

**LEESPORT BOROUGH, BERKS COUNTY, PENNSYLVANIA**

**ORDINANCE NO. 2024- 489**

**AN ORDINANCE OF THE BOROUGH OF LEESPORT, BERKS COUNTY, PENNSYLVANIA, AMENDING LEESPORT BOROUGH ORDINANCE NO. 404 ENTITLED “AN ORDINANCE OF THE BOROUGH OF LEESPORT, BERKS COUNTY, PENNSYLVANIA, TO ADOPT THE PENNSYLVANIA UNIFORM CONSTRUCTION CODE AS THE NEW BUILDING CODE OF THE BOROUGH OF LEESPORT” TO REQUIRE NEW NON-RESIDENTIAL BUILDINGS, NON-RESIDENTIAL BUILDINGS WHERE NEW CONSTRUCTION RESULTS IN A PHYSICAL CHANGE, AND NON-RESIDENTIAL BUILDINGS WHERE A CHANGE OF USE OR OCCUPANCY CLASSIFICATION OCCURS TO INSTALL KEY BOXES**

**WHEREAS**, by enacting Ordinance Number 404 on May 20, 2004, the Borough of Leesport elected to be an opt-in municipality in the Commonwealth of Pennsylvania selecting to enforce the Pennsylvania Construction Code Act, Act 45 of 1999, 35 P.S. §7210.101-7210.1103, as amended (“Act”) and the Uniform Construction Code, 34 Pa. Code, Chapters 401-405, as amended (“Code”) through the means set forth therein; and

**WHEREAS**, effective February 14, 2022 the Commonwealth of Pennsylvania has elected to enforce the 2018 versions of the International Codes as part of the Uniform Construction Code; and

**WHEREAS**, the Uniform Construction Code is interpreted to adopt the International Fire Code only as referenced in the International Building Code; and

**WHEREAS**, Section 506 of the 2018 version of the International Fire Code set forth requirements for the installation of key boxes in certain structures for use by the code official; and

**WHEREAS**, the International Building Code and thus the Uniform Construction Code does not adopt Section 506 of the 2018 International Fire Code; and

**WHEREAS**, Section 503(c) of the Act, 35 P.S. §7210.503, allows opt in municipalities to enact an ordinance to equal or exceed the minimum requirements of the Code upon compliance with the procedures set forth in Section 503(d) through (i) of the Act, 35 P.S. §7210.503(d)-(i); and

**WHEREAS**, Council for the Borough of Leesport desires to amend its adoption of the Uniform Construction Code to require the installation of key boxes in new non-residential buildings for use by the code official.

**NOW THEREFORE BE IT ENACTED and ORDAINED** by the Council of the Borough of Leesport, Berks County, Pennsylvania by the authority of the same as follows:

**SECTION 1.** The Leesport Borough Uniform Construction Code Ordinance, Ordinance Number 404, Section 1 is hereby amended to add a new number 7 which shall read in its entirety as follows:

7. In addition to all types of construction, placement of structures, repairs, and alterations for which the Uniform Construction Code requires a permit, the Borough pursuant to the authorization of Section 503 of the Pennsylvania Construction Code Act, 35 Pa. Stat. § 7210.503, shall require the following:

(a) Key Boxes:

1. **Where required.** Where access to or within a structure or an area is restricted because of secured openings or where immediate access is necessary for life-saving or fire-fighting purposes, the code official is authorized to require a key box to be installed in an approved location. The key box shall be of an approved type listed in accordance with UL 1037, and shall contain labeled keys, easily identified in the field, to gain necessary access as required by the code official.

2. **Applicable Structures.** This section applies to the following structures:

- a. new non-residential buildings;
- b. existing non-residential structures where new construction resulting in a physical change to the structure occurs; and
- c. existing non-residential structures where a change of use or occupancy classification occurs.

3. **Key box maintenance.** The operator of the building shall immediately notify the code official and provide the new key where a lock is changed or rekeyed. The key to such lock shall be secured in the key box.

SECTION 2. Other UCC Modifications.

Any other modification to the UCC that equals or exceeds the UCC requirements for buildings adopted on or before July 1, 1999 shall remain in full force and effect.

SECTION 3. Repeal of Ordinances.

Any ordinance or part of ordinances conflicting with the provisions of this Ordinance are hereby repealed insofar as they are inconsistent with this Ordinance's provision.

SECTION 4. Severability.

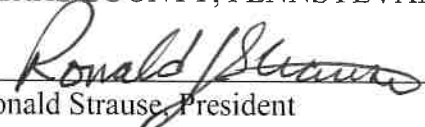
If any sentence, clause, section or part of this Ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts of this Ordinance. It is hereby declared to be the intent of the Borough Council that this Ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein.


SECTION 5. Effective Date.

The effective date of the within amendments, except where longer period is otherwise provided for, shall be thirty-five (35) days after its enactment.

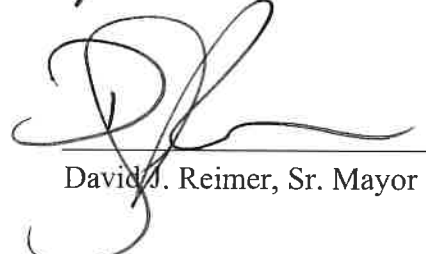
ENACTED AND ORDAINED this 21<sup>st</sup> day of February, 2024

COUNCIL FOR THE  
BOROUGH OF LEESPORT,  
BERKS COUNTY, PENNSYLVANIA

  
\_\_\_\_\_  
Ronald Strause, President

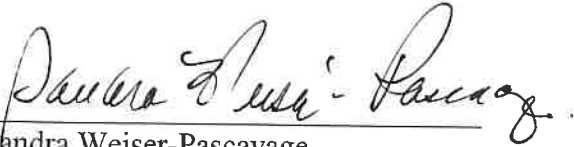
ATTEST:   
\_\_\_\_\_  
Sandra Weiser-Pascavage, Borough Manager / Secretary

APPROVED this 21<sup>st</sup> day of February, 2024

  
\_\_\_\_\_  
David J. Reimer, Sr. Mayor for the Borough

CERTIFICATE OF ENACTMENT

I hereby certify that the foregoing is a true and accurate copy of Ordinance No. \_\_\_\_\_ adopted by the Council of the Borough of Leesport, Berks County, Pennsylvania at a public hearing following a regular meeting held on February 21, 2024 pursuant to notice as required by law.



Sandra Weiser-Pascavage  
Borough Manager / Secretary