

CODIFIED ORDINANCES OF TITUSVILLE
PART SEVENTEEN - BUILDING CODE

- Art. 1705. Building Permits.**
- Art. 1707. Uniform Construction Code.**
- Art. 1708. Board of Code Appeals.**
- Art. 1709. BOCA Building Code Adopted.**
- Art. 1711. BOCA National Property and Maintenance Code.**
- Art. 1713. Plumbing. (Repealed)**
- Art. 1714. Swimming pools.**
- Art. 1715. Holding Tanks.**
- Art. 1717. Numbering Buildings.**
- Art. 1719. 9-1-1 Property Numbering.**
- Art. 1721. Fences.**
- Art. 1725. Awnings.**

CODIFIED ORDINANCES OF TITUSVILLE

PART SEVENTEEN - BUILDING CODE

**ARTICLE 1705
Building Permits**

<p>1705.01 Permits required; exceptions.</p> <p>1705.02 Schedule of fees.</p> <p>1705.03 Submission of plans and specifications; inspection of electrical work.</p>	<p>1705.04 Water supply and safety of community protected.</p> <p>1705.05 Duty to enforce.</p> <p>1705.06 Right to inspection.</p> <p>1705.07 Hearings of appeals.</p>
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CROSS REFERENCES

Building inspectors - see 3rd Class §4132 (53 P.S. §391.32)
 City Manager to act as Building Official - see ADM. 121.01(b)(1)
 Zoning certificates and fees - see ZON. 1305.03, 1305.04
 Building Official; duties and right to inspect - see BLDG. 1709.04, 1709.06
 Building Official to enforce Housing Code - see HSG. 1905.01
 Electricity supply; fixture and outlets - see HSG. 1909.02, 1909.03
 Rooming house permit required - see HSG. 1919.01

1705.01 PERMITS REQUIRED; EXCEPTIONS.

(a) No construction, repair, alteration, removal or demolition of buildings and structures and no plumbing or electrical work, including the installation, removal or extension of electrical wire or conductors to be used for the transmission of electric current for light heat or power purposes in existing buildings, structures or outdoor electrical signs or displays or in the construction, reconstruction, alteration or repair of buildings, structures, displays or signs, unless excepted by this article, shall be undertaken prior to the issuance of a permit therefor by the Building Official.

(b) Generally, permits for plumbing shall be issued only to master plumbers or general contractors who will hire plumbing work done by a master plumber. However, permits for plumbing may be issued to any person to do any plumbing work regulated by the Building Code and its supplements and amendments in a single-family dwelling used exclusively for living purposes including the usual accessory buildings and quarters in connection with such building, provided the person is the bona fide owner of such dwelling, that the same will be occupied by the owner and that such owner shall personally purchase all material and perform all labor in connection therewith. (Ord. 1633 §1. Passed 12-28-64.)

- (c) The following exceptions apply:
- (1) Plumbing. Permits shall not be required under this article for minor repair work, provided no changes are made in drains or drain vents.
(Ord. 1873 §2. Passed 9-26-83.)
 - (2) Electrical. Permits shall not be required under this article for minor repair work such as replacement of lamps and fuses, the connection of portable electrical appliances to suitable permanently installed outlets, and equipment installed or work done by or for a public utility as defined by the Public Utility Law, May 28, 1937 (P.L. 1053).
(Ord. 1633 §1. Passed 12-28-64.)
- (d) All construction, repair, alterations, demolition of buildings or other activity undertaken pursuant to a building permit issued in accordance with this article shall be completed within the time specified by the permit. If no time is specified, all such activity must be completed within one year from the date the permit is issued.
- (1) Penalty. If the work undertaken pursuant to a building permit is not completed within the time allowed as set forth in subsection (d) of this article, the owner of the property for which the permit was issued shall be subject to a fine of not more than \$100.00 for each day that the work remains not completed in compliance with the Building Code.
 - (2) Hardship. If the construction, repair, alterations, demolition of building or other activity undertaken pursuant to a building permit issued is not performed within the specified time, it shall be a defense that the work cannot be so completed because of Hardship. Hardship shall be defined as the inability to perform work for which the construction permit is issued by reason of acts of God, severe financial distress on the part of the party receiving the building permit or some other cause outside of the control of the party to whom said permit was issued. In order for a finding of Hardship to exist it must be demonstrated that the party to whom the building permit was issued used its or their best effort in complying with the time as specified for performing and completing the permitted work and it must be further found that said Hardship would have delayed any reasonable person from completing the permitted work even though that person or entity used their best efforts to complete said activity.
(Ord. 3046. Passed 7-23-01.)

1705.02 SCHEDULE OF FEES.

Applications for permits shall be on suitable forms provided by the Building Official. The application shall be accompanied by fees in accordance with the following schedule.
(Ord. 1633 §2. Passed 12-28-64.)

"Estimated cost" as used in this section, means the reasonable value of all services, labor, materials and use of scaffolding and other appliances or devices entering into and necessary to the prosecution and completion of the work ready for occupancy. However, the cost of excavation or grading, painting, decorating or other work that is merely for embellishment or not necessary for the safe and lawful use of the building or structure, is not deemed a part of such estimated cost.
(Ord. 1557 §9(g). Passed 6-19-61.)

- (a) Fees for construction, alteration, removal or demolition of a building or structure shall be as provided in Article 191.
(Ord. 1846. Passed 1-13-81; Ord. 1954A. Passed 2-22-88; Ord. 3028. Passed 12-28-00.)
- (b) Plumbing.
(1) The fees stated in subsection (a) hereof shall include a permit for all plumbing work done or contemplated to be done in connection with the construction or alteration of a building or structure. The plumbing inspection fee provided for by Section 1713.06 shall accompany the fee provided for in subsection (a) hereof. (Ord. 1873 §1. Passed 9-26-83.)
(2) Application for plumbing work done independently of the construction or alteration of a building or structure shall be accompanied by a permit fee and the plumbing inspection fee provided for by Section 1713.06.
- (c) Electrical.
(1) The fees stated in subsection (a) hereof shall include a permit for all electrical work done or contemplated to be done in connection with the construction or alteration of a building or structure.
(2) Application for electrical work done independently of the construction or alteration of a building or structure shall be accompanied by a permit fee.
(Ord. 1633 §2. Passed 12-28-64.)

1705.03 SUBMISSION OF PLANS AND SPECIFICATIONS; INSPECTION OF ELECTRICAL WORK.

No permit shall be issued until plans and specifications showing the proposed work in necessary detail have been submitted to the Building Official and he has determined from examination of such plans and specifications that they give assurance that the work will conform to the provisions of the Building Code, its supplements and amendments, including the National Electrical and BOCA Plumbing Code. If a permit is denied, the applicant may submit revised plans and specifications without payment of an additional fee. If, in the course of the work, it is found necessary to make any change from the plans and specifications on which a permit has been issued, amended plans and specifications shall be submitted and a supplementary permit, subject to the same conditions applicable to the original application for permit, shall be issued to cover the change.

Each applicant for a permit to do electrical work shall furnish to the Building Official proof in writing that an application for inspection of the proposed electric wiring and electric apparatus has been made to the Middle Department Inspection Agency, Camden, New Jersey, or Atlantic-Inland, Inc., Fire Underwriters, or a similar organization that specializes in such inspections, to determine that the electrical work conforms with the provisions of the present or any future electrical and building code in force within the City. The payment of all inspection fees and charges of the inspectors shall be borne by the applicant.
(Ord. 1774 §1. Passed 5-28-74.)

1705.04 WATER SUPPLY AND SAFETY OF COMMUNITY PROTECTED.

The Building Official shall make such rules and regulations in furtherance of the purposes of the Building Code, its supplements and amendments, and not inconsistent with the specific provisions of such Code as may be deemed necessary to properly protect the water supply and the safety and welfare of the community as a whole as well as individually.
(Ord. 1633 §4. Passed 12-28-64.)

1705.05 DUTY TO ENFORCE.

It shall be the duty of the Building Official to enforce the provisions of the Building Code, its supplements and amendments, including the National Electric and Plumbing Codes and to make the inspections and tests required thereunder.
(Ord. 1633 §5. Passed 12-28-64.)

1705.06 RIGHT TO INSPECTION.

The Building Official, or a person designated by him, shall, after proper identification, have the right to enter any premises for the purpose of inspecting any plumbing or electrical system at such times as may be reasonably necessary to protect the public health.
(Ord. 1633 §6. Passed 12-28-64.)

1705.07 HEARINGS OF APPEALS.

Appeals from decisions of the Building Official shall be taken to the Board of Appeals established under the Building Code adopted by Article 1709 in accordance with the procedure therein set forth. Further appeal shall be made in accordance with procedure set forth in the Building Code. (Ord. 1633 §7. Passed 12-28-64.)

ARTICLE 1707
Uniform Construction Code

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|----------------|---|----------------|-------------------------------|
| 1707.01 | Administration and enforcement policy. | 1707.04 | Board of Appeals. |
| 1707.02 | Adoption. | 1707.05 | Other applicable laws. |
| 1707.03 | Administration and enforcement procedures. | 1707.06 | Fees. |

CROSS REFERENCES

Pennsylvania Construction Code - see 35 P.S. 7210.101 - 7210.1103

1707.01 ADMINISTRATION AND ENFORCEMENT POLICY.

The City hereby elects to administer and enforce the provisions of the Pennsylvania Construction Code Act, Act 45 of 1999, 35 P.S. §§7210.101 - 7210.1103, as amended from time to time, and the regulations promulgated thereunder.
(Ord. 3114. Passed 4-12-04.)

1707.02 ADOPTION.

The Uniform Construction Code (“the Code”), contained in 34 Pa. Code, Chapters 401-405, as amended from time to time, is hereby adopted and incorporated herein by reference as the Municipal Building Code of the City.
(Ord. 3114. Passed 4-12-04.)

1707.03 ADMINISTRATION AND ENFORCEMENT PROCEDURES.

The administration and enforcement of the Code within the City shall be undertaken in any of the following ways as determined by Council from time to time by resolution:

- (a) By the designation of an employee of the City to serve as the Municipal Code Official to act on behalf of the City;
- (b) By the retention of one or more Construction Code Officials or third-party agencies to act on behalf of the City;
- (c) By agreement with one or more other municipalities for the joint administration and enforcement of the Code through an intermunicipal agreement;
- (d) By entering into a contract with another municipality for the administration and enforcement of the Code on behalf of the City; or
- (e) By entering into an agreement with the Pennsylvania Department of Labor and Industry for plan review, inspections and enforcement of structures other than one-family or two family dwelling units and utility and miscellaneous use structures.
(Ord. 3114. Passed 4-12-04.)

1707.04 BOARD OF APPEALS.

A Board of Appeals shall be established by resolution of Council in conformity with the requirements of the relevant provisions of the Code, as amended from time to time, and for the purposes set forth therein. If at any time enforcement and administration is undertaken jointly with one or more other municipalities, said Board of Appeals shall be established by joint action of the participating municipalities.

(Ord. 3114. Passed 4-12-04.)

1707.05 OTHER APPLICABLE LAWS.

(a) All Building Code ordinances or portions of ordinances which were adopted by the City on or before July 1, 1999, and which equal or exceed the requirements of the Code shall continue in full force and effect until such time as such provisions fail to equal or exceed the minimum requirements of the Code, as amended from time to time.

(b) All Building Code ordinances or portions of ordinances which are in effect as of the effective date of this article and whose requirements are less than the minimum requirements of the Code are hereby amended to conform with the comparable provisions of the Code.

(c) All relevant ordinances, regulations and policies of the City not governed by the Code shall remain in full force and effect.

(Ord. 3114. Passed 4-12-04.)

1707.06 FEES.

Fees assessable by the City for the administration and enforcement undertaken pursuant to this article and the Code shall be established by Council by resolution from time to time.

(Ord. 3114. Passed 4-12-04.)

**ARTICLE 1708
Board of Code Appeals**

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|----------------|-----------------------------------|----------------|----------------|
| 1708.01 | Creation. | 1708.04 | Duties. |
| 1708.02 | Fees. | | |
| 1708.03 | Members; terms; vacancies. | | |

CROSS REFERENCES

Board of Appeals - see Sec. 112 of Pennsylvania Construction Code Act

1708.01 CREATION.

Council does hereby create and establish a Board of Code Appeals, as contemplated by Section R112 of the Pennsylvania Construction Code Act.
(Ord. 3115. Passed 5-10-04.)

1708.02 FEES.

A fee to file an appeal to the Board of Code Appeals shall be set by Council from time to time. (Ord. 3115. Passed 5-10-04.)

1708.03 MEMBERS; TERMS; VACANCIES.

The Board of Code Appeals shall be comprised of five members, all of whom shall be appointed by Council. Members of the Board of Code Appeals shall serve without compensation. The term of each member of the Board shall be five years or until his or her successor is appointed and qualified. The chair of the Board shall promptly notify Council in the event a vacancy should occur on the Board and Council shall thereafter appoint a member to fill the remainder of the unexpired term. The existing members of the City's Boca Board of Appeals shall serve as the initial members of the Board of Code Appeals until their current terms expire. Any member of the Board of Code Appeals may be removed from office for malfeasance, misfeasance or nonfeasance (including non-attendance at meetings) or for any other reason by majority vote of Council. The Board of Code Appeals shall elect its own chair and vice chair and may adopt such other rules and regulations as deemed necessary for the orderly conduct of its business. The Board of Code Appeals shall consist of members who are qualified by experience and trained to review matters related to building construction. No member of the Board of Code Appeals may be a member of Council or an employee of the City. All members of the Board of Code Appeals shall, except as hereinafter provided, be residents of the City. In the event sufficient persons who meet the minimum qualifications to serve on the Board of Code Appeals cannot be found, the remaining vacancies on the Board may be filled by qualified persons who reside outside the City.
(Ord. 3115. Passed 5-10-04.)

1708.04 DUTIES.

The Board of Code Appeals shall review all appeals of decisions of the Code Administrator under the Pennsylvania Uniform Construction Code and under any other codes that may be hereinafter adopted by the City for which appeal review responsibility is assigned to the Board of Code Appeals by further resolution of Council. The Board shall review all properly filed appeals and render a decision thereon. Appeals shall be based on a claim that the true intent of the Pennsylvania Construction Code Act or regulations has been improperly interpreted by the Code Administrator; that the provisions of the Pennsylvania Construction Code Act (or relevant statutes) do not apply; or that an equivalent form of construction may be used. In rendering a decision, the Board shall have no authority to waive the requirements of the Pennsylvania Uniform Construction Code or other applicable code or law.
(Ord. 3115. Passed 5-10-04.)

ARTICLE 1709
BOCA Building Code Adopted

1709.01	Purpose and adoption.	1709.07	Definitions.
1709.02	Building Official; creation, appointment and disability.	1709.08	Fire limits established.
1709.03	Qualifications of Building Official.	1709.09	Saving clause.
1709.04	Duties of Building Official.	1709.10	Validity.
1709.05	Cooperation of other officials.	1709.11	Code amendments.
1709.06	Right of entry to inspect.	1709.99	Penalty.

CROSS REFERENCES

Power to adopt code by reference - see 3rd Class Charter Law §608(a)
(53 P.S. §41608(a))
Building inspectors - see 3rd Class §4132 (53 P.S. §39132)
Zoning performance standards - see ZON. 1309.05
Fire limits used as limits for prohibiting storage of explosives, flammable liquids and liquefied petroleum gases - see FIRE PREV. 1505.04 et seq.
Building Official to enforce Building Code - see BLDG. 1705.05
Right of Building Official to inspect - see BLDG. 1705.06
Building Official to enforce Housing Code - see HSG. 1905.01
Housing Code compliance with National Electrical Code - see HSG. 1909.02, 1909.03

1709.01 PURPOSE AND ADOPTION.

There is hereby adopted by the City for the purpose of establishing rules and regulations for the construction, alteration, removal, demolition, equipment, use and occupancy, location and maintenance of building and structures, including permits and penalties, that certain Building Code known as the Building Officials and Code Administrators International, Incorporated, Building Code, 1999, Fourteenth Edition, including all amendments and supplements thereto as the same shall from time to time be made, save and except such portions as are hereinafter or herebefore deleted, modified or amended, of which not less than ten copies have been, and are ow filed in the office of the City Clerk. The same are hereby adopted and incorporated as fully as if set forth at length herein, and from the date on which this article shall take effect, the provisions thereof shall be controlling in the construction of all buildings and structures contained within the corporate limits of the City.

(Ord. 1764 §1. Passed 8-13-73; Ord. 3040. Passed 3-12-01.)

1709.02 BUILDING OFFICIAL; CREATION, APPOINTMENT AND DISABILITY.

The office of Building Official is hereby created and the executive official in charge shall be known as the Building Official.

- (a) The Building Official shall be appointed by Council. His appointment shall continue during good behavior and satisfactory service. He shall not be removed from office except for cause, after full opportunity has been given him to be heard on specific charges.
- (b) During temporary absence or disability of the Building Official, the appointing authority shall designate an acting Building Official.
(Ord. 1557 §2. Passed 6-19-61.)

1709.03 QUALIFICATIONS OF BUILDING OFFICIAL.

To be eligible for appointment, the candidate for the position of Building Official shall have had experience as an architect, structural engineer, building inspector or superintendent of building construction. He shall be in good health and physically capable of making the necessary examinations and inspections. He shall not have any interest whatever, directly or indirectly, in the sale or manufacture of any material, process or device entering into or used in or in connection with building construction, alterations, removal and demolition.
(Ord. 1557 §3. Passed 6-19-61.)

1709.04 DUTIES OF BUILDING OFFICIAL.

The duties of the Building Official shall be as follows:

- (a) The Building Official shall devote full time to the duties of his office. He shall receive applications required by the Building Code, issue permits and furnish the prescribed certificates. He shall examine premises for which permits have been issued and shall make necessary inspection to see that the provisions of law are complied with and that construction is prosecuted safely. He shall enforce all provisions of the Building Code. He shall, when requested by proper authority or when the public interest so requires, make investigations in connection with matters referred to in the Building Code and render written reports on the same. To enforce compliance with law, to remove illegal or unsafe conditions, to secure the necessary safeguards during construction or to require adequate exit facilities in buildings and structures, he shall issue such notices or orders as may be necessary.
- (b) Inspections required under the provisions of the Building Code shall be made by the Building Official or his duly appointed assistant. The Building Official may accept reports of inspectors of recognized inspection services, after investigation of their qualifications and reliability. No certificate called for by any provision of the Building Code shall be issued on such reports unless the same are in writing and certified to by a responsible officer of such service.
- (c) The Building Official shall keep comprehensive records of applications, of permits issued, of certificates issued, of inspections made, of reports rendered and of notices or orders issued. He shall retain on file copies of required plans and all documents relating to building work so long as any part of the building or structure to which they relate may be in existence.
- (d) All such records shall be open to public inspection for good and sufficient reasons at the stated office hours, but shall not be removed from the office of the Building Official without his written consent.
- (e) The Building Official shall make written reports to his immediate superior once each month or oftener if requested, including statements of permits and certificates issued, and orders promulgated.
(Ord. 1557 §4. Passed 6-19-61.)

1709.05 COOPERATION OF OTHER OFFICIALS.

The Building Official may request and shall receive so far as may be necessary, in the discharge of his duties, the assistance and cooperation of other City officials.
(Ord. 1557 §5. Passed 6-19-91.)

1709.06 RIGHT OF ENTRY TO INSPECT.

The Building Official, in the discharge of his official duties and upon proper identification, shall have authority to enter any building, structure or premises at any reasonable hour.
(Ord. 1557 §6. Passed 6-19-61.)

1709.07 DEFINITIONS.

In the Building Code, certain terms are defined as follows:

- (a) "Municipality" means the City of Titusville.
- (b) "Corporation Counsel" means the City Solicitor.

(Ord. 1557 §7. Passed 6-19-61.)

1709.08 FIRE LIMITS ESTABLISHED.

The City fire limits are hereby established as follows: Beginning at the intersection of North Drake Street and East Main Street; thence south on Drake Street to East Spring Street; thence west on East Spring Street to Martin Street; thence south on Martin Street to Oil Creek; thence west along Oil Creek to Perry Street; thence north along Perry Street to the Pennsylvania Railroad tracks of Water Street switch; thence west along same tracks and the main tracks of the Pennsylvania Railroad to Central Avenue; thence north along New Street to Rice Place; thence east along Rice Place to a point directly south of the intersection of West Main Street and West Spring Street; thence north to the intersection of Main and Spring Streets; thence east along Main Street to the place of beginning.
(Ord. 1557 §8. Passed 6-19-61.)

1709.09 SAVING CLAUSE.

Nothing in this article or in the Building Code hereby adopted shall be construed to affect any suit or proceeding now pending in any court, any rights acquired or liability incurred, nor any cause or causes of action accrued or existing, under any act or ordinance repealed hereby. Nor shall any right or remedy of any character be lost, impaired or affected by this article.
(Ord. 1557 §10. Passed 6-19-61.)

1709.10 VALIDITY.

The invalidity of any section or provision of this article or of the Building Code hereby adopted shall not invalidate other sections or provisions thereof.
(Ord. 1557 §11. Passed 6-19-61.)

1709.11 CODE AMENDMENTS.

The Building Code is amended and changed in the following respects:

- (a) Section 100.4 entitled Validity of Other Laws is enacted to read as follows:

Nothing in this Code shall be construed to prevent the enforcement of other laws and regulations, local, state or otherwise, which prescribe more restrictive limitations. It is further stipulated that the Pennsylvania Building Regulations for Protection from Fire and Panic shall take precedence where applicable over this Code, and the provisions of all other Regulations of the Pennsylvania Department of Labor and Industry shall be applied in all matters not specifically covered by this Building Code and amendments or supplements thereto.

- (b) Section 711.1 entitled Minimum Roof Load is amended to include the following:

Ordinary roofs, either flat, pitched or curved shall be designed for a load of not less than thirty pounds per square foot of horizontal projection in addition to the dead load and in addition to either the wind or other loads, whichever produces the greater stresses. (Ord. 1557 §13. Passed 6-19-91.)

- (c) Section 1700.2 entitled Application of Local Provisions is enacted to read as follows:

All provisions of Article 1713 of the Codified Ordinances relating to plumbing, as the same shall be amended from time to time, are hereby incorporated by reference and made a part hereof.

(Ord. 1626 §2. Passed 9-8-64.)

- (d) Section 1500.4 entitled Inspections is enacted to read as follows:

The District Inspector of the Middle Association of Fire Underwriters is hereby designated as the official charged with the inspection under and the enforcement of the provisions for electrical installation adopted by the City. The District Inspector or his duly authorized agent shall have authority to enter any building, structure or premises in the City at any reasonable time for the purpose of making any inspection as provided in the National Electrical Code.

(Ord. 1675 §2. Passed 5-8-67.)

- (e) Section 116.0 entitled Demolition of Building is repealed and the following is substituted therefor.

116.1 Permit Required. No person shall commence to demolish, tear down or remove, or demolish, tear down or remove any part or portion of a structure or building within the City without having first made application to the Building Official for a permit to do so, and having received such permit under the terms hereinafter set out.

116.2 Permit Application Data and Acceptance of Liability. All applications for a permit shall be made to the Building Official or his deputies or clerks on a form to be furnished by the City for the purpose, in which application shall be stated the exact location of the property affected, the ownership of the property, the time when the work is to commence and be finished, the name of the contractor or other person making the application, and all other necessary particulars.

Every such application shall be signed by the owner or owners of the property or by their authorized agents, and the owner shall, in the application, accept full responsibility and liability for the things that are done or to be done under the authority of any permit issued by the City to the applicant. The applicant shall agree to save harmless the City from any and all responsibility or liability for damages or injuries arising out of the activities allowed by the permit, including but not limited to counsel fees in the event of an action being brought in which the City is a party.

116.3 Bond. The applicant shall furnish to the City a bond in the amount of at least five thousand dollars (\$5,000), which bond may be increased to not more than one hundred thousand dollars (\$100,000) by action of Council or recommendation of the Building Official. Such bond shall be conditioned upon the contractor and owner completing the demolition, tearing down and removal of such building or structure, within the time specified originally by the permit, or by time extension as herein provided, and that the contractor or the owner shall thoroughly clean up and level the location of the demolished, torn down or removed building or structure. However, in the event the location is to be used for other buildings, structures or purposes, the Building Official may, upon application to him, authorize a permit which does not require the cleaning up or leveling of the site for a specified period of time, not to exceed sixty days.

116.4 Time Allowed; Fee per Week. All permits shall be originally limited to sixty days, and the applicant shall pay for such permit a fee, to cover the cost of the exercise of the police power of the City, in the amount of one dollar (\$1.00) for each week provided for the doing of the work.

116.5 Time Extension Procedure and Fee. If, before the work is completed, the permit expires, the contractor or owner of the property involved shall make application to the Building Official for an extension of the time of the permit, and if the Building Official is satisfied that the holder of the permit and the property owner have not been guilty of any dilatory tactics or delay, he may grant an extension of time on the permit not to exceed thirty additional days, but the permittee shall pay an additional one dollar (\$1.00) per week for each week of such extension of the permit. If, however, the Building Official recommends to Council that such an extension of the permit not be granted, Council, sitting as a body of the whole, shall act as a Board of Appeal for the contractor or landowner, and shall grant a hearing to the contractor or landowner, after which hearing Council shall deny an extension of time to demolish, or grant such extension of time to demolish as Council deemed equitable under the evidence. Any application for an extension of a permit beyond thirty days from the expiration of the original permit shall be made through the Building Official directly to Council, and the time and cost of such extension shall be fixed by resolution of Council after the hearing provided above.

116.6 Shelters, Barricades, Lights, Signs. When any such permit is issued, the holder thereof or the owner shall be required to erect over the sidewalks and streets, ground floor building openings that are accessible from ground level, or portions thereof, all necessary shelters and barricades, and to furnish the same with lights and adequate signs for the full protection of the traveling public, as shall be required by specifications to be drawn from time to time by the Building Official and approved by Council. Until such shelters and barricades, lights and signs have been provided and erected by the holder of the permit, or by the owner of the property, any demolition, tearing down or removal of the building or structure or any portion thereof on the affected land shall be in violation of this section, for which the permittee and owner of the property shall be liable. In addition, such activities as are enumerated in this section shall be grounds for the revocation of any other license or permit previously granted.

116.7 Penalty. Any person, firm or corporation who violates any provision of Sections 116.1 through 116.7 or any person permitting such violation on land owned by him, shall be guilty of a violation of the Building Code of the City of Titusville, and upon proof of such violation, a fine of not more than one hundred dollars (\$100.00) for each offense shall be payable, and in default of payment of such fine and costs, such person shall be subject to imprisonment for a period not in excess of ten days. Any violation shall be a separate and distinct violation and shall subject the violator to a separate and distinct penalty. (Ord. 1764 §2. Passed 8-13-73.)

1709.99 PENALTY.

Any person, firm or corporation who violates any provision of the Building Code as adopted by this article, as amended, shall, upon conviction in summary proceeding, be fined not more than one hundred dollars (\$100.00) or imprisoned not more than thirty days, or both. Each violation of any of the provisions of such Code, as adopted, and each day the same is violated shall be deemed a separate and distinct offense. (Ord. 1692 §2. Passed 3-29-68.)

ARTICLE 1711
BOCA National Property and Maintenance Code

1711.01 Adoption by reference.

1711.02 Amendments.

CROSS REFERENCES

Housing Code - see HSG. Art. 1901 et seq.

1711.01 ADOPTION BY REFERENCE.

A certain document, copies of which are on file in the Office of the City Manager of the City of Titusville known as "The BOCA National Property and Maintenance Code/1996, Fifth Edition" as published by Building Officials and Code Administrators (BOCA) International, Inc., including all amendments and supplements thereto as the same shall from time to time be made, be and is hereby adopted as the Existing Structure Code of the City of Titusville, Crawford County, Pennsylvania for the control of buildings and structures as herein provided; and each and all of the regulations thereof are hereby referred to, adopted, and made a part thereof, as if fully set out in this article.

(Ord. 1929 §1. Passed 2-9-87; Ord. 3009. Passed 6-19-00.)

1711.02 AMENDMENTS.

The following definitions, terms and conditions apply as though fully set forth therein:

- (a) The name of the jurisdiction "City of Titusville" shall be inserted in Section ES-100.1 of the Code.
- (b) The penalty for violation of the Code shall be set forth as "not less than twenty-five dollars (\$25.00), nor more than three hundred dollars (\$300.00) or imprisonment for a term not to exceed ninety days, or both, at the discretion of the Court" in Section ES-110.2 of the Code. Each day that a violation continues after due notice has been served, in accordance with the terms and provisions hereof, shall be deemed a separate offense.
- (c) The time within which a person shall apply to the court of record for an order restraining the code official from raising and removing such structures or parts thereof shall be set forth as "ten days" in Section ES-112.4.

(Ord. 1929 §2. Passed 2-9-87.)

**ARTICLE 1713
Plumbing (Repealed)**

EDITOR'S NOTE: Former Article 1713 was repealed by Ordinance 3201, passed March 20, 2012.

NOTE: The next printed page is Page 19.

**ARTICLE 1714
Swimming Pools**

1714.01	Definitions.	1714.06	Periodic inspection.
1714.02	Permit required; connections with the City water supply.	1714.07	Shielding lights.
1714.03	Design and construction requirements.	1714.08	Polluted water.
1714.04	Sanitation of premises.	1714.09	Noncompliance notice; failure to comply.
1714.05	Water requirements.	1714.99	Penalty.

CROSS REFERENCES

Water service connections - see S.U. & P.S. 923.05
 Pools to employ filter and recirculation system - see S.U. & P.S. 925.03(d)
 Plumbing - see BLDG. Art. 1713

1714.01 DEFINITIONS.

For the purposes of this article, the following terms, phrases, words and their derivations shall have the meanings given herein. When not inconsistent with the context, words used in the present tense include the future, words in the plural number include the singular, and words in the singular number include the plural number. The word “shall” is mandatory and not merely directory.

- (a) “City” means the City of Titusville.
- (b) “Board of Health” means the Board of Health of the City.
- (c) “Health Officer” means the Health Officer of the City.
- (d) “Building Inspector” means the Building Inspector of the City.
- (e) “Swimming pool” means any man-made or artificial body of water of any depth, used for swimming or wading.
- (f) “Person” means any person, firm, partnership, association, corporation, company or other organization or entity of any kind.
(Ord. 1765 §1. Passed 11-2-73.)

1714.02 PERMIT REQUIRED; CONNECTIONS WITH THE CITY WATER SUPPLY.

Before work is commenced on the construction of any swimming pool, or any alteration, addition, remodeling or other change to a swimming pool, a building permit or repair and improvements permit, and any other required permits, shall be obtained in accordance with other City ordinances and regulations. The Building Inspector may require that plans, specifications and other pertinent data be submitted for his approval. No part of the work shall be commenced until all necessary permits have been obtained. All connections with the City water supply shall be installed by a plumber licensed by the City, and application for plumbing inspection under the City Plumbing Code shall be made for this work.

(Ord. 1765 §1. Passed 11-12-73.)

1714.03 DESIGN AND CONSTRUCTION REQUIREMENTS.

In addition to such other requirements as may be reasonably imposed by the Building Inspector, the City shall require that the following design and construction requirements be observed:

- (a) Cross Connections. No cross connections with the City water supply shall be permitted.
- (b) Pollution. Swimming pools shall not be exposed to excessive pollution by dust, smoke, soot or other undesirable substances.
- (c) Drainage. Swimming pools shall be drained to a natural stream or to the City's storm drain system. No swimming pool drain shall be permitted in the sanitary sewer system. In the event that swimming pools cannot drain to a natural stream or the City's storm drain system, and if such drainage is impossible, the swimming pool may be drained to the gutter or ditch in the street, subject to the approval of the City Building Inspector.
- (d) Enclosure of Swimming Pool. Every outdoor swimming pool shall be completely surrounded by a fence or wall not less than four feet in height, which shall be so constructed as to not have openings, holes or gaps larger than two inches in any dimension except for doors and gates. If a picket fence is erected or maintained, the space between the pickets shall not exceed four inches. A building may be used as part of such enclosure. All gates or doors opening through such enclosure shall be equipped with a self-closing and self-latching device for keeping the gates or doors securely closed when not in actual use, except that the door of any building which forms a part of the enclosure need not be so equipped. This requirement shall be applicable to all new swimming pools hereinafter constructed, and shall apply to all existing swimming pools. All swimming pools in existence or under construction on November 12, 1973, shall be enclosed as set forth herein within 150 days after the effective date of this article (Ordinance 1765, passed November 12, 1973).

(Ord. 1765 §1. Passed 11-12-73.)

1714.04 SANITATION OF PREMISES.

The buildings, grounds, dressing rooms and all swimming pool facilities shall be kept clean and in sanitary condition, and shall be maintained free from garbage, trash, pollutants, refuse or other noxious substances. (Ord. 1765 §1. Passed 11-12-73.)

1714.05 WATER REQUIREMENTS.

The water in any swimming pool shall meet the requirements of the Pennsylvania Department of Health for a safe drinking water supply.

(Ord. 1765 §1. Passed 11-12-73.)

1714.06 PERIODIC INSPECTION.

The Health Officer, or his representative, shall inspect or cause to be inspected all swimming pools within the City at such times as he may deem necessary to carry out the intent of this article. The Health Officer is hereby authorized to enter any premises, private or public, to inspect or to take such samples from such pools at such times as he may deem necessary, and to require the owner, proprietor or operator, to comply with the rules and regulations pertaining to swimming pools as promulgated by the Board of Health in accordance with this article. In the event of the failure to comply, after due notice, with the rules and regulations of the Board of Health or the requirements of this article, the Health Officer shall have the power to abate or cause a suspension of the use of such swimming pool until such time as the same is, in the opinion of the Health Officer, no longer a nuisance or a menace or a hazard to health. (Ord. 1765 §1. Passed 11-12-73.)

1714.07 SHIELDING LIGHTS.

Lights used to illuminate any pool shall be so arranged as to reflect light away from the adjoining premises. (Ord. 1765 §1. Passed 11-12-73.)

1714.08 POLLUTED WATER.

No body of water, whether natural or artificial, in the City, which contains sewage waste or other contaminating or polluting ingredients rendering the water hazardous to health, shall be used for swimming or bathing purposes by any person. (Ord. 1765 §1. Passed 11-12-73.)

1714.09 NONCOMPLIANCE NOTICE; FAILURE TO COMPLY.

Notice of noncompliance with this article shall be given in writing to the owner, lessee or person in charge of such pool. Such notice shall specify the manner of noncompliance and shall specify a time within which the noncompliance shall be corrected. Failure to comply within the time specified in this notice shall be a violation of this article. (Ord. 1765 §1. Passed 11-12-73.)

1714.99 PENALTY.

Any person violating any of the provisions or requirements of this article shall be fined not more than three hundred dollars (\$300.00) for each and every offense, and the cost of prosecution thereof, and, in default of payment thereof, shall be imprisoned not more than sixty days. (Ord. 1765 §1. Passed 11-12-73.)

**ARTICLE 1715
Holding Tanks**

1715.01 Purpose.	1715.06 Rates and charges.
1715.02 Definitions.	1715.07 Exclusiveness of rights and privileges.
1715.03 City powers.	1715.08 Duties of improved property owner.
1715.04 Authority to adopt rules and regulations.	1715.09 Abatement of nuisances.
1715.05 Rules and regulations to conform to applicable law.	1715.99 Penalty.

CROSS REFERENCES

Sewage disposal standards - see 25 Pa. Code §73.1 et seq.
Holding tanks - see 25 Pa. Code §73.81 et seq.

1715.01 PURPOSE.

The purpose of this article is to establish procedures for the use and maintenance of holding tanks designed to receive and retain sewage whether from residential or commercial uses and it is hereby declared that the enactment of this article is necessary for the protection, benefit and preservation of the health, safety and welfare of the inhabitants of this Municipality. (Ord. 1805 §1. Passed 9-26-77.)

1715.02 DEFINITIONS.

Unless the context specifically and clearly indicates otherwise, the meaning of terms used in this article shall be as follows:

- (a) "Holding tank" means a watertight receptacle which receives and retains sewage and is designed and constructed to facilitate ultimate disposal of the sewage at another site. Holding tanks include but are not limited to the following:
 - (1) "Chemical toilets" which is a toilet using chemicals that discharge to a holding tank.
 - (2) "Retention tank" which is a holding tank where sewage is conveyed to it by a water carrying system.
 - (3) "Vault pit privy" which is a holding tank designed to receive sewage where water under pressure is not available.
- (b) "Improved property" means any property within the City upon which there is erected a structure intended for continuous or periodic habitation, occupancy or use by human beings or animals and from which structure sewage shall or may be discharged.

- (c) "Owner" means any person vested with ownership, legal or equitable, sole or partial, of any property located in the City.
- (d) "Person" means any individual, partnership, company, association, corporation or other group or entity.
- (e) "Sewage" means any substance that contains any of the waste products or excrement or other discharge from the bodies of human beings or animals and any noxious or deleterious substance being harmful or inimical to the public health, or to animal or aquatic life or to the use of water for domestic water supply or for recreation.
- (f) "Municipality" means the City of Titusville.
(Ord. 1805 §1. Passed 9-26-77.)

1715.03 CITY POWERS.

The City is hereby authorized and empowered to undertake within the City the control and methods of holding tank sewage disposal and the collection and transportation thereof.
(Ord. 1805 §1. Passed 9-26-77.)

1715.04 AUTHORITY TO ADOPT RULES AND REGULATIONS.

The City is hereby authorized and empowered to adopt such rules and regulations concerning sewage which it may deem necessary from time to time to effect the purposes herein.
(Ord. 1805 §1. Passed 9-26-77.)

1715.05 RULES AND REGULATIONS TO CONFORM TO APPLICABLE LAW.

All such rules and regulations adopted by the City shall be in conformity with the provisions herein, all other ordinances of the City and all applicable laws, and applicable rules and regulations of administrative agencies of the Commonwealth.
(Ord. 1805 §1. Passed 9-26-77.)

1715.06 RATES AND CHARGES.

The City shall have the right and power to fix, alter, charge and collect rates, assessments and other charges in the area served by its facilities at reasonable and uniform rates as authorized by applicable law.
(Ord. 1805 §1. Passed 9-26-77.)

1715.07 EXCLUSIVENESS OF RIGHTS AND PRIVILEGES.

The collection and transportation of all sewage from any improved property using a holding tank shall be done solely by or under the direction and control of the City, and the disposal thereof shall be made only at such site or sites as may be approved by the Department of Environmental Resources of the Commonwealth.
(Ord. 1805 §1. Passed 9-26-77.)

1715.08 DUTIES OF IMPROVED PROPERTY OWNER.

The owner of an improved property that uses a holding tank shall:

- (a) Maintain the holding tank in conformance with this or any ordinance of the City, the provisions of any applicable law, and the rules and regulations of the City and any administrative agency of the Commonwealth.
- (b) Permit only the City or its agent to collect, transport and dispose of the contents therein. (Ord. 1805 §1. Passed 9-26-77.)

1715.09 ABATEMENT OF NUISANCES.

In addition to any other remedies provided in this article, any violation of Section 1715.08 shall constitute a nuisance and shall be abated by the Municipality by either seeking appropriate equitable or legal relief from a court of competent jurisdiction.
(Ord. 1805 §1. Passed 9-26-77.)

1715.99 PENALTY.

Whoever violates any provision of Section 1715.08 shall be fined not less than one hundred dollars (\$100.00) and not more than three hundred dollars (\$300.00) and costs, and in default shall be imprisoned for not more than thirty days.
(Ord. 1805 §1. Passed 9-26-77.)

**ARTICLE 1717
Numbering Buildings**

1717.01	Intersection center designated for numbering.	1717.05	Numbering corner lots.
1717.02	Direction prefix assigned.	1717.06	Notice to owner of number; map adoption and display.
1717.03	Numbering system for each thirty feet of lot frontage.	1717.07	Minimum height of numbers and placement.
1717.04	Numbering corresponding to thirty foot lots.	1717.08	Cost borne by owner.

CROSS REFERENCES

Power to regulate - see 3rd Class §2403(19) (53 P.S. §7403 (19))

1717.01 INTERSECTION CENTER DESIGNATED FOR NUMBERING.

The intersection of Franklin Street and Central Avenue shall be the center of the City for the purpose of numbering business places and residences in the City.
(Ord. 850 §1. Passed 4-19-15.)

1717.02 DIRECTION PREFIX ASSIGNED.

All streets and alleys running north from Central Avenue shall, in numbering, have the prefix "North" to each such street or alley. All streets and alleys running south from Central Avenue shall, in numbering, have the prefix "South" to such street or alley. All streets and alleys running east from Franklin Street shall in numbering, have the prefix "East" to each such street or alley. All streets and alleys running west from Franklin Street shall, in numbering, have the prefix "West" to each such street or alley.
(Ord. 850 §2. Passed 4-19-15.)

1717.03 NUMBERING SYSTEM FOR EACH THIRTY FEET OF LOT FRONTAGE.

In all blocks running north and south from Central Avenue the numbers shall commence with No. 101 on the west side of the street or alley, and with No. 102 on the east side of the street or alley. In all blocks running east and west from Franklin Street the numbers shall commence with No. 101 on the south side of the street or alley and with No. 102 on the north side of the street or alley. The east side of all streets and alleys running north and south shall bear even numbers and the west side shall bear odd numbers. The north side of all streets and alleys running east and west shall bear even numbers and the south side shall bear odd numbers.

Each thirty feet of frontage shall constitute a lot for numbering purposes and shall be numbered consecutively every thirty feet throughout the block, and shall not be continued into another block. Each succeeding block north, east, south or west from the intersection of Franklin Street and Central Avenue shall, in numbering, commence with an added one hundred.
(Ord. 850 §3. Passed 4-19-15.)

1717.04 NUMBERING CORRESPONDING TO THIRTY FOOT LOTS.

On all streets and alleys in the City each building shall be numbered corresponding nearest to its relative position to the nearest thirty feet next adjoining the center of such house upon the street upon which such house faces. Business houses and double residences shall be numbered every thirty feet.

(Ord. 850 §4. Passed 4-19-15.)

1717.05 NUMBERING CORNER LOTS.

Corner lots shall be numbered on both streets, but the number need only be displayed upon the street upon which the house faces.

(Ord. 850 §5. Passed 4-19-15.)

1717.06 NOTICE TO OWNER OF NUMBER; MAP ADOPTION AND DISPLAY.

The proper number for each house or building shall be provided by the City upon a printed form which shall be the official notice of the proper number for each property and shall be distributed to property owners at the expense of the City. A duplicate copy thereof shall be kept by the City. It shall be the duty of the City to complete a map which shall show the complete numbering of all streets and alleys in the City according to the provisions of this article. Such map shall be certified to by the City Engineer and adopted by Council as the official plan of the numbering of the streets and alleys of the City, and shall be displayed in the City Hall for general public reference.

(Ord. 850 §6. Passed 4-19-15.)

1717.07 MINIMUM HEIGHT OF NUMBERS AND PLACEMENT.

The numbers to be used in numbering the buildings on each of the streets and alleys of the City shall not be less than three inches in height. Numbers shall be placed upon each building in plain sight from the street upon which the building faces and not where the number will be obscured by veranda shadows or other obstructions to the plain sight thereof from the street.

(Ord. 850 §7. Passed 4-19-15.)

1717.08 COST BORNE BY OWNER.

The cost of furnishing and putting up the numbers shall be borne by the property owners.

(Ord. 850 §8. Passed 4-19-15.)

**ARTICLE 1719
9-1-1 Property Numbering**

1719.01	Property address numbering to be in compliance with 9-1-1 system location needs.	1719.04	Concealing or obstructing numbers prohibited.
1719.02	Street numbers displayed; signage.	1719.05	Orders to comply; appeals; costs a lien.
1719.03	Compliance with standards.	1719.99	Penalty.

CROSS REFERENCES

Power to regulate - see 3rd Class §2403(19) (53 P.S. §37403(19))

1719.01 PROPERTY ADDRESS NUMBERING TO BE IN COMPLIANCE WITH 9-1-1 SYSTEM LOCATION NEEDS.

The proper officers of the City of Titusville are hereby authorized and directed to do all acts necessary and proper to establish, implement and enforce a standardized system of property address numbering to be in compliance with the requirements of the Automatic Location information needs of the Crawford County 9-1-1 System.
(Ord. 2055. Passed 4-8-96.)

1719.02 STREET NUMBERS DISPLAYED; SIGNAGE.

(a) Each building to which a street number has been assigned shall have the street number prominently displayed upon the building. The street numbers may be affixed directly to the building or, alternatively, may be displayed upon a sign affixed to the building. The street number shall be displayed in such a manner that the numbers will contrast in color with the background, such that the numbers may be observed and readable from the nearest public or private right of way. It is recommended, but not mandated, that reflective numbers be used. All numbers shall be in standard arabic numerals and not less than three (3) inches in height and not less than one-half (1/2) stroke in width. All numbers required herein shall be displayed in the form of numerals only.

(b) For buildings which are located at a distance greater than 50 feet from the nearest public right of way or upon which signage cannot be attached which would be readable from the nearest public right of way by reason of natural or manmade obstructions, the owner of said property shall be required to, in addition to the provisions appearing in subsection (a) hereof, provide posted signage within 20 feet of the public right of way, which post shall have affixed thereon the street number which has been assigned to the building, with said street number to be affixed in conformity with the provisions appearing in subsection (a) hereof.

(c) The owner or owners of all private drives, rights-of-way or easements, upon which vehicular travel traverses and which is referenced in the addresses of homeowners whose residences abut said private drives shall, in addition to the other requirements set forth in this article, install a sign which identifies the private road or private drive name, with said signage to be placed at the entrance where the private road or private drive intersects with the public right-of-way, in such manner so as to be observable by persons traveling upon the public right-of-way.

(d) All persons required to display street numbers pursuant to the provisions of this article shall have such numbers in place no more than sixty (60) days following the effective date of this article.

(e) The provisions of the Zoning Ordinance of the City of Titusville requiring the issuance of a permit prior to the erection or construction of any sign upon residential property within the City shall be inapplicable to the street numbers required to be posted pursuant to this article. All persons must comply, however, with those provisions of the Zoning Ordinance prescribing limits on the size of any such signs displayed.
(Ord. 2055. Passed 4-8-96.)

1719.03 COMPLIANCE WITH STANDARDS.

It shall be the obligation of the owners of the property to which numbers are being assigned to comply with the standards set by this article, as directed by the proper officers of the City of Titusville.
(Ord. 2055. Passed 4-8-96.)

1719.04 CONCEALING OR OBSTRUCTING NUMBERS PROHIBITED.

It shall be unlawful to cover, conceal or obstruct any number placed upon a building, as is required under the terms of this article.
(Ord. 2055. Passed 4-8-96.)

1719.05 ORDERS TO COMPLY; APPEALS; COSTS A LIEN.

Upon determining that a building owner has not complied with the provisions appearing in this article, the City Manager is hereby authorized to issue orders to the owner of said building, requiring that the owner comply with the provisions of this article. The subject order shall be in writing and shall require that the owner comply with the provisions of this article within a period of not more than thirty (30) days.

Any person who is aggrieved by any order issued pursuant to this section may appeal the order to City Council by filing a written notice of appeal with the office of the City Manager within ten (10) days of the date of the subject order or notice.

In the event a property owner fails or refuses to take action in accordance with an order issued pursuant to this section, the City shall provide the signage, as necessary, in order to bring the property owner into compliance with the standards promulgated in this article, at the cost and expense of the property owner, including in such cost and expense a reasonable administrative fee as shall, from time to time, be approved by the City.

Should the owner of any property which has had the required signage installed by action of City officials pursuant to this section fail to pay the cost of such installation as determined and approved, then in that event the full costs thereof, together with all penalties, interest, fees and other charges which are authorized by applicable law, shall be assessed against the premises and the owners thereof and collected as a municipal lien or collected otherwise-as permitted by law. (Ord. 2055. Passed 4-8-96.)

1719.99 PENALTY.

Any person or persons who shall violate any provisions of this article shall upon conviction thereof be guilty of a summary offense and may be required to pay a fine in an amount not in excess of three hundred dollars (\$300.00) or, in default of payment thereof, serve imprisonment for a period not to exceed ninety (90) days. For purposes of this provision, each day a person or persons are not in compliance with the provisions of this article shall be deemed to be a separate offense. (Ord. 2055. Passed 4-8-96.)

ARTICLE 1721
Fences

1721.01 Barbed wire fences prohibited.

1721.99 Penalty.

CROSS REFERENCES

Power to regulate - see 3rd Class §2403(12) (53 P.S. §37403(12))

Fencing junk yards required - see B.R. & T. 309.05

1721.01 BARBED WIRE FENCES PROHIBITED.

The erection and construction of barbed wire fences within the City is hereby prohibited, and such fences are hereby declared to be a public nuisance.
(Ord. 182 §1. Passed 2-27-1888.)

1721.99 PENALTY.

Any person hereafter erecting and constructing a barbed wire fence within the City shall be deemed guilty of maintaining a public nuisance. Upon failure to remove the same within five days after notice, such person shall be fined not less than twenty-five dollars (\$25.00) nor more than three hundred dollars (\$300.00), plus the cost of prosecution. On failure thereafter to remove the same such violator shall be liable to prosecution for every five days the same shall be maintained and shall be fined as set forth in this provision for each violation.
(Ord. 1938 §1. Passed 6-8-87.)

ARTICLE 1725
Awnings

1725.01 Height above sidewalk.

1725.99 Penalty.

CROSS REFERENCES

Power to regulate - see 3rd Class §2403(17) (P.S. §37403(17))
Signs - see ZON. Art. 1321

1725.01 HEIGHT ABOVE SIDEWALK.

All awnings constructed, or hereafter to be constructed, of wood material shall not be less than nine feet above the sidewalk. All awnings constructed, or hereafter to be constructed, of cloth and iron shall not be less than seven feet above the sidewalk.
(Ord. Unno. Passed 5-17-1872.)

1725.99 PENALTY.

Any person violating this article or any part thereof shall be fined not less than twenty-five dollars (\$25.00) nor more than three hundred dollars (\$300.00) for each offense.
(Ord. 1939 §1. Passed 6-8-87.)