

ORDINANCE NO.: 2017-2
TOWNSHIP OF CASS
SCHUYLKILL COUNTY, PENNSYLVANIA

**AN ORDINANCE TO AMEND THE CASS TOWNSHIP UNIFORM
CONSTRUCTION CODE TO EXEMPT CERTAIN CONSTRUCTION
ACTIVITIES FROM REQUIRING A PERMIT UNDER THE CODE**

BE IT ENACTED AND ORDAINED by the Cass Township Board of Supervisors that Section 2 of Ordinance No. 2012-2 is hereby amended to read as follows:

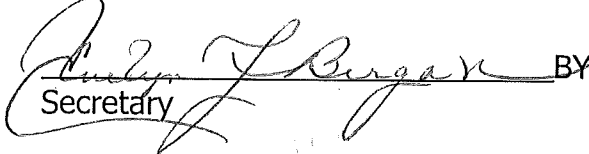
Section 2. The Township of Cass Construction Code Ordinance, Ordinance 2004-001, Administration and Enforcement of Township of Cass Construction Code, is hereby amended by adding a new Section 1, which provides as follows:

1. The Uniform Construction Code applies to the construction, alteration, repair, movement, equipment, removal, demolition, location, maintenance, occupancy or change of occupancy of every building or structure, and all existing structures that are not legally occupied except that the Uniform Construction Code shall not apply and a permit is not required for any of the construction activities listed under §403.1(b) (relating to residential construction) and §403.42(c)-(f) (relating to commercial construction) of the Pennsylvania Uniform Construction Code. At the time of the adoption of this amendment the exceptions listed in the Pennsylvania Code are as set forth in Exhibit "A" attached to this Amendment.

Except as amended above, the other sections of the Township of Cass Construction Code Ordinance, Ordinance 2004-001, as amended by Ordinance 2012-2, shall remain the same and in effect.


ENACTED AND ORDAINED this 26th day of July, 2017, by the Cass Township Board of Supervisors.

ATTEST:


Secretary

CASS TOWNSHIP BOARD OF
SUPERVISORS

BY: 
Chairperson


Vice-Chairperson

Supervisor

EXHIBIT "A"

Residential Construction:

Section 403.1(b) *Exclusions and exemptions*. The Uniform Construction Code does not apply to:

- (1) New buildings or renovations to existing buildings for which an application for a permit was made to the Department or a municipality before April 9, 2004.
- (2) New buildings or renovations to existing buildings on which a contract for design or construction was signed before April 9, 2004.
- (3) The following structures if the structure has a building area less than 1,000 square feet and is accessory to a detached one-family dwelling except as might be required by an ordinance adopted under section 503 of the act (35 P. S. § 7210.503):
 - (i) Carports.
 - (ii) Detached private garages.
 - (iii) Greenhouses.
 - (iv) Sheds.
- (4) An agricultural building.
- (5) Manufactured or industrialized housing shipped from the factory under section 901(a) of the act (35 P. S. § 7210.901(a)) as provided in § 403.25 (relating to manufactured and industrialized housing).
- (6) Installation of tubing, piping, propane gas burning appliances, equipment or fixtures related to liquefied petroleum gas under the Propane and Liquefied Petroleum Gas Act (35 P. S. § § 1329.1—1329.19).
- (7) Construction of individual sewage disposal systems under 25 Pa. Code Chapter 73 (relating to onlot sewage treatment facilities).
- (8) Alterations to residential buildings which do not make structural changes or changes to means of egress, except as required by ordinances in effect under sections 303(b)(1) or 503 of the act (35 P. S. § § 7210.303(b)(1) and 7210.503). Under this subsection, a structural change does not include a minor framing change needed to replace existing windows or doors.
- (9) Repairs to residential buildings, except as required by ordinances in effect under sections 303(b)(1) and 503 of the act.

(10) Installation of aluminum or vinyl siding onto an existing residential or an existing commercial building, except as might be required by ordinances in effect under section 303(b)(1) (35 P. S. § § 7210.303(b)(1)) or section 503 of the act.

(11) A recreational cabin if the following conditions are met:

(i) The cabin is equipped with at least one smoke detector, one fire extinguisher and one carbon monoxide detector in both the kitchen and sleeping quarters.

(ii) The owner of the cabin files one of the following with the municipality:

(A) A Department form UCC-13 attesting to the fact that the cabin meets the definition of a "recreational cabin" in § 401.1 (relating to definitions).

(B) A valid proof of insurance for the recreational cabin, written and issued by an insurer authorized to do business in this Commonwealth, stating that the structure meets the definition of a "recreational cabin."

(12) Structures which are:

(i) Erected for the purpose of participation in a fair, flea market, arts and crafts festival or other public celebration.

(ii) Less than 1,600 square feet in size.

(iii) Erected for a period of less than 30 days.

(iv) Not a swimming pool, spa or hot tub.

(13) A pole barn that is constructed on agricultural fairgrounds and is only used for agricultural purposes and animal display. If an exempted pole barn has electrical service, a permit and inspections to determine compliance with the electrical provisions of the Uniform Construction Code are required.

Commercial Construction:

Section 403.42(c)-(f) A permit is not required for the exceptions listed in § 403.1(b) (relating to scope) and the following construction as long as the work does not violate a law or ordinance:

(1) Building construction for the following:

(i) Fences that are not over 6 feet high.

(ii) Oil derricks.

(iii) Retaining walls, which are not over 4 feet in height measured from the lowest level of grade to the top of the wall, unless it is supporting a surcharge or impounding Class I, II or III-A liquids.

(iv) Water tanks supported directly upon grade if the capacity does not exceed 5,000 gallons and the ratio of height to diameter or width does not exceed 2 to 1.

(v) Sidewalks and driveways not more than 30 inches above grade and that are not located over a basement or story below it and which are not part of an accessible route.

(vi) Painting, papering, tiling, carpeting, cabinets, counter tops and similar finishing work.

(vii) Temporary motion picture, television, and theater stage sets and scenery.

(viii) Prefabricated swimming pools accessory to a Group R-3 occupancy which are less than 24 inches deep, do not exceed 5,000 gallons and are installed entirely aboveground.

(ix) Shade cloth structures constructed for nursery or agricultural purposes that do not include service systems.

(x) Swings and other playground equipment accessory to one- or two-family dwellings.

(xi) Window awnings supported by an exterior wall which do not project more than 54 inches from the exterior wall and do not require additional support of group R-3 as applicable in the "International Building Code," and Group U occupancies.

(xii) Movable cases, counters and partitions that are not over 5 feet 9 inches in height.

(xiii) Window replacement without structural change.

(2) Electrical work for the following:

(i) Minor repair and maintenance work that includes the replacement of lamps or the connection of approved portable electrical equipment to approved permanently installed receptacles.

(ii) Electrical equipment used for radio and television transmissions. The provisions of the Uniform Construction Code apply to equipment and wiring for power supply and the installation of towers and antennas.

(iii) The installation of a temporary system for the testing or servicing of electrical equipment or apparatus.

(3) The following gas work:

- (i) A portable heating appliance.
- (ii) Replacement of a minor part that does not alter approval of equipment or make the equipment unsafe.

(4) The following mechanical work or equipment:

- (i) A portable heating appliance.
- (ii) Portable ventilation equipment.
- (iii) A portable cooling unit.
- (iv) Steam, hot or chilled water piping within any heating or cooling equipment governed under the Uniform Construction Code.
- (v) Replacement of any part that does not alter its approval or make it unsafe.
- (vi) A portable evaporative cooler.
- (vii) A self-contained refrigeration system containing 10 pounds or less of refrigerant and placed into action by motors that are not more than 1 horsepower.

(5) The following plumbing repairs:

- (i) Stopping leaks in a drain and a water, soil, waste or vent pipe. The Uniform Construction Code applies if a concealed trap, drainpipe, water, soil, waste or vent pipe becomes defective and is removed and replaced with new material.
 - (ii) Clearing stoppages or repairing leaks in pipes, valves or fixtures, and the removal and installation of water closets, faucets and lavatories if the valves or pipes are not replaced or rearranged.
- (d) An ordinary repair does not require a permit. The following are not ordinary repairs:
- (1) Cutting away a wall, partition or portion of a wall.
 - (2) The removal or cutting of any structural beam or load-bearing support.
 - (3) The removal or change of any required means of egress, or rearrangement of parts of a structure affecting the egress requirements.

(4) The addition to, alteration of, replacement or relocation of any standpipe, water supply, sewer, drainage, drain leader, gas, soil, waste, vent or similar piping, electric wiring or mechanical.

(e) A permit is not required for the installation, alteration or repair of generation, transmission, distribution, metering or other related equipment under the ownership and control of public service agencies.

(f) A building code official may issue an annual permit instead of an individual permit for each alteration to an already approved electrical, gas, mechanical or plumbing installation. All of the following are required:

(1) The applicant shall regularly employ at least one qualified trades person in the building or structure owned or operated by the applicant.

(2) The applicant shall submit an application in accordance with § 403.42a(m).

(3) An annual permit holder shall keep detailed records of alterations made in accordance with the annual permit. The permit holder shall provide access to these records to the building code official.