published by the International Code Council on file in the office of Lower Pottsgrove Township are hereby referred to, adopted, and made a part hereof, as if fully set out in the article, as set forth herein. Three (3) copies of the 2021 IECC are on file at the Lower Pottsgrove Township Building.

SECTION 10. Chapter 100, Article XI, Section 100-58 of the of the Lower Pottsgrove Township Code of Ordinances, as amended, adopting by reference the 2018 Edition of the International Property Maintenance Code is hereby repealed in its entirety and replaced with the following:

§ 100-58. Adoption of the International Property Maintenance Code, 2021 Edition.

A certain document being marked and designated as the International Property Maintenance Code, 2021 Edition (hereinafter the "2021 IPMC"), as published by the International Code Council, Inc., be and is hereby adopted as the Property Maintenance Code of the Township of Lower Pottsgrove, Montgomery County, in the Commonwealth of Pennsylvania, for the control of buildings, structures, and properties in the Township; providing for the issuance of permits and collection of fees therefore; and each and all of the regulations, provisions, conditions, and terms of such 2021 IPMC published by the International Code Council on file in the office of Lower Pottsgrove Township are hereby referred to, adopted, and made a part hereof, as if fully set out in the article, as set forth herein. Three (3) copies of the 2021 IPMC are on file at the Lower Pottsgrove Township Building.

SECTION 11. Chapter 100, Article XI, Section 100-59 of the Lower Pottsgrove Township

Code of Ordinances, as amended, is deleted in its entirety, and replaced with the following:

§ 100-59. Changes to the 2021 International Property Maintenance Code.

The 2021 IPMC is hereby changed and supplemented with the following:

- A. Section 101.1 (Title) shall be deleted and a new section shall be inserted to read as follows:

Section 101.1 Title. These regulations shall be known as the International Property Maintenance Code of Lower Pottsgrove Township, hereinafter referred to as “this Code”.

- B. Section 103.1 (Creation of Agency) is deleted in its entirety.

- C. Sections 103.2 (Appointment) and 103.3 (Deputies) shall be deleted and substituted therefore by the following sections:

Section 103.2 Appointment. The Code Administration Officer shall be appointed by the Board of Commissioners of Lower Pottsgrove Township and shall serve at its pleasure. The Code Administration Officer may also be referred herein as the “Building Official” or “Code Official.”

Section 103.3 Assistant Code Administration Officer. The Board of Commissioners may designate an employee as an assistant, who shall exercise all the powers of the Building Official during the temporary absence or disability of the Code Administration Officer. The Assistant Code Administration Officer shall serve at the pleasure of the Board of Commissioners. The Assistant Code Administration Officer may also be referred to herein as the “Assistant Building Official” or “Assistant Code Official.”

- D. Section 104.1 (Fees) shall be deleted and a new section shall be inserted to read as follows:

Section 104.1 Fees. The fees for activities and services performed by the Code Official in carrying out their responsibilities under this Code shall be established from time to time by resolution of the Board of Commissioners.

- E. Section 104.2 (Refunds) shall be deleted in its entirety.

- F. Section 109.3 (Prosecution of Violation) shall be deleted and a new section shall be inserted to read as follows:

Section 109.3 Prosecution of Violation. Any person who shall violate a provision of this Code or shall fail to comply with any requirement thereof or who shall fail to comply with a notice of violation or order served in accordance with Section

111.4 of the Property Maintenance Code of Lower Pottsgrove Township shall be guilty of a summary offense. If any notice of violation or order is not complied with within the time period provided in such notice of violation or order, the Code Official shall be authorized to take such action to correct or abate the violation and, if necessary, require the removal or termination of any unlawful occupancy of the structure in violation of the provisions of this Code or any direction made pursuant thereto. Any expenses or other costs incurred by the Township in taking action to correct or abate the violation shall be charged against the real estate upon which the structure is located together with a penalty of ten percent (10%) of such expenses and costs, and with the maximum interest allowed by law, and the Code Official may institute legal proceedings to recover such expenses, costs, penalties, and interest to be charged against the property as a lien.

- G. Section 109.4 (Violation Penalties) shall be deleted and a new section shall be inserted to read as follows:

Section 109.4. Violation Penalties. Any person who shall violate a provision of this Code or shall fail to comply with any requirement thereof shall be guilty of a summary offense, punishable by a fine of not less than \$100.00 or more than \$1,000.00 plus reasonable costs of the Township, and upon default of the payment of the fine and costs, imprisonment not exceeding thirty (30) days. Each day that a violation continues unabated shall be deemed a separate offense.

- H. Section 302.4 (Weeds) shall be deleted and a new section shall be inserted to read as follows:

Section 302.4. Weeds. The premises and exterior property shall be maintained free from weeds or plant growth in excess of 6-inches in height. 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. Upon failure of the owner or agent having charge of a property to cut and destroy weeds after service of a notice of violation, they shall be subject to prosecution in accordance with Sections 109.3 and 109.4, as applicable. Upon failure to comply with the notice of violation, any duly authorized employee of the Township, or contractor hired thereby, shall be authorized to enter upon the property in violation and cut and destroy the weeds growing thereon, and the costs of such removal shall be assessed to the owner in accordance with Sections 109.3 and 109.4, as applicable.

- I. Section 304.14 (Insect Screens) shall be modified as follows:

Section 304.14 Insect Screens. The required time for screens pursuant to this Section shall be beginning May 15th and ending September 15th of each calendar year.

J. Section 602.3 (Heat Supply) shall be modified as follows:

Section 602.3 Heat Supply. The required time for heat to be supplied pursuant to this Section shall be beginning September 1st and ending June 1st of each calendar year.

K. Section 602.4 (Occupiable Work Spaces) shall be modified as follows:

Section 602.4 Occupiable Work Spaces. The required time where heat shall be supplied to Occupiable Work Spaces pursuant to this Section shall be beginning October 1st and ending April 30th of each calendar year.

SECTION 12. Chapter 100, Article XII, Section 100-64 of the of the Lower Pottsgrove Township Code of Ordinances, as amended, adopting by reference the 2018 Edition of the International Existing Building Code is hereby repealed in its entirety and replaced with the following:

§ 100-64. Adoption of the International Existing Building Code, 2021 Edition.

A certain document being marked and designated as the International Existing Building Code, 2021 Edition (hereinafter the “2021 IEBC”), as published by the International Code Council, Inc., be and is hereby adopted as the Existing Building Code of the Township of Lower Pottsgrove, Montgomery County, in the Commonwealth of Pennsylvania, for regulating the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use, or maintenance of existing buildings in the Township; providing for the issuance of permits and collection of fees therefore; and each and all of the regulations, provisions, conditions, and terms of such 2021 IEBC published by the International Code Council on file in the office of Lower Pottsgrove Township are hereby referred to, adopted, and made a part hereof, as if fully set out in the article, as set forth herein. Three (3) copies of the 2021 IEBC are on file at the Lower Pottsgrove Township Building.

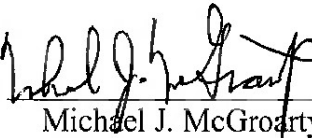
SECTION 13. SEVERABILITY. If a Court of competent jurisdiction declares any provisions of this Ordinance to be invalid, in whole or in part, the effect of such decision shall be limited to those provisions expressly stated in the decision to be invalid, and all other provisions of the Code of Ordinances of the Township of Lower Pottsgrove, Pennsylvania shall continue to be separately and fully effective.

SECTION 14. RE-ENACTMENT AND REPEALER. The remaining provisions of the Code of Ordinances of the Township of Lower Pottsgrove, Pennsylvania, and as in force immediately before the enactment of this Ordinance, are intended to be continued and, to the extent not inconsistent herewith, are hereby re-enacted and re-ordained; any Sections inconsistent with the amendments hereinbefore referenced are hereby repealed as referenced.

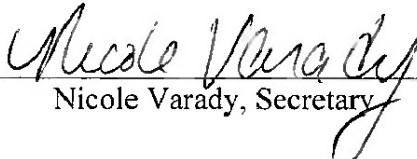
SECTION 15. EFFECTIVE DATE. This Ordinance, and all of its terms and provisions, shall become effective as provided by law.

ORDAINED and **ENACTED** this 2nd day of February 2026.

**LOWER POTTS GROVE TOWNSHIP
BOARD OF COMMISSIONERS**

BY: 

Michael J. McGroarty, President

ATTEST: 

Nicole Varady, Secretary