

**RADNOR TOWNSHIP, DELAWARE COUNTY, PA
ORDINANCE NO. 2022-23**

**AN ORDINANCE OF RADNOR TOWNSHIP, DELAWARE COUNTY,
PENNSYLVANIA, AMENDING CHAPTER 158 OF THE RADNOR
TOWNSHIP CODE TO INCORPORATE THE 2018 INTERNATIONAL
ENERGY CONSERVATION CODE.**

Upon recommendation of the Radnor Township Staff, the Radnor Township Board of Commissioners hereby ENACTS and ORDAINS the following:

ARTICLE I ADOPTION OF CODE AMENDMENTS - IECC

Chapter 158 of the Radnor Township Code is hereby amended to read as follows:

§158-1 Adoption of code by reference.

Certain documents on file in the office of the Secretary of the Township of Radnor, being marked and designated as the 2018 International Energy Conservation Code, are hereby adopted as the Energy Conservation Code of Radnor Township, Delaware County, in the Commonwealth of Pennsylvania, for the purpose of establishing minimum regulations governing the design, installation, and construction of energy efficient building envelopes and the installation of energy efficient mechanical, lighting, and power systems as herein provided; and each and all of the provisions, penalties, conditions, and terms of the 2018 International Energy Conservation Code, as amended, are hereby referred to, adopted and made a part hereof as if fully set forth in this chapter, with the additions, insertions, deletions, and changes prescribed by this chapter.

§158-2 Additions, insertions, deletions, and changes to code.

The following sections and subsections of the commercial building provisions of the aforementioned 2018 International Energy Conservation Code, as amended, are hereby added, amended, deleted, changed, and clarified as set forth below.

A. Chapter 1 [CE], Scope and Administration.

(1) Section C101, Scope and General Requirements.

(a) Subsection C101.1, Title. The "Township of Radnor" shall be inserted as the name of the jurisdiction.

(b) Insert a new Subsection C101.6 to read as follows:

C101.6 Default Municipality. Whenever in said Energy Conservation Code a municipality is mentioned and no name is given, said municipality shall be construed to mean the Township of Radnor, and when a state is mentioned, the same shall mean the Commonwealth of Pennsylvania; and where the Department of Inspection is mentioned, the same shall mean the Department of Community Development.

(2) Section C104, Fees.

(a) Delete the entire Section C104, Fees, and substitute with the following:

**SECTION C104
FEES**

C104.1 Fees. No permit to begin work for new construction, *alterations*, repair, removal or other building operations shall be issued until the fees established by the Board of Commissioners have been paid in accordance with Chapter 162 of the Code of the Township of Radnor, as amended, nor shall an amendment to a *permit* necessitating an additional fee, because of an increase in the estimated cost involved, be approved until the additional fees have been paid in accordance with Chapter 162 of the Code of the Township of Radnor, as amended.

C104.2 Work commencing before permit issuance. Any person who commences any work before obtaining the necessary permits may be subject to an additional fee established by the Board of Commissioners that shall be in addition to the required permit fees.

C104.3 Related fees. The payment of the fee for the construction, *alteration*, removal or demolition of work done in connection to or concurrently with the work or activity authorized by a permit shall not relieve the applicant or holder of the permit from the payment of other fees that are prescribed by law.

(3) Section C109, Board of Appeals.

(a) Delete the entire Section C109, Board of Appeals, and substitute with the following:

**SECTION C109
APPEALS**

C109.1 General. Whenever the owner or builder of any building about to be or in the course of being erected, altered, repaired, used, or occupied, or any other person takes exception to the decision of the *code official* in refusing to approve the manner of construction or the type of materials to

be used in the erection, alteration, or repair of any building or structure, or to his decision as to the occupation or use of any building or structure, or as to its safety or compliance with the provisions of this code, such owner or builder or duly authorized agent may, within thirty (30) days after such decision, take an appeal to the Code Appeals Board. Such appeal shall be in writing, state the decision of the *code official* and the reason for taking exception thereto, and shall be filed with the Department. The appeal shall be heard pursuant to and consistent with the practices and procedures established for or by the Code Appeals Board, as well as, the Pennsylvania Uniform Construction Code. A written decision to affirm, modify, or reverse the decision of the *code official* shall be issued by the Code Appeals Board and duly recorded, with such decision being final.

C109.2 Limitations on authority. 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 equally good or better form of construction is proposed. The Code Appeals Board shall not have authority to waive requirements of this code.

(4) Section C110, Violations.

- (a) Add a new Section C110, Violations, which shall read as follows:

**SECTION C110
VIOLATIONS**

C110.1 Unlawful acts. It shall be unlawful for any person, firm or corporation to erect, construct, alter, extend, *repair*, move, remove, demolish, or occupy any building, structure, or equipment regulated by this code, or cause same to be done, in conflict with or in violation of any of the provisions of this code.

C110.2 Notice of violation. The *code official* is authorized to serve a notice of violation or order on the person responsible for the erection, construction, *alteration*, extension, *repair*, moving, removal, demolition, or occupancy of a building or structure in violation of the provisions of this code, or in violation of a *permit* or certificate issued under the provisions of this code. Such order shall direct the discontinuance of the illegal action or condition and the abatement of the violation.

C110.3 Prosecution of violations. If the notice of violation is not complied with within the time specified in the notice, the *code official* shall institute the appropriate proceeding at law or in equity to restrain, correct, or abate such violation, or to require the removal or termination of the

unlawful occupancy of the building or structure in violation of the provisions of this code or of the order or direction made pursuant thereto.

C110.4 Violation penalties. Any person who violates a provision of this code; fails to comply with any of the requirements thereof; or erects, constructs, alters, repairs, or does work on a building or structure in violation of the approved construction documents, any approved plan, *permit*, certificate, application for *permit*, or directive of the *code official* shall, upon conviction, be punishable by a fine of not more than \$1,000 per violation. Each day that each violation continues shall be deemed a separate offense.

B. Chapter 2 [CE], Definitions.

(1) Section C202, General Definitions.

(a) Add the definition of "Code Appeals Board" to read as follows:

CODE APPEALS BOARD. The Radnor Township Code Appeals Board created, organized, and operated in accordance with Chapter 15, Code Appeals Board, of the Code of the Township of Radnor, as amended.

(b) Amend the definition of "Code Official" to read as follows:

CODE OFFICIAL. The Director of Community Development charged with the administration and enforcement of this code, or a duly authorized representative.

(c) Add the definition of "Department" to read as follows:

DEPARTMENT. The Department of Community Development of Radnor Township or any authorized agent or employee thereof.

(d) Add the definition of "Township" to read as follows:

TOWNSHIP. The Township of Radnor, Delaware County, Commonwealth of Pennsylvania.

§158-3 **Additions, insertions, deletions, and changes to code.**

The following sections and subsections of the residential building provisions of the aforementioned 2018 International Energy Conservation Code, as amended, are hereby added, amended, deleted, changed, and clarified as set forth below.

A. Chapter 1 [RE], Scope and Administration.

(1) Section R101, Scope and General Requirements.

- (a) Subsection R101.1, Title. The "Township of Radnor" shall be inserted as the name of the jurisdiction.
- (b) Insert a new Subsection R101.6 to read as follows:

R101.6 Default Municipality. Whenever in said Energy Conservation Code a municipality is mentioned and no name is given, said municipality shall be construed to mean the Township of Radnor, and when a state is mentioned, the same shall mean the Commonwealth of Pennsylvania; and where the Department of Inspection is mentioned, the same shall mean the Department of Community Development.

(2) Section R104, Fees.

- (a) Delete the entire Section R104, Fees, and substitute with the following:

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FEES**

R104.1 Fees. No permit to begin work for new construction, *alterations*, repair, removal or other building operations shall be issued until the fees established by the Board of Commissioners have been paid in accordance with Chapter 162 of the Code of the Township of Radnor, as amended, nor shall an amendment to a *permit* necessitating an additional fee, because of an increase in the estimated cost involved, be approved until the additional fees have been paid in accordance with Chapter 162 of the Code of the Township of Radnor, as amended.

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- (a) Delete the entire Section R109, Board of Appeals, and substitute with the following:

**SECTION R109
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R109.1 General. Whenever the owner or builder of any building about to be or in the course of being erected, altered, repaired, used, or occupied, or any other person takes exception to the decision of the *code official* in refusing to approve the manner of construction or the type of materials to be used in the erection, alteration, or repair of any building or structure, or to his decision as to the occupation or use of any building or structure, or as to its safety or compliance with the provisions of this code, such owner or builder or duly authorized agent may, within thirty (30) days after such decision, take an appeal to the Code Appeals Board. Such appeal shall be in writing, state the decision of the *code official* and the reason for taking exception thereto, and shall be filed with the Department. The appeal shall be heard pursuant to and consistent with the practices and procedures established for or by the Code Appeals Board, as well as, the Pennsylvania Uniform Construction Code. A written decision to affirm, modify, or reverse the decision of the *code official* shall be issued by the Code Appeals Board and duly recorded, with such decision being final.

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occupancy of a building or structure in violation of the provisions of this code, or in violation of a *permit* or certificate issued under the provisions of this code. Such order shall direct the discontinuance of the illegal action or condition and the abatement of the violation.

R110.3 Prosecution of violations. If the notice of violation is not complied with within the time specified in the notice, the *code official* shall institute the appropriate proceeding at law or in equity to restrain, correct, or abate such violation, or to require the removal or termination of the unlawful occupancy of the building or structure in violation of the provisions of this code or of the order or direction made pursuant thereto.

R110.4 Violation penalties. Any person who violates a provision of this code; fails to comply with any of the requirements thereof; or erects, constructs, alters, repairs, or does work on a building or structure in violation of the approved construction documents, any approved plan, *permit*, certificate, application for *permit*, or directive of the *code official* shall, upon conviction, be punishable by a fine of not more than \$1,000 per violation. Each day that each violation continues shall be deemed a separate offense.

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ARTICLE II REPEALER

All ordinance or parts of ordinances which are inconsistent herewith are hereby repealed. In particular, Radnor Township Ordinance No. 2010-11, adopted February 22, 2010, is specifically repealed in full.

ARTICLE III 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 part of this Ordinance. It is hereby declared as the intent of the Board of Commissioners of Radnor Township, that this Ordinance would have been adopted had such unconstitutional, illegal, or invalid sentence, clause, section, or part thereof not been included therein.

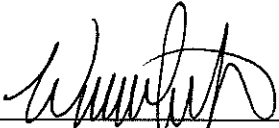
ARTICLE IV EFFECTIVE DATE

This Ordinance shall become effective in accordance with the Home Rule Charter of Radnor Township.

ENACTED and *ORDAINED* this 3rd day of January, 2023.

RADNOR TOWNSHIP

By: Moira Mulrone
Name: _____
Title: President

ATTEST: 
William M. White, Secretary