

Chapter 78

BUILDING CONSTRUCTION

[Chapter restated 7-7-04 by Ord. No. 971]

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[HISTORY: Adopted by the Borough Council of the Borough of Whitehall: Art. I, 10-6-82 as Ord. No. 648; Art. II, 9-15-93 as Ord. No. 802. Art. III 8-5-98 as Ord. No. 886. Amendments noted where applicable. Chapter 78 restated 7-7-04 by Ord. No. 971]

GENERAL REFERENCES

Electrical standards - See Ch. 88.
Fire prevention - See Ch. 100.
Plumbing - See Ch. 137.
Zoning - See Ch. 180.

ARTICLE I
Building Code

[Adopted 10-6-82 as Ord. No. 648; restated 7-7-04 by Ord. No. 971]

§ 78.1. Adoption of standards. [Amended 5-7-86 by Ord. No. 708; amended 8-5-98 by Ord. No. 886]

The Borough of Whitehall hereby elects to administer and enforce the provisions of the Pennsylvania Construction Code Act, Act 45 of 1999, 35 P.S. §7210.101 -7210.1103, as amended from time to time, and its regulations.

78.1.1. The Uniform Construction Code contained in 35 Pa. Code, Chapters 401-405, as amended from time to time, is hereby adopted and incorporated herein by reference as the Municipal Building Code of the Borough of Whitehall.

78.1.2. Administration

Administration and enforcement of the Code within the Borough of Whitehall shall be undertaken in any of the following ways as determined by the Council of the Borough of Whitehall from time to time by Resolution:

- (a) By the designation of an employee of the Borough of Whitehall to serve as the Municipal Code Official to act on behalf of the Borough of Whitehall;
- (b) By the retention of one or more construction code officials or third-party agencies to act on behalf of the Borough of Whitehall;
- (c) By agreement with one or more other municipalities for the joint administration and enforcement of this Act through an intermunicipal agreement;
- (d) By entering into an agreement with the Pennsylvania Department of Labor and Industry for plan review, inspections and enforcement of structures other than one-family or two-family dwelling units and utility and miscellaneous use structures.

§ 78.2. Amendments to Standards.

All portions of the Code of the Borough of Whitehall which were adopted by the Borough of Whitehall on or before July 1, 1999 and which equal or exceed the requirements of the Code shall continue in full force and effect until such time as provisions fail to equal or exceed the minimum requirements of the Code from time to time.

78.2.1. The Borough shall continue to enforce requirements and regulations exceeding those of the Uniform Construction Code and which contradict exclusions of Act 45, Section 104(b) and the Uniform Construction Code at 403.1, 403.42(c) and 403.62(c) as follows:

78.2.1.1. Construction plans for all buildings other than single family or townhouse dwellings shall be forwarded to the International Code Council (I.C.C.) for preliminary review and comment which shall be submitted as

part of any application to the Building Code Official.

78.2.1.2. Monitored fire detection meeting the approval of the Whitehall Fire Chief/Fire Code Official shall be installed and maintained at all new and existing multi-family and commercial buildings as directed by the Whitehall Fire Chief/Fire Code Official.

78.2.1.3. Existing “fire areas” increased by an addition shall conform to all applicable fire protection requirements for the addition.

78.2.1.4. Structures greater than 100 square feet in area or 10 feet in height above grade shall be provided with a foundation system designed for frost protection and support.

78.2.1.5. Protective guard systems to prevent fall hazards shall be provided at elevated open-sided walking surfaces exceeding 15.5 inches in height above the floor or grade below.

78.2.2. Supplemental information and design criteria for use with Uniform Construction Code referenced code documents.

78.2.2.1. All references to name of jurisdiction shall read “Borough of Whitehall”.

78.2.2.2. All references to offenses shall read “as set forth at Act 45, Section 903, or Section 78.4 of this Chapter relating to fines and penalties”.

78.2.2.3. All references to fines and penalties shall read “As set forth at Act 45, Section 903, or Section 78.4 relating to fines and penalties”.

78.2.2.4. All references to local design information and criteria adopted as follows:

78.2.2.4.1. Table R301.2(1) of the International Residential Code and other local design information as identified on Exhibit “A”.

78.2.2.4.2. All references to International Fire Code geographical limitations shall read “storage of flammable and hazardous materials shall be prohibited within Whitehall Borough unless specifically authorized and documented as such in written form by the Whitehall Fire Chief/Fire Code Official”.

§ 78.3. Provisions Excluded From Adoption.

Any Article or Section in the Uniform Construction Code adopted by the Chapter which is in conflict with the provisions of the Allegheny County Plumbing Code are specifically not adopted, and the Allegheny County Plumbing Code is readopted as the Plumbing Code of the Borough of Whitehall. The Allegheny County Health Department shall continue to issue

plumbing permits and conduct inspections and provide enforcement consistent with the Uniform Construction Code.

§ 78.4. Fines and Penalties.

78.4.1. Any individual, firm or corporation violating any provision of this Act commits a summary offense and shall, upon conviction, be sentenced to pay a fine of not more than \$1,000 and costs.

78.4.2. Each day that a violation of this Act continues shall be considered a separate violation.

§ 78.5. Board of Appeals.

A Board of Appeals shall be established by resolution of the Council of the Borough of Whitehall in conformity with the requirements of relevant provisions of the Uniform Construction Code, as amended from time to time, and for the purposes set forth therein. This Board of Appeals shall also have jurisdiction to hear appeals from violations of the Fire Code and Property Maintenance Code.

§ 78.6. Conformity.

All applicable codes or ordinances or parts of ordinances which are in effect as of the effective date of the adoption of the Uniform Construction Code and whose requirements are less than the minimum requirements of the Uniform Construction Code are hereby amended to conform with the comparable provisions of the Code.

78.6.1. All relevant codes, ordinances, regulations and policies of the Borough of Whitehall not covered by the Uniform Construction Code shall remain in full force and effect.

§ 78.7. Fees.

All fees assessable by the Borough of Whitehall for the administration and enforcement undertaken pursuant to this Chapter and the Uniform Construction Code shall be established by the Council of the Borough of Whitehall by resolution from time to time and shall be adjusted for any surcharge to the Commonwealth of Pennsylvania on permits issued under the Uniform Construction Code.

§ 78.8. Severability.

If any section, subsection, sentence or clause of the Uniform Construction Code, or this Chapter, is held, for any reason, to be invalid, such decision or decisions shall not affect the validity of the remaining portions of the Code or this Chapter.

ARTICLE II
Workers Compensation Insurance
[Adopted 9-15-93 as Ord. No. 802; amended 7-7-04 by Ord. No. 971]

§ 78.9. Proof of Insurance Required.

Any contractor applying to the Borough of Whitehall for a Building Permit for any purpose shall present proof of workers' compensation insurance or an affidavit that the contractor does not employ other individuals and is not required to carry workers' compensation insurance.

78.9.1. Proof of workers' compensation insurance coverage shall be provided in the form of a Certificate issued by the insurer indicating that a valid policy is in full force and effect.

78.9.2. Violations and Penalties

Any contractor violating any provision of this Article shall indemnify the Borough of Whitehall for costs and expenses incurred by the Borough of Whitehall in enforcing this section and shall, in addition, be liable for any statutory penalties provided by law.

BUILDING PLANNING

Exhibit "A"

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BUILDING CONSTRUCTION

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TABLE R301.2(1)
CLIMATIC AND GEOGRAPHIC DESIGN CRITERIA

1 GROUND SNOW LOAD	2 WIND SPEED ^a (mph)	3 SEISMIC DESIGN CATEGORY ^b	SUBJECT TO DAMAGE FROM				8 WINTER DESIGN TEMP ^f	9 ICE SHIELD UNDER- LAYMENT REQUIRED ^g	10 FLOOD HAZARDS ^h	11 AIR FREEZING INDEX	12 MEAN ANNUAL TEMP ^k
			4 Weathering ^a	5 Frost line depth ^b	6 Termite ^c	7 Decay ^d					
25#	90	A	Severe	36"	Mod-H	S1-Mod	5 F	Yes	Zone X	1000	50 F

For SI: 1 pound per square foot = 0.0479 kN/m², 1 mile per hour = 1.609 km/h.

- a. Weathering may require a higher strength concrete or grade of masonry than necessary to satisfy the structural requirements of this code. The weathering column shall be filled in with the weathering index (i.e., "negligible," "moderate" or "severe") for concrete as determined from the Weathering Probability Map [Figure R301.2(3)]. The grade of masonry units shall be determined from ASTM C 34, C 55, C 62, C 73, C 90, C 129, C 145, C 216 or C 652.
- b. The frost line depth may require deeper footings than indicated in Figure R403.1(1). The jurisdiction shall fill in the frost line depth column with the minimum depth of footing below finish grade.
- c. The jurisdiction shall fill in this part of the table with "very heavy," "moderate to heavy," "slight to moderate," or "none to slight" in accordance with Figure R301.2(6) depending on whether there has been a history of local damage.
- d. The jurisdiction shall fill in this part of the table with "moderate to severe," "slight to moderate," or "none to slight" in accordance with Figure R301.2(7) depending on whether there has been a history of local damage.
- e. The jurisdiction shall fill in this part of the table with the wind speed from the basic wind speed map [Figure R301.2(4)]. Wind exposure category shall be determined on a site-specific basis in accordance with Section R301.2.1.4.
- f. The outdoor design dry-bulb temperature shall be selected from the columns of 97 1/2-percent values for winter from Appendix D of the *International Plumbing Code*. Deviations from the Appendix D temperatures shall be permitted to reflect local climates or local weather experience as determined by the building official.
- g. The jurisdiction shall fill in this part of the table with the Seismic Design Category determined from Section R301.2.2.1.
- h. The jurisdiction shall fill in this part of the table with (a) the date of the jurisdiction's entry into the National Flood Insurance Program (date of adoption of the first code or ordinance for management of flood hazard areas), (b) the date(s) of the currently effective FIRM and FBFM, or other flood hazard map adopted by the community, as may be amended.
- i. In accordance with Sections R905.2.7.1, R905.4.3, R905.5.3, R905.6.3, R905.7.3 and R905.8.3, for areas where the average daily temperature in January is 25°F (-4°C) or less, or where there has been a history of local damage from the effects of ice damming, the jurisdiction shall fill in this part of the table with "YES." Otherwise, the jurisdiction shall fill in this part of the table with "NO."
- j. The jurisdiction shall fill in this part of the table with the 100-year return period air freezing index (BF-days) from Figure R403.3(2) or from the 100-year (99%) value on the National Climatic Data Center data table "Air Freezing Index- USA Method (Base 32° Fahrenheit)" at www.ncdc.noaa.gov/ipsa.html.
- k. The jurisdiction shall fill in this part of the table with the mean annual temperature from the National Climatic Data Center data table "Air Freezing Index- USA Method (Base 32° Fahrenheit)" at www.ncdc.noaa.gov/ipsa.html.

- 1. Ground snow load - 25#/sq. ft.
- 2. Wind speed - 90 MPH
- 3. Seismic design category - A

SUBJECT TO DAMAGE FROM:

- 4. Weathering - severe
- 5. Frost line depth - 36" below grade
- 6. Termite - moderate to heavy
- 7. Decay - slight to moderate
- 8. Winter design temperature - 5 degrees F.
- 9. Ice shield underlayment required - yes
- 10. Flood hazards - Zone "X" - #420088 FEMA Map #42003C0476E - Oct. 1995 (Panel #476)
- 11. Air freezing index - 1000
- 12. Mean annual temperature - 50 degrees F.

Heating degree Days - 5987