BILL NO. 78 2009

AN ORDINANCE OF THE CITY OF READING ADOPTING THE 2009 EDITIONS OF THE INTERNATIONAL BUILDING CODE, EXISTING BUILDING CODE, ELECTRICAL CODE[1], MECHANICAL CODE, RESIDENTIAL CODE, PLUMBING CODE, FIRE CODE, WILDLAND-INTERFACE CODE, PERFORMANCE CODE FOR BUILDINGS AND FACILITIES, FUEL GAS CODE AND ENERGY CONSERVATION CODE IN ACCORDANCE WITH THE COMMONWEALTH OF PENNSYLVANIA UNIFORM CONSTRUCTION CODE ACT 45 OF 1999 AS AMENDED, AND AMENDING THE SAME

SECTION 1. The City of Reading hereby adopts, in accord with the Pennsylvania Uniform Construction Code, the 2009 Editions of the International Building Code, Existing Building Code, Electrical Code, Mechanical Code, Residential Code, Plumbing Code, Fire Code, Wildland-Interface Code, Performance Code for Buildings and Facilities, Fuel Gas Code and Energy Conservation Code as the City of Reading Building Code, Existing Building Code, Electrical Code, Mechanical Code, Residential Code, Plumbing Code, Fire Code (also known as City of Reading Fire Prevention Code), Wildland-Interface Code, Performance Code for Buildings and Facilities, Fuel Gas Code and Energy Conservation Code.

With the exception of the adoption of the 2009 International Codes (replacement of 2006 International Codes), all other provisions of the following bills and ordinances of the City of Reading as amended, shall remain in full force and affect as of part of the City of Reading / International Construction Codes, including but not limited to inclusion of all appendices as referenced therein, all amendments of the International Codes set forth therein and all pre-July 1,1999 amendments adopted thereto in accordance with applicable law and regulations and carried over and adopted as part of this Ordinance adopting the 2009 International Codes:

Bill No. 92-2006 Adopting the International Code Council Wildland-Interface Code, regulating the mitigation of hazard to life and property from the intrusion of fire

Bill No. 93-2006 Adopting the International Code Council Performance Code for Buildings and Facilities, regulating the quality, type, construction, installation and repair of buildings

Bill No. 94-2006 Adopting the International Residential Code
Bill No. 95- 2006 Adopting the International Fire Code

Bill No. 96-2006 Adopting the International Existing Building Code

Bill No. 97-2006 Adopting the 2006 edition of the International Mechanical Code

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[1] The International Code Council elected not to print a 2009 International Electrical Code rather all electrical requirements are set forth in the 2009 International Building and Residential Building Codes through reference to the 2008 National Electrical Code, NEC. For purposes of this Ordinance all references to the 2009 International Electrical Code shall be determined to be the 2008 NEC as referenced in the 2009 International Building and Residential Codes as adopted by the City of Reading. Notwithstanding, all administrative provisions and amendments as adopted by the City of Reading through its adoption of the 2006 International Electrical Code via Bill No. 98-2006 shall remain in full force and effect as the City of Reading Electrical Code in conjunction with the references to the 2008 NEC in the IBC and IRC.

Bill No. 98-2006 Adopting the International Code Council Electrical Code

Bill No. 99-2006 Adopting the International Building Code

Bill No. 106-2006 Adopting the International Plumbing Code

Bill No. 107-2006 Adopting the Fuel Gas Code
Bill No. 108-2006 Adopting the Energy Conservation Code

SECTION 2. All other provisions of the International / City of Reading Building Code, Existing Building Code, Electrical Code, Mechanical Code, Residential Code, Plumbing Code, Fire Code, Wildland-Interface Code, Performance Code for Buildings and Facilities, Fuel Gas Code and Energy Conservation Code as Adopted by the City of Reading shall remain effective.

SECTION 3. REPEAL. All Ordinances or parts thereof conflicting with the provisions of this Ordinance are hereby repealed, insofar as they are inconsistent with this Ordinance.

SECTION 4. CONSTITUTIONALITY AND SEVERABILITY. That if any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The Council of the City of Reading hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

SECTION 5. STATE LAW AND REGULATIONS. In all matters that are regulated by the law of the Commonwealth of Pennsylvania or by regulations of departments or agencies of the Commonwealth promulgated by authority of law, such laws or regulations, or other ordinances of the City of Reading, PA, as the case may be, shall control where the requirements thereof are the same as or in excess of the provisions of this ordinance. This code shall control in all cases where the State requirements, or the requirements of other ordinances of this City, are not as strict as those contained in this ordinance.

SECTION 6. PROVISIONS TO BE CONTINUATION OF EXISTING REGULATIONS. That nothing in this ordinance or in the 2009 International Codes as referenced herein and as adopted by the City of Reading shall be constructed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in Section 3 of this ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance.

SECTION 7. PUBLICATION. That the City Clerk is hereby ordered and directed to cause this ordinance to be published as required by all applicable statutes, laws, regulations, charters and ordinances.

SECTION 8. NAME. This Ordinance shall be known as adoption of the 2009 International / City of Reading Building Code, Existing Building Code, Electrical Code, Mechanical Code, Residential Code, Plumbing Code, Fire Code, Wildland-Interface Code, Performance Code for

Buildings and Facilities, Fuel Gas Code and Energy Conservation Code in accord with the Pennsylvania Uniform Construction Code.

SECTION 9. ENFORCEMENT. The 2009 International Codes as adopted by the City of Reading per the Uniform Construction Code shall be enforced by City of Reading Codes Service Division – Building / Trades and / or City of Reading Fire Marshal or his/her designee of the Fire Prevention Division of the City of Reading Department of Fire and Rescue Services.

SECTION 10. This Ordinance shall become effective January 1, 2009 per the Uniform Construction Code of the Commonwealth of Pennsylvania adoption of the 2009 International Codes as part thereof, which requires compliance with the 2009 International Codes beginning January 1, 2010, except for any work covered by a design or construction contract issued prior to Dec. 31, 2009 will comply with the 2006 International Codes.

Adopted Dec 28, 2009

Council President

Attest:

City Clerk
(LAW)

I, LINDA A. KELLEHER, City Clerk of the City of Reading, Pa., do hereby certify, that the foregoing is a true and correct copy of the original Ordinance passed by the Council of the City of Reading, on the 28 day of Dec A. D. 2009. Witness my hand and seal of the said City this 29 day of Dec A. D. 2009.

CITY CLERK

Submitted to Mayor:
Date: 12-29-09

Received by the Mayor's Office:
Date: 12/29/09

Approved by Mayor:
Date: 12/29/09

Vetoed by Mayor: _____
Date: _____

CITY OF READING, PENNSYLVANIA

LINDA A. KELLEHER CMC
CITY CLERK

CITY COUNCIL
ROOM 2-24
815 WASHINGTON STREET
READING, PA 19601-3690
(610) 655-6204

DATE: **December 17, 2009**
FROM: **Linda A. Kelleher, City Clerk**

Please place the following ad in the Reading Eagle Times in the Public Notice Section on Monday, December 21st

City of Reading
Adopting the 2009 PA UCC

The City of Reading City Council has introduced an ordinance on Monday, December 14, 2009 that will adopt the 2009 Editions of the International Building Code, Existing Building Code, Electrical Code, Mechanical Code, Residential Code, Plumbing Code, Fire Code, Wildland-Interface Code, Performance Code for Buildings and Facilities, Fuel Gas Code and Energy Conservation Code in accordance with the Commonwealth of Pennsylvania Uniform Construction Code Act 45 Of 1999 as amended, and amending the same.

A copy of the complete ordinance may be obtained from the City Clerk's Office, City Hall, during regular business hours, by E Mail at Council@readingpa.org or by reviewing the December 28th agenda posted on the City's website at ReadingPa.gov.

Linda A. Kelleher CMC
City Clerk

FAX: (610) 655-6427 TDD: (610) 655-6442