

ORDINANCE NO. 413

AN ORDINANCE OF THE BOROUGH OF LEESPORT, BERKS COUNTY, PENNSYLVANIA TO AMEND ORDINANCE NO. 405, KNOWN AS THE BUILDING CODE OF THE BOROUGH OF LEESPORT, REQUIRING PERMITS FOR CERTAIN ALTERATIONS AND REPAIRS TO RESIDENTIAL BUILDINGS AND CERTAIN ACCESSORY STRUCTURES.

WHEREAS, Act 92 of 2004 allows municipalities to enact Ordinances which adopt additional code requirements for alterations or repairs to residential buildings and the regulation of utility and miscellaneous use structures; and

WHEREAS, Borough Council desires to amend Ordinance No. 405, known as the Building Code of Leesport Borough ("Building Code"), as authorized by Act 92.

NOW, THEREFORE BE IT ENACTED AND ORDAINED by Borough Council of the Borough of Leesport, Berks County, Pennsylvania, as follows:

SECTION 1.

Ordinance No. 405, Section 1., is hereby amended by adding a new Paragraph 6 which shall provide as follows:

- 6. In addition to all types of construction, placement of structures, repairs and alterations for which the Building Code requires a permit, the Borough hereby requires permits for the following:
 - (a) The construction, erection, or placement of any accessory structure which is equal to or greater than 200 square feet, or exceeds one-story in height, whether or not such accessory structure is connected to any utility.
 - (b) The construction, erection, or placement of any accessory structure which is less than 200 square feet if such accessory structure is provided with any utility service. The applicant shall obtain a permit only for the purpose of inspection for the utility or utilities being installed or provided to the accessory structure.
 - (c) All alterations or repairs to residential buildings which are exempt from the Uniform Construction Code by Act 92 of 2004; provided,

however, that the following types of alterations and repairs shall continue to be exempt and no permit will be required.

- (1) Replacement of windows and doors when there is no change in the size of the existing opening.
- (2) Re-roofing of less than 25% of the total existing roof square footage.
- (3) Replacement of hot water heater, boiler, or furnace, or the replacement of any part of a hot water heater, boiler or furnace with the same efficiency rating, electrical and plumbing requirements.
- (4) Addition or replacement of siding on the exterior of the residential structure..
- (5) Repair or replacement of any nonstructural portion of a deck, porch or stoop.
- (6) Replacement of an appliance switch or receptacle with a switch or receptacle which is the same or has a like rating.
- (7) The addition of one appliance switch or receptacle.
- (8) The repair or replacement of any nonstructural member.
- (9) The repair or replacement of any sink, toilet, tub, shower or similar plumbing fixture without relocation of any drain or venting device.

SECTION 2. Inconsistent Ordinances Repealed.

Any and all other ordinances, which conflict herewith, are hereby repealed, and all other sections, parts or provisions of the Building Code shall remain in full force and effect as previously enacted and amended.

SECTION 3. Severability.

The provisions of this Ordinance are severable, and if any section, sentence, clause or provision hereof shall be held illegal, invalid or unconstitutional by any court of competent jurisdiction, such decision of the court shall not affect or impair the remaining sections, sentences, clauses or provisions of this Ordinance. It is hereby declared to be

the intent of Borough Council that this Ordinance would have been adopted if such illegal, invalid or unconstitutional section, sentence, clause or provision had not been included herein.

SECTION 4. Date of Effect.

This Ordinance shall take effect on January 19, 2005.

ENACTED AND ORDAINED by Borough Council of the Borough of Leesport on the 19th day of January, 2005.

ATTEST:

BOROUGH OF LEESPORT
BOROUGH COUNCIL

Danara Manna

Secretary

Brently J. R. O.

President

Clarence A. R. O.

Jeffrey H. Black

Sandra Angles

Delia L. Hoffmaster

Robert E. Hoffmaster

Christina Wood
