

Chapter 79

BUILDING CONSTRUCTION

ARTICLE I Building Code

- § 79-1. Title.
- § 79-2. Adoption of standards.
- § 79-3. Modifications of standards.
- § 79-3.1. Fee schedule.
- § 79-3.2. Registration of contractors.

ARTICLE II Fallout Shelters

- § 79-4. Waiver of building permit fees.
- § 79-5. Definitions.

ARTICLE III Flood Damage Control

- § 79-6. Scope.
- § 79-7. Basements and first floors.
- § 79-8. Fill.
- § 79-9. Placement of buildings, structures and mobile homes.
- § 79-10. Anchoring.
- § 79-11. Storage.
- § 79-12. Administration.
- § 79-13. Plan requirements.
- § 79-14. Violations and penalties.
- § 79-15. Interpretation of provisions.

[HISTORY: Adopted by the Borough Council of the Borough of Camp Hill as indicated in article histories. Amendments noted where applicable.]

GENERAL REFERENCES

Alarm systems — See Ch. 67.
Numbering of buildings — See Ch. 82.
Uniform construction code — See Ch. 90.
Drainage facilities — See Ch. 100.
Fire prevention — See Ch. 113.
Exterior lighting — See Ch. 133.

Plumbing — See Ch. 152.
Sewers — See Ch. 168.
Streets and sidewalks — See Ch. 176.
Subdivision of land — See Ch. 179.
Zoning — See Ch. 200.

ARTICLE I Building Code

[Adopted 6-9-1982 by Ord. No. 854, approved 6-9-1982]

§ 79-1. Title.

This article and its regulations shall be known and cited as the "Building Code of the Borough of Camp Hill, Cumberland County, Pennsylvania," and shall be construed to secure expressed intent thereof and to ensure public safety, health and welfare insofar as they are dependent upon building conditions.

§ 79-2. Adoption of standards. [Amended 12-9-1987 by Ord. No. 891, approved 12-9-1987; 5-8-1996 by Ord. No. 952A, approved 5-8-1996]

A certain document, copies of which are on file in the office of the Borough Manager of the Borough of Camp Hill, being marked and designated as "The BOCA National Building Code, Twelfth Edition, 1993," as published by the Building Officials and Code Administrators International, Inc., be and is hereby adopted as the Building Code of the Borough of Camp Hill 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 BOCA National Building Code are hereby referred to, adopted and made a part hereof, as if fully set out in this article, with the additions, insertions and changes, prescribed in § 79-3 of this article.

§ 79-3. Modifications of standards. [Amended 5-8-1996 by Ord. No. 952A, approved 5-8-1996]

The following sections are hereby revised, deleted and/or added as follows:

A. Section 101.1 is amended to read:

101.1 Title: These regulations shall be known as the Building Code of the Borough of Camp Hill, hereinafter referred to as "this code."

B. Section 104.1 is amended to read:

104.1 Code official: The terms "Code Official," "Building Inspector," and "Building Official" refer to the Borough Manager or his designee.

C. Sections 104.2, 104.3, 104.4 and 104.5 are deleted in their entirety.

D. Section 107.5 is amended to read:

107.5 Construction documents: The application for permit shall be accompanied by not less than one set of construction documents. The Code Official is permitted to waive the requirements for filing construction documents when the scope of the work is of a minor nature. When the quality of the materials is essential for conformity to this code, specific information shall be given to establish such quality, and this code shall not be cited, or the term "legal" or its equivalent used as a substitute for specific information.

E. Section 112.3.1 is amended to read:

112.3.1 Fee schedule: A fee for each plan examination, building permit, demolition permit and inspection shall be paid in accordance with the schedule from time to time established by resolution of the Council of the Borough of Camp Hill.

F. Section 114.1, General, is deleted in its entirety.

G. Section 116.3 is amended to read:

116.3 Prosecution of violation: If the notice of violation is not complied with within the time stated in the notice, the Building Official shall initiate a summary action against the alleged violator by the issuance of a non-traffic citation. In the absence of the Building Official, the Building Official's deputy, assistant or other designee shall initiate the action.

H. Section 116.4 is amended to read:

116.4 Violation penalties: Any person who shall violate a provision of this code 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 any approved plan or directive of the Building Official or of a permit or certificate issued under the provisions of this code shall be guilty of a summary offense punishable by a fine of not more than \$300 and the costs of prosecution, or by imprisonment not exceeding 30 days in default of said fine. Each day that a violation continues shall be deemed a separate offense.

I. Section 117.2 is amended to read:

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 built of a summary offense punishable by a fine of not more than \$300 and the costs of prosecution, or by imprisonment not exceeding 30 days in default of said fine. Each day that a violation continues shall be deemed a separate offense.

J. Section 118.4(2) is deleted in its entirety.

K. Section 121.1 is amended to read:

121.1 Application for appeal: Any person shall have the right to appeal a decision of the Code Official to the Borough Council sitting as the Board of Appeals. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply, or an equivalent form of construction is to be used.

L. Section 121.2 is deleted in its entirety.

M. Section 121.5 is amended to read:

121.5 Postponed hearing: When a majority of Council members is not present to hear an appeal, either the appellant or the appellant's representative shall have the right to request a postponement of the hearing.

N. Section 121.6 is amended to read:

121.6 Board decision: The Board shall modify or reverse the decision of the Code Official only by a concurring vote of a majority of members present.

O. Chapter 29, Plumbing systems. Chapter 29, relating to plumbing systems, is hereby deleted and in place thereof the following provision is enacted: The Plumbing Code of the Borough of Camp Hill, and rules and regulations of the Camp Hill Borough Authority, and the Pennsylvania Sewage Facilities Act and amendments thereto shall govern the design, installation and maintenance of plumbing systems, including sanitary and storm drainage, sanitary facilities, water supplies and stormwater and sewage disposal in buildings.

P. The section heading of Section 2114.0 Fireplaces and Chimneys, shall be retitled to read "Fireplaces, Chimneys and Wood-Burning Stoves."

Q. Section 2114.1.1 is added to read:

2114.1.1 Wood-burning stoves: A building permit shall be required prior to the installation of any wood stove or any wood-burning, wood-pellet-burning, or coal-burning fireplace insert or appliance installed. Such permit shall be issued free of charge and an inspection by the Borough shall be required prior to the use of any such appliance. No appliance as identified herein shall be installed unless same shall have an underwriters laboratory approval.

§ 79-3.1. Fee schedule. [Added 9-11-1996 by Ord. No. 955, approved 9-11-1996¹]

A fee for each building permit shall be assessed and paid pursuant to the following schedule: The fee for a building permit shall be based on the cost of the work to be done and shall be at the rate of \$7 per \$1,000 of the estimated cost of the project for the first \$1,000,000. In addition, there shall be an additional fee assessed and paid for the estimated cost of the project between \$1,000,000 and \$5,000,000 at the rate of \$6 per \$1,000 of estimated cost, and \$5 per \$1,000 of estimated cost over \$5,000,000. No permit shall be required for any erection, construction, repair, alteration, relocation or enlargement, the estimated cost of which is less

1. Editor's Note: This ordinance also provided that it shall become effective August 1, 1996.

than \$500, except that the minimum fee for a permit shall be \$7. The fee for a permit for demolition of a building or structure shall be at the rate of \$7 per \$1,000 of estimated cost, except that the minimum demolition permit fee shall be \$7.

§ 79-3.2. Registration of contractors. [Added 1-12-2000, approved 1-12-2000]

- A. Short title. This section shall be known and may be cited as the "Borough of Camp Hill Registration of Contractors Ordinance."
- B. Definitions. The following words, terms, and phrases as used in this section shall have the meanings given herein except where the context in which the word or phrase is used clearly indicates otherwise. When not inconsistent with the context, words used in the singular include the plural, words used in the plural include the singular, and words used in the present tense include the future. The word "shall" is mandatory.

BOROUGH — The Borough of Camp Hill, Cumberland County, Pennsylvania.

BOROUGH MANAGER — The Manager appointed by the Borough Council of the Borough of Camp Hill.

CONSTRUCTION CONTRACT — An agreement, whether oral or written, to perform work on real property located in whole or part in the Borough.

CONTRACTOR — A person authorized or engaged by an owner to improve a real property or who is responsible for the means, methods, techniques, sequences or procedures or for coordinating all or any portions of the improvement of real property.

IMPROVE — To erect, construct, reconstruct, design, effect, alter, provide professional or skilled services, repair, remodel or demolish any improvement upon, connected with, in or beneath the surface of any real property, to excavate, clear, grade, fill or landscape any real property, to construct driveways and private roadways, curbs and sidewalks, to furnish materials, including trees and shrubbery for any of these purposes or to perform any labor, services or work upon improvements.

IMPROVEMENT —

- (1) All or any part of a building or structure;
- (2) The erection, construction, reconstruction, effect, alteration, repair, remodeling, demolition, excavation, clearing, grading or filling of real property;
- (3) Landscaping, including the planting of trees and shrubbery, and construction, reconstruction, repairing or replacing driveways and private roadways on real property, where a building permit is required; or
- (4) Installation, reinstallation, alteration, repair or removal of building equipment or systems, including but not limited to plumbing, heating or air conditioning.

OWNER — A person who has an interest in real property that is improved who ordered the improvement to be made. The term includes successors in interest of the owner and agents of the owner acting with their authority.

PERSON — A corporation, partnership, business interest, other association, estate, trust, foundation or a natural person.

REAL PROPERTY — Real estate that is improved, including land, leasehold, tenements, and hereditaments, and improvements placed thereon.

- C. Registration. No building permit shall be issued with respect to any improvements requiring a building permit until the contractor therefor has first registered with the Borough. **[Amended 3-8-2000 by Ord. No. 986, approved 3-8-2000]**
- D. Registration application. Application for registration shall be made in writing and in the form prescribed by the Borough Council and shall contain the following;
- (1) Name of contractor.
 - (2) Business address of contractor.
 - (3) Business telephone number of contractor.
 - (4) Type of work of contractor.
 - (5) Federal or state employer identification number.
 - (6) If a corporation, name, address and business telephone number of each officer.
 - (7) If a partnership, name, address and business telephone number of each partner.
 - (8) Proof of workers' compensation insurance or affidavit that the contractor does not employ individuals and is not required to carry worker's compensation insurance.
- E. Registration fee; renewal. Every contractor shall pay an annual registration fee of \$50 or such amount as shall be established from time to time by Resolution of the Borough Council. Registration is valid for only one year from January 1 to December 31 and shall be renewed each calendar year.
- F. Administration. This section shall be administered by the Borough Manager or his designee who shall collect the registration forms and fees and maintain records with respect to registration.
- G. Penalties.
- (1) A stop-work order shall be issued to any contractor who violates any of the provisions of this section. The stop-work order shall remain in effect until the contractor has complied with the provisions of this section.
 - (2) Any person who violates any of the provisions of this section, upon conviction before a District Justice, shall pay a fine or have judgment entered against such person of not less than \$100 and not more than \$600, and in default of payment of said fine, be imprisoned in the Cumberland County Prison, or like institution for a period not to exceed 30 days. Each day's violation of any provision of this section shall constitute a separate offense.

- (3) The Borough may cancel or refuse renewal of contractor registration for any contractor convicted of violating this section.

ARTICLE II

Fallout Shelters

[Adopted 12-11-1961 by Ord. No. 607, approved 12-11-1961]

§ 79-4. Waiver of building permit fees.

The building permit fees as required by pertinent ordinances of the Borough of Camp Hill are hereby waived in respect of the construction of fallout shelters.

§ 79-5. Definitions.

As used in this article, the following terms shall have the meanings indicated:

FALLOUT SHELTERS — Structures or parts of structures erected for the primary purposes of the protection of their inhabitants from radioactive fallout.

ARTICLE III

Flood Damage Control

[Adopted 3-10-1977 by Ord. No. 822, approved 3-10-1977]

§ 79-6. Scope.

In order to prevent excessive damage to buildings and structures due to conditions of flooding, the following restrictions shall apply to all new construction occurring in the designated floodway and flood-fringe districts and to construction of substantial improvements to existing structures in any such districts.

§ 79-7. Basements and first floors.

- A. Lowest floors, including basements, in nonresidential buildings may be constructed below the level of the one-hundred-year flood, provided that they, together with attendant utility and sanitary facilities, are designed so that any structures are watertight with walls substantially impermeable to the passage of water and with structural components having the capability to withstand the hydrostatic and dynamic load of the regulatory flood to an elevation of one-foot above the regulatory flood elevation.
- B. No basements shall be permitted in residential structures. Lowest floors in residential structures shall be constructed at or above an elevation of one foot above the regulatory flood elevation.

§ 79-8. Fill.

If fill is used to raise the finished surface of the first floor one foot above the regulatory flood elevation:

- A. Fill shall extend beyond a structure for a sufficient distance to provide acceptable access. For residential structures, fill shall extend laterally 15 feet beyond the building line from all points. For nonresidential structures, fill shall be placed to provide access acceptable for the intended use. At-grade access, with fill extending laterally 15 feet beyond the building line, shall be provided to a minimum of 25% of the perimeter of a nonresidential structure.
- B. Fill shall consist of soil or rock materials only. Sanitary landfills shall not be permitted.
- C. Fill material shall be compacted to provide the necessary stability and resistance to erosion, scouring or settling.
- D. Fill slopes shall be no steeper than one vertical to two horizontal, unless substantiating data justifying steeper slopes are submitted to and approved by the Building Inspector.
- E. Fill shall be used only to the extent to which it does not adversely affect adjacent properties.

§ 79-9. Placement of buildings, structures and mobile homes.

- A. All buildings and structures shall be constructed and placed on the lot so as to offer the minimum obstruction to the flow of water and shall be designed to have a minimum effect upon the flow and height of floodwater.
- B. The following shall not be placed or caused to be placed in the designated floodway district fences, except two-wire fences, and other matter which may impede, retard or change the direction of the flow of water or that will catch or collect debris carried by such water or that is placed where the natural flow of the stream or floodwaters would carry the same downstream to the damage or detriment of either public or private property adjacent to the floodplain.
- C. Mobile homes shall be elevated on compacted fill or on pilings so that the lowest floor of each mobile home will be at least one foot above the regulatory flood elevation.
- D. Adequate surface drainage and access for a mobile home hauler shall be provided.
- E. When mobile homes are to be elevated on pilings, lots shall be large enough to permit steps, piles shall be placed in stable soil no more than 10 feet apart, and reinforcement shall be provided for pilings more than six feet above the ground level.

§ 79-10. Anchoring.

- A. All buildings and structures shall be firmly anchored in accordance with accepted engineering practices to prevent flotation, thus reducing the threat to life and property and decreasing the possibility of the blockage of bridge openings and other restricted sections of the watercourse.
- B. All air ducts, large pipes and storage tanks located at or below the first floor level shall be firmly anchored to resist flotation.

- C. All mobile homes shall be anchored to resist flotation, collapse or lateral movement by providing over-the-top and frame ties to ground anchors; specifically:
- (1) Over-the-top ties shall be provided at each of the four corners of the mobile home, with two additional ties per side at intermediate locations, and mobile homes less than 50 feet long requiring one additional tie per side.
 - (2) Frame ties shall be provided at each corner of the home, with five additional ties per side at intermediate points, with mobile homes less than 50 feet long requiring four additional ties per side.
 - (3) All components of the anchoring system shall be capable of carrying a force of 4,800 pounds.
 - (4) Any additions to a mobile home shall be similarly anchored.

§ 79-11. Storage.

No new construction which stores materials that are buoyant, flammable, explosive or, in times of flooding, could be injurious to human, animal or plant life shall be stored below an elevation one foot above the regulatory flood elevation.

§ 79-12. Administration.

- A. To ensure that the aforementioned flood-damage controls are being employed in all new construction or substantial improvement within the floodway and flood-fringe districts, the Building Inspector shall provide the applicant information concerning the location of the district boundaries relative to his proposed construction and the water surface elevation of the one-hundred-year flood at the proposed construction side. The source of this information shall be the Camp Hill Borough Official Floodplain and Floodway Map.
- B. When reviewing permit applications, the Building Inspector shall consider whether proposed work is designed and anchored to prevent flotation, collapse or lateral movement, uses material and equipment resistant to flood damage and uses construction methods that minimize flood damage.
- C. Placement of a mobile home on a lot or in a mobile home park shall require a building permit under this article.

§ 79-13. Plan requirements.

The Building Inspector shall require the following specific information to be included as part of an application for a building permit for work within the floodway or flood-fringe districts:

- A. For structures to be elevated to an elevation at least one foot above the regulatory flood elevation:
- (1) A plan showing the size of the proposed structures and its relation to the lot where it is to be constructed.

- (2) A determination of elevations of the existing ground, proposed finished ground and lowest finished floors, certified by a registered professional engineer, surveyor or architect.
 - (3) Plans showing the method of elevating the proposed structure, including details of proposed fills, pile structures, retaining walls, foundations, erosion protection measures, etc. When required by the Building Inspector, these plans shall be prepared by a registered professional engineer or architect.
 - (4) Plans showing the methods used to protect utilities, including sewer, water, telephone, electric, gas, etc., from flooding to an elevation at least one foot above the regulatory flood elevation at the building site.
- B. For structures to be floodproofed to an elevation at least one foot above the regulatory flood elevation (nonresidential structures only):
- (1) Plans showing details of all floodproofing measures, prepared by a registered professional engineer or architect, and showing the size of the proposed structure and its relation to the lot where it is to be constructed.
 - (2) A determination of the elevations of existing ground, proposed finished ground, lowest and finished floors and floodproofing limits, certified by a registered professional engineer, surveyor or architect.
 - (3) A certificate prepared by the registered professional engineer or architect who prepared the plans in Subsection B(1) above that the structure in question, together with attendant utility and sanitary facilities, is designed so that:
 - (a) Below an elevation one foot above the regulatory flood elevation, the structure is watertight with walls substantially impermeable to the passage of water.
 - (b) The structure will withstand the hydrostatic, hydrodynamic, buoyant, impact and other forces resulting from the flood depths, velocities, pressures and other factors associated with the regulatory flood.

§ 79-14. Violations and penalties.

Any persons, firms or corporations who shall violate any provisions of this article shall be subject to the remedies and penalties set forth in the Camp Hill Building Code.²

§ 79-15. Interpretation of provisions. [Amended 12-9-1987 by Ord. No. 891, approved 12-9-1987]

This article shall amend the Camp Hill Zoning Ordinance³ only to the extent that it adds to the requirements for building in the floodplain, but shall not be construed to permit construction,

2. Editor's Note: See Art. I of this chapter, § 79-3G.

3. Editor's Note: See Ch. 200, Zoning.

construction procedures or use of materials where presently not permitted under the Camp Hill Zoning Ordinance.

