

**CHAPTER 4**

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**PART 1**

**ABANDONED, NUISANCE AND/OR DANGEROUS BUILDINGS OR STRUCTURES**

**§4-101. Short Title.**

This Part shall be known and may be cited as “The Township of Richland Abandoned, Nuisance and/or Dangerous Buildings or Structures Ordinance.”

(Ord. 180, 8/17/1982)

**§4-102. Unsafe Structures.**

1. **Right to Deem Unsafe.** All buildings or structures that are or hereafter shall become unsafe, unsanitary or deficient in adequate means of egress facilities, or which constitute a fire hazard, or are otherwise dangerous to human life or the public welfare, or which involve illegal or improper use, occupancy or maintenance, shall be deemed unsafe buildings or structures. All unsafe structures shall be taken down and removed or made safe and secure, as the code official deems necessary and as provided for in this section. A vacant building, unguarded or open at door or window, shall be deemed a fire hazard and unsafe within the meaning of this Part.
2. **Examination and Record of Damaged Structure.** The code official shall examine every building or structure reported as dangerous, unsafe structurally or constituting a fire hazard, and shall cause the report to be filed in a docket of unsafe structures and premises; the report shall state the use of the structure and the nature and estimated amount of damages, if any, caused by collapse or failure.
3. **Notice of Unsafe Structure.** If an unsafe condition is found in a building or structure, the code official shall serve on the owner, agent or person in control of the building or structure a written notice describing the building or structure deemed unsafe and specifying the required repairs or improvements to be made to render the building or structure safe and secure, or requiring the unsafe building or structure or portion thereof to be demolished within a stipulated time. Such notice shall require the person thus notified to declare immediately to the code official acceptance or rejection of the terms of the order.
4. **Restoration of Unsafe Structure.** A building or structure condemned by the code official is permitted to be restored to a safe condition provided that change of use or occupancy is not contemplated nor compelled by reason of such reconstruction or restoration; except that if the damage or cost of reconstruction or restoration is in excess of 50% of its replacement value, exclusive of foundations, such structure shall be made to comply in all respects with the requirements for materials and methods of construction of structures hereafter erected.

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5. Posting Unsafe Notice. If the person addressed with an unsafe notice cannot be found within the Township after diligent search, then such notice shall be sent by registered or certified mail to the last known address of such person; and a copy of the unsafe notice shall be posted in a conspicuous place on the premises; and such procedure shall be deemed the equivalent of personal notice.

(Ord. 278, 9/18/1991)

### **§4-103. Penalties.**

1. Any person who shall violate any provision of this Part shall, upon conviction thereof, be sentenced to pay a fine not exceeding \$500 and costs and, in default of payment thereof, shall be subject to imprisonment for a term not to exceed 30 days. Each day that a violation of this Part continues shall constitute a separate offense.
2. The property, the subject matter of the declaration, shall also be subject to the costs of any removal of the nuisance or dangerous condition by razing, repair or reconditioning at the direction of the Zoning Officer on behalf of the Township plus a penalty in the amount of 10% of such costs. Removal, repair or reconditioning may be ordered upon the expiration of 20 days from the notice of declaration by the Zoning Officer if the violation remains uncorrected. The costs of same plus the penalty above stated shall constitute a lien upon the property in favor of the Township and said lien may be perfected by either the filing of a municipal claim or an action in assumpsit.

(Ord. 180, 8/17/1982; as amended by Ord. 278, 9/18/1991; by Ord. 325, 7/3/1996; and by Ord. 336, 2/5/1997)

**PART 2**

**BOCA BUILDING CODE**

**§4-201. Adoption of Building Code.**

The Township hereby adopts, for the purpose of establishing rules and regulations for the construction, alteration, equipment, fire protection and safety of buildings and structures, including administration, building permits, and penalties, the building code known as the “BOCA Basic National Building Code, 1990, 11th Edition,” save and except such portions as are hereinafter deleted, modified or amended, of which three copies have been and are now filed in the office of the Township Secretary, and the same are hereby adopted and incorporated as fully as if set out at length herein. From the date on which this Part shall take effect, the provisions thereof shall be controlling in the construction of all buildings and structures, and in all other subjects therein contained, within the corporate limits of the Township.

(Ord. 126, 6/17/1978; as reenacted by Ord. 278, 9/18/1991)

**§4-202. Amendments Made in Building Code.**

The building code hereby adopted is amended as follows:

1. Township of Richland shall be inserted wherever the words “Name of Municipality” appear in brackets therein;

Whenever the term “legal officer” or “legal representative” is used in this code, it shall be held to mean the Township Solicitor.

2. §109.1 is hereby amended to read as follows:

**§109.2 Appointment:** The Building Official shall be appointed by the Board of Supervisors to serve during the pleasure of the appointing authority.

3. §109.4 is hereby amended to read as follows:

**§109.4 Deputy:** During temporary absence or disability of the Building Official, the appointing authority shall designate an acting building official.

4. 1109.5 shall be amended to read as follows:

**§109.5 Qualifications of Building Official:** To be eligible for appointment, the candidate for the position shall have had experience as an architect, structural engineer, building inspector or superintendent of building construction. He shall be of good health, physically capable of making the necessary examinations and inspections. He shall not have any interest whatever, directly or indirectly, in the

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sale of manufacture of any material, process, or device entering into or used in connection with building construction, alterations, removal, and demolition.

5. §114.3.1 shall be amended to read as follows:

**§114.3.1. Fee Schedule:** The fees charged by the Township for building permits, demolition permits, inspections and plan examinations shall be fixed by Resolution of the Board of Supervisors.

6. §117.4 shall be amended to read as follows:

**§117.4. Violation Penalties:** Any person who shall violate any provision of this code or who 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 Building Official, or of a permit or certificate issued under the provisions of this code shall, upon conviction thereof, be sentenced to pay a fine of not more than \$500, and in default of payment, to imprisonment for not more than 30 days. Every day that a violation of this code continues shall constitute a separate offense. [Ord. 336]

7. §118.2 is hereby amended to read as follows:

**§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 not exceeding \$500, and in default of payment, imprisonment for a term not to exceed 30 days. [Ord. 336]

8. §123.3 is hereby amended to read as follows:

**§123.3 Compensation of Board of Survey:** The third member of the board shall receive for his services a fee to be paid by the applicant, in an amount as established by resolution of the Board of Supervisors.

9. §201.0 is hereby amended to read as follows:

**Alley:** any public way primarily intended to provide vehicular access to the rear of lots fronting upon public streets or avenues.

**Building line:** a line, established by ordinance or designated upon an officially adopted lot plan, beyond which a building shall not extend.

10. §2906.1 is hereby amended to read as follows:

**§2906.1. Filing Bond.** No person shall erect, install, remove, or rehang any sign for which a permit is required under the provisions of the Basic Code until an approved bond shall have been filed in the sum to be determined by Resolution.

(Ord. 126, 6/17/1978; as reenacted by Ord. 278, 9/18/1991; as amended by Ord. 325, 7/3/1996; and by Ord. 336, 2/5/1997)

**§4-203. State Law and Regulations.**

In all matters that are regulated by the laws of the Commonwealth of Pennsylvania or by regulations of departments or agencies of the Commonwealth promulgated by authority of law, such laws or regulations, as the case may be, shall control where the requirements thereof are the same as or in excess of the provisions of this Part. The code shall control in all cases where the State requirements are not as strict as those contained in this Part.

(Ord. 126, 6/17/1978; as reenacted by Ord. 278, 9/18/1991)

**§4-204. Provisions to be Continuation of Existing Regulations.**

The provisions of this Part so far as they are the same as those of ordinances and/or codes in force immediately prior to the enactment of this ordinance, are intended as a continuation-of such ordinances and codes and not as new enactments. The provisions of this Part shall not affect any act done or liability incurred, nor shall they affect any suit or prosecution pending or to be instituted to enforce any right or penalty or to punish any offense under the authority of any of the repealed ordinances.

(Ord. 126, 6/17/1978; as reenacted by Ord. 278, 9/18/1991)



**PART 3**

**FIRE LOSS CLAIMS**

**§4-301. Adoption of Procedures, Treasurer Appointed.**

The Township of Richland hereby adopts the procedures provided in subsections (a) and (b) of the Fire Loss Claims Act (Act No. 93 of 1994) and authorizes its appointed Treasurer to issue the certificates required by same.

(Ord. 316, 3/1/1995, §301)

**§4-302. Adoption of Procedures, Duties of Treasurer.**

The Township of Richland hereby adopts the procedures provided in subsections (c) and (d) of the Fire Loss Claims Act (Act No. 93 of 1994) and authorizes its appointed Treasurer to carry out the duties of the noted subsections in the receipt and payment of funds or the entry into an agreement with an insured providing for the transfer of funds if some other reasonable disposition of the damaged property has been negotiated to the satisfaction of the Township.

(Ord. 316, 3/1/1995, §302)



**PART 4**

**BUILDING IDENTIFICATION NUMBERS**

**§4-401. Building Numbering System Adopted.**

The survey, plan and system for the numbering of houses and buildings prepared by the Zoning Officer, a copy of which is made part hereof,<sup>1</sup> is hereby approved and adopted. Future changes to said survey, plan and system may be added by motion of the Board of Supervisors.

<sup>1</sup> Editor's Note: The survey, plan and system are on file in the Township office.

(Ord. 322, 12/20/1995, §301)

**§4-402. Responsibility for Numbering Houses and Buildings.**

From and after the passage of this Part, it shall be required of each owner, trustee, lessee, agent and/or occupant of every house or building within Richland Township to cause the identifying numbers assigned to it be posted, displayed and maintained as hereinafter provided. If the survey, plan and system require a numbering or identification change from that presently utilized, the owner, trustee, lessee, agent and/or occupant shall have 60 days from notice to it from the Zoning Officer to comply.

(Ord. 322, 12/20/1995, §302)

**§4-403. Requirements for Posting and Display.**

The properly assigned number shall be placed in a conspicuous place near, on or over each front door, each number to be at least three inches in height and of a color that would contrast from the background to which it is affixed or applied.

- A. In the instance where the house or building is serviced by a mailbox at the street entrance to the property it shall be in compliance with this Part if the properly assigned number appears upon the mailbox as long as the numbers:
  - (1) Are three inches in height.
  - (2) Appear on both sides of the mailbox so visible from either direction on the street.
  - (3) Are either reflective or are of a color which contrasts from the color of the mailbox to which they are affixed or applied.

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- B. In the instance of a multiresidential or multicommercial building only the properly assigned number for the main building need be displayed upon a mailbox or sign at the street entrance to the building so long as the numbers:
- (1) Are three inches in height.
  - (2) Are visible from both directions on the fronting street.
  - (3) Are either reflective or contrast in color from the mailbox or sign to which they are affixed or applied.
  - (4) Are supplemented by numbers on or above each doorway on all interior or entrance doors to separate residential or commercial units.

(Ord. 322, 12/20/1995, §303)

### **§4-404. Penalties.**

Any person or entity that is the owner, trustee, lessee, agent or occupant of any house or building in Richland Township who shall violate any provision of this Part shall, upon conviction thereof, be sentenced to pay a fine not to exceed \$500 and costs and, in default of payment thereof, shall be subject to imprisonment for a term not to exceed 30 days. Each day that a violation of this Part continues shall constitute a separate offense.

(Ord. 322, 12/20/1995, §304; as amended by Ord. 325, 7/3/1996; and by Ord. 336, 2/5/1997)