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PART 1

BOCA NATIONAL BUILDING CODE

§101. ADOPTION OF BUILDING CODE.

The Borough of East Conemaugh hereby adopts, for the purpose of establishing rules and regulations for the construction, alteration, equipment, fire protection and safety of buildings and structures, including administration, building permits, and penalties, the building code known as the "BOCA National Building Code, Twelfth Edition, 1993," as published by the Building Officials and Code Administrators International, Inc., save and except such portions as are hereinafter deleted, modified or amended, of which three copies have been and are now filed in the office of the Borough Secretary, and the same are hereby adopted and incorporated as fully as if set out at length herein. From the date on which this Part shall take effect, the provisions thereof shall be controlling in the construction of all buildings and structures, and in all other subjects therein contained, within the corporate limits of the Borough.

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§102. AMENDMENTS MADE IN BUILDING CODE

The building code hereby adopted is amended as follows:

A. Section 101.1, "Title," is amended to read:

§101.1. Title. These regulations shall be known as the "Building Code of East Conemaugh Borough," hereinafter referred to as "this code."

B. Section 112.3.1, "Fee Schedule," is amended to read:

§112.3.1. Fee Schedule. A fee for each plan examination, building permit and inspection shall be paid in accordance with the schedule of fees as established, from time to time, by resolution of the Borough Council.

C. Section 116.4, "Violation Penalties," is amended to read:

§116.4. Penalties. Any person who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, construct, alter or repair a building or structure in violation of an approved plan or directive of the code official, or of a permit or certificate issued under the provisions of this code, shall be, upon conviction thereof, sentenced to a fine of not more than \$1,000 plus costs and in default of payment of said fine and costs, to a term of imprisonment not to exceed 30 days.

D. Section 117.2, "Unlawful Continuance," is amended to read:

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§117.2. Unlawful Continuance. Any person who shall continue any work in or about the structure after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be, upon conviction thereof, sentenced to a fine of not more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 30 days.

E. Section 3408.2, "Applicability," is amended to read:

§3408.2. Applicability.

1. Structures existing prior to March 8, 1988, in which there is work involving additions, alterations or changes of occupancy, shall be made to conform to the requirements of this Section of the provisions of §§3403.0 through 3407.0.
2. The provisions in §§3408.2.1 through 3408.2.5 shall apply to existing occupancies that will continue to be, or are proposed to be, in Use Groups A, B, E, F, M, R and S. These provisions shall not apply to buildings with occupancies in Use Group H or I.

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§103. 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 Borough, as the case may be, shall control where the requirements thereof are the same as or in excess of the provisions of this Part. The code shall control in all cases where the State requirements, or the requirements of other ordinances of this Borough, are not as strict as those contained in this Part.

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§104. PROVISIONS TO BE CONTINUATION OF EXISTING REGULATIONS.

The provisions of this Part so far as they are the same as those of ordinances and/or codes in force immediately prior to the enactment of this Part, are intended as a continuation of such ordinances and codes and not as new enactments. The provisions of this Part shall not affect any act done or liability incurred, nor shall they affect any suit or prosecution pending or to be instituted to enforce any right or penalty or to punish any offense under the authority of any of the repealed ordinances.

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PART 2

BOCA NATIONAL PLUMBING CODE

§201. ADOPTION OF PLUMBING CODE.

The Borough of East Conemaugh hereby adopts, for the purpose of establishing rules and regulations for the design and installation of plumbing systems, including administration, plumbing permits, and penalties, the plumbing code known as the "BOCA National Plumbing Code, 1993, Ninth Edition," as published by the Building Officials and Code Administrators International, Inc., save and except such portions as are hereinafter deleted, modified or amended, of which three copies have been and are now filed in the office of the Borough Secretary, and the same are hereby adopted and incorporated as fully as if set out at length herein, and from the date on which this Part shall take effect, the provisions thereof shall be controlling in the design and installation of plumbing systems within the corporate limits of the Borough.

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§202. AMENDMENTS TO PLUMBING CODE.

The code hereby adopted is amended as follows:

A. Section P-101.1, "Title," is amended to read:

§P-101.1. Title. These regulations shall be known as the "Plumbing Code of the Borough of East Conemaugh; hereinafter referred to as "this code."

B. Section P-113.2, "Fee Schedule," is amended to read:

§P-113.2. Fee Schedule. The fees for all plumbing work shall be as indicated in the schedule of fees as adopted, from time to time, by resolution of the Borough Council.

C. Section P-116.4, "Violation Penalties," is amended to read:

§P-116.4. Penalties. Any person who shall violate any provision of this code or shall fail to comply with any of the requirements hereof or who shall erect, install, alter or repair plumbing work in violation of the approved construction documents or directive of the code official, or of a permit or certificate issued under the provisions of this code shall, upon conviction thereof, be sentenced to a fine of not more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 30 days. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

D. Section P-117.2, "Unlawful Continuance," is amended to read:

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§P-117.2. Unlawful Continuance. Any person who shall continue any work in or about the structure after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall, upon conviction thereof, be sentenced to a fine of not more than \$1,000 plus costs and, in default of payment of said fines and costs, to a term of imprisonment not to exceed 30 days.

E. Section P-304.3, "Public Systems Available," is amended to read:

§P-304.3. Public Systems Available. A public water main or public sewer system shall be considered available to a structure where the structure is located within [number] feet of the public water main or sewer.

F. Section P-309.4, "Freezing," is amended to read:

§P-309.4. Freezing. Water service piping shall be installed below recorded frost penetration but not less than [number] feet [number] inches below grade. In climates with freezing temperatures, plumbing piping in exterior building walls or areas subjected to freezing temperatures shall be protected against freezing by insulation or heat or both.

G. Section P-309.5, "Sewer Depth," is amended to read:

§P-309.5. Sewer Depth. Building sewers that connect to private sewage disposal systems shall be a minimum of [number] inches below finished grade at the point of septic tank connection. Building sewers shall be a minimum of [number] inches below grade.

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§203. 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 Borough, as the case may be, shall control where the requirements thereof are the same as or in excess of the provisions of this Part. The code shall control in all cases where the State requirements, or the requirements of other ordinances of this Borough, are not as strict as those contained in this Part.

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§204. PROVISIONS TO BE CONTINUATION OF EXISTING REGULATIONS

The provisions of this Part so far as they are the same as those of ordinances and/or codes in force immediately prior to the enactment of this Part, are intended as a continuation of such ordinances and codes and not as new enactments. The provisions of this Part shall not affect any act done or liability incurred, nor shall they affect any suit or prosecution pending

or to be instituted to enforce any right or penalty to punish any offense under the authority of any of the repealed ordinances.

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PART 3

BOCA NATIONAL FIRE PREVENTION CODE

§301. ADOPTION OF FIRE PREVENTION CODE.

The Borough of East Conemaugh hereby adopts, for the purpose of prescribing regulations governing conditions hazardous to life and property from fire or explosion, the fire prevention code known as the "BOCA National Fire Prevention Code, 1993, Ninth Edition," as published by the Building Officials and Code Administrators International, Inc., save and except such portions as are hereinafter deleted, modified or amended, of which three copies have been and now are filed in the office of the Borough Secretary and the same are hereby adopted and incorporated as fully as if set out at length herein. From the date on which this Part shall take effect, the provisions thereof shall be controlling within the corporate limits of the Borough.

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§302. AMENDMENTS MADE IN FIRE PREVENTION CODE.

The fire prevention code hereby adopted is amended as follows:

A. Section F-101.1, "Title," is amended to read:

§F-101.1. Title. These regulations shall be known as the "Fire Prevention Code of the Borough of East Conemaugh," hereinafter referred to as "this code."

B. Section F-112.3, "Penalty for Violations," is amended to read:

§112.3. Penalty. Any person who shall violate any of the provisions of this code or fail to comply with any order issued pursuant to any Section hereof, shall be, upon conviction thereof, sentenced to a fine of not less than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 30 days. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

C. Section F-3003.2, "Storage," is amended to read:

§3003.2. Storage. The storage of explosive materials is prohibited within the limitations established by law as the limitations of the district where such storage is prohibited and is further hereby established as follows:

(Here prescribe the limits wherein storage of explosive materials is prohibited.)

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§303. 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 Borough, as the case may be, shall control where the requirements thereof are the same as or in excess of the provisions of this Part. The code shall control in all cases where the State requirements, or the requirements of other ordinances of this Borough, are not as strict as those contained in this Part.

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§304. PROVISIONS TO BE CONTINUATION OF EXISTING REGULATIONS.

The provisions of this Part so far as they are the same as those of ordinances and/or codes in force immediately prior to the enactment of this Part, are intended as a continuation of such ordinances and codes and not as new enactments. The provisions of this Part shall not affect any act done or liability incurred, nor shall they affect any suit or prosecution pending or to be instituted to enforce any right or penalty or to punish any offense under the authority of any of the repealed ordinances.

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PART 4

NATIONAL ELECTRICAL CODE

§401. ADOPTION OF ELECTRICAL CODE.

The Borough of East Conemaugh hereby adopts, for the purpose of establishing rules and regulations for the installation, renewal, extension and reception of electric wiring and electric apparatus in existing buildings, structures or outdoor electrical displays or signs, or in the construction, reconstruction, alteration or repair of buildings, structures or outdoor electrical displays or signs, the electrical code known as the "National Electrical Code, 1993 Edition," as recommended and published by the National Fire Protection Association, of which not less than three copies have been and now are filed in the office of the Borough Secretary, and the same are hereby adopted and incorporated as fully as if set out at length herein. From the date on which this Part shall take effect, the provisions thereof shall be controlling for all existing and future electrical wiring and apparatus in buildings, structures or outdoor electrical displays or signs within the corporate limits of the Borough.

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§402. ENFORCEMENT.

The National Electrical Code adopted in §401, hereof, shall be enforced by the [Code Enforcement Officer]. The [Code Enforcement Officer] shall, upon the installation, removal, extension and reception of any electrical wiring and electric apparatus pursuant to this Part cause an inspection or inspections to be made by himself or his duly authorized agents, to determine that the electrical work conforms with the National Electrical Code, this Part and other ordinances of the Borough and the statutes of the Commonwealth of Pennsylvania.

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§403. PROHIBITION WITHOUT PERMIT

No person, copartnership, firm, association, corporation or other legal entity shall hereafter install, receive, renew or extend electrical wire or conductors to be used for the transmission of electric current for electric light, heat or power purposes in existing buildings, structures or outdoor electrical displays or signs or in the construction, reconstruction, alteration or repair of buildings, structures or outdoor electrical displays or signs, without first applying for and obtaining a permit to do so pursuant to this Part.

- A. All such applications for a permit shall be made to the [Code Enforcement Officer] in writing on forms supplied by said [Code Enforcement Officer].
- B. Any person making false answers to any questions or items set forth in such application form shall forfeit and surrender any permit issued pursuant thereto.

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- C. Such application form shall contain questions designed to elicit information to determine whether or not said proposed electric wiring and electric apparatus complies with the National Electrical Code, any other ordinances of the Borough and statutes of the Commonwealth of Pennsylvania.
- D. Each such application form shall be accompanied by a fee as prescribed by resolution, from time to time, by the Borough Council.
- E. Each applicant for a permit shall furnish to the [Code Enforcement Officer] proof in writing that an application for inspection of the proposed electric wiring and electric apparatus has been made to a local area inspection agency that specializes in such inspections, to determine that the electrical work conforms with the provisions of the National Electrical Code and this Part. The payment of all inspection fees and charges of the local area inspection agency shall be borne by the applicant.
- G. Each applicant for a permit shall cause the premises covered by the application to be open for inspection or inspections by the [Code Enforcement Officer] and his agents and the representative or representatives of the local area inspection agency at all reasonable times.
- H. Upon the determination of the [Code Enforcement Officer] that the proposed electric wiring and electric apparatus comply with the National Electrical Code, this and other ordinances of the Borough and the statutes of the Commonwealth of Pennsylvania, a permit shall be issued.
- I. All permits shall expire 1 year from the date of issuance by the [Code Enforcement Officer].

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§404. INSPECTION OF WORK UNDER PERMIT.

1. All inspections shall be made to insure that the proposed electrical work complies with the National Electrical Code. No electric wiring shall be concealed unless inspected and approved by the [Code Enforcement Officer] and his agents and the representatives or representative of the local area inspection agency, but such inspection or reinspection shall be made within a reasonable time after notice of completion of the electrical work sought to be inspected for approval. A duplicate record of each written approval made by the local area inspection agency shall be filed with the [Code Enforcement Officer].
2. All decisions made to determine whether or not the proposed electrical work complies with the provisions of the National Electrical Code shall be made by the [Code Enforcement Officer].
3. The [Code Enforcement Officer] shall have the power to stop electrical work and order the removal thereof when he determines that such work is being installed not in

conformity with the National Electrical Code, this and other ordinances of the [Municipality] and the statutes of the Commonwealth of Pennsylvania.

4. The [Code Enforcement Officer] may waive his inspection to determine compliance with the National Electrical Code and this Part of all or that portion of the proposed electrical work for which he shall have received a duplicate record of approval by the local area inspection agency. The [Code Enforcement Officer] shall give notice so that the approved work may be concealed.

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§405. INSPECTION OF EXISTING ELECTRICAL WIRING AND APPARATUS.

In order to safeguard persons and property against the hazards and perils incident to defective electric wiring and apparatus that are or may now be in existence within the corporate limits of the Borough the [Code Enforcement Officer] is hereby given the duty to inspect with his agents and their representative or representatives of the local area inspection agency, when requested by proper authority, or when public interest so requires, any premises within the Borough at reasonable times to insure that the existing electric wiring system and apparatus is not defective and unsafe.

- A. All decisions that the existing electric wiring system and apparatus is defective shall be made by the [Code Enforcement Officer] in writing on notice to the owner of the premises served forthwith personally or by regular mail addressed to the address shown on the latest tax records, with reasons for his decision.
- B. Upon the decision of the [Code Enforcement Officer] that the existing electric wiring is defective and unsafe as aforesaid, the system or portions of the system which are defective and unsafe shall be discontinued until it is corrected and made to comply with the provisions of the National Electrical Code in accordance with this Part.

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§406. HEARING.

Every applicant and owner of the premises and other parties in interest shall have the right to demand in writing a hearing before the Borough Council to contest any decision or order made by the [Code Enforcement Officer]. Such demand for a hearing shall be signed by the contesting party within 10 days of denial of permit stating what portions of the decision or orders are contested and his, or her, or their interest in the premises.

- A. The [Code Enforcement Officer] shall fix a time and place for the hearing to be held not more than 30 days after receiving such demand for a hearing and cause a notice of the hearing to be served personally or by regular mail on the contestant, owner of the premises, other parties in interest and the Borough Council.

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- B. The contestant, owner of the premises and other parties in interest shall have the right to appear in person, or otherwise, and give testimony at the hearing. Rules of evidence prevailing in the courts shall not be controlling.
- C. The Borough Council, within a reasonable time after such hearing, shall make their decision in writing with a finding of the facts and the reasons for its decision, and serve a copy of its decision personally or by regular mail on the contestant, owner of the premises and other parties in interest.

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§407. APPROVED MATERIALS.

Only materials, fittings and devices enumerated in the "List of Inspected Appliances" of the Underwriters Laboratories, Inc., as revised from time to time, shall be used in the electrical work regulated by the National Electrical Code and this Part.

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§408. SUPPLEMENTS.

The National Electrical Code herein adopted is supplemented by adding thereto the following, which is made a part hereof:

- A. Whenever a permit is required under the terms of this Part for electrical wiring and apparatus to be done in connection with a gas or oil burner installation in any existing building or structure or in the construction, reconstruction, alteration or repair of buildings or structures, there shall be installed, an emergency shut off switch with a red plate thereon marked "oil burner" or "gas burner," as the case may be, at the entrance to the basement or heating room.

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§409. MODIFICATION ON APPLICATION.

The Borough Council shall have the power to modify any of the provisions of this Part, upon application in writing by the owner of a premises or his agent, when there are practical difficulties in the way of carrying out the strict letter of this Part, provided that the spirit of this Part shall be observed, public safety secured and substantial justice done.

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§410. RECORDS.

All records of the [Code Enforcement Officer] pursuant to this Part shall be open to public

inspection for good and sufficient reasons during office hours, but shall not be removed from the office of the [Code Enforcement Officer] without his written consent.

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§411. EXEMPTION.

No permit shall be required under this Part for the following electrical work:

- A. Minor repair work such as the replacement of lamps and fuses.
- B. The connection of portable electrical appliances to suitable permanently installed appliances.
- C. Equipment installed or work performed by or for a public utility operating under authority granted by the Pennsylvania Public Utility Commission.
- D. Equipment installed or work performed by a railway utility in the exercise of its function as a utility and located in or on its right-of-way.
- E. Equipment used in connection with commercial radio and television transmission.
- F. Repair, manufacturing and maintenance work on premises occupied by a firm or corporation and performed by a regular employee who is a qualified journeyman electrician.

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§412. FEES.

Fees for permits or renewals thereof required by this Part shall be as established, from time to time, by resolution of the Borough Council.

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§413. PENALTIES.

Any person who shall violate any provision of this Part or of the National Electrical Code hereby adopted or fail to comply therewith, or who shall violate or fail to comply with any order made hereunder, or who shall do or cause to be done electrical work in violation of any detailed statement of specifications or plans submitted and approved hereunder, or any certificate or permit issued hereunder, and from which no appeal has been taken, or who shall fail to comply with such an order as affirmed or modified by the [Code Enforcement Officer] within the time fixed therein, shall, upon conviction thereof, be sentenced to pay a fine of not more than \$1,000 plus costs and, in default of payment of said fine and costs, to

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a term of imprisonment not to exceed 30 days. Each day that a violation continues, following notice thereof, shall constitute a separate offense.

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§414. 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 Borough, as the case may be, shall control where the requirements thereof are the same as or in excess of the provisions of this Part. The code shall control in all cases where the State requirements, or the requirements of other ordinances of this Borough, are not as strict as those contained in this Part.

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§415. PROVISIONS TO BE CONTINUATION OF EXISTING REGULATIONS.

The provisions of this Part so far as they are the same as those of ordinances and/or codes in force immediately prior to the enactment of this Part, are intended as a continuation of such ordinances and codes and not as new enactments. The provisions of this Part shall not affect any act done or liability incurred, nor shall they affect any suit or prosecution pending or to be instituted to enforce any right or penalty or to punish any offense under the authority of any of the repealed ordinances.

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PART 5

BOCA NATIONAL PROPERTY MAINTENANCE CODE

§501. ADOPTION OF PROPERTY MAINTENANCE CODE.

The Borough of East Conemaugh hereby adopts, for the purpose of establishing rules and regulations for the maintenance of all structures, including administration, enforcement and penalties, the property maintenance code known as the "BOCA National Property Maintenance Code, Fourth Edition, 1993," as published by the Building Officials and Code Administrators International, Inc., save and except such portions as are hereinafter deleted, modified or amended, of which three copies have been and are now filed in the office of the Borough Secretary, and the same are hereby adopted and incorporated as fully as if set out at length herein. From the date on which this Part shall take effect, the provisions thereof shall be controlling in the maintenance of all structures, and in all other subjects therein contained, within the corporate limits of the Borough.

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§502. AMENDMENTS MADE IN PROPERTY MAINTENANCE CODE.

The property maintenance code hereby adopted is amended as follows:

A. Section PM-101.1, "Title," is amended to read:

§PM-101.1. Title. These regulations shall be known as the Property Maintenance Code of the Borough of East Conemaugh, hereinafter referred to as "this code."

B. Section PM-106.2, "Penalty," is amended to read:

§PM-106.2. Penalty. Any person who shall violate a provision of this code shall, upon conviction thereof, be sentenced to pay a fine of not more than \$1,000 plus costs and, in default of payment of said fine and cost, to a term of imprisonment not to exceed 30 days. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

C. Section PM-304.12, "Insect Screens," is amended to read:

§PM-304-12. Insect Screens.

1. During the period from April 1 to October 1, every door, window and other outside opening utilized or required for ventilation purposes serving any structure containing habitable rooms, food preparation areas, food service areas, or any areas where products to be included or utilized in food for human consumption are processed, manufactured, packaged or stored, shall be supplied with approved tightly fitting screens of not less

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than 16 mesh per inch and every swinging door shall have a self-closing device in good working condition.

2. Exception. Screen doors shall not be required for out-swinging doors or other types of openings which make screening impractical, provided other approved means, such as air curtains or insect repellent fans are employed.

D. Section PM-602.2, "Residential Buildings," is amended to read:

§PM-602.2. Residential Buildings. Every dwelling shall be provided with heating facilities capable of maintaining a room temperature of 65 degrees F. (18 degrees C.) in all habitable rooms, bathrooms and toilet rooms based on the outside design temperature required for the locality by the mechanical code listed in this Chapter.

E. Section PM-602.3, "Nonresidential Structures," is amended to read:

§PM-602.3. Nonresidential Structures.

1. Every enclosed occupied work space shall be supplied with sufficient heat to maintain a temperature of not less than 65 degrees F. (18 degrees C.) during all working hours.
2. Exceptions.
 - A. Processing, storage and operation areas that require cooling or special temperature conditions.
 - B. Areas in which persons are primarily engaged in vigorous physical activities.

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§503. 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 Borough, as the case may be, shall control where the requirements thereof are the same as or in excess of the provisions of this Part. The code shall control in all cases where the State requirements, or the requirements of other ordinances of this Borough, are not as strict as those contained in this Part.

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§504. PROVISIONS TO BE CONTINUATION OF EXISTING REGULATIONS.

The provisions of this Part so far as they are the same as those of ordinances and/or codes in force immediately prior to the enactment of this Part, are intended as a continuation of such ordinances and codes and not as new enactments. The provisions of this Part shall not affect any act done or liability incurred, nor shall they affect any suit or prosecution pending or to be instituted to enforce any right or penalty or to punish any offense under the authority of any of the repealed ordinances.

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PART 6

BOCA NATIONAL MECHANICAL CODE

§601. ADOPTION OF MECHANICAL CODE.

The Borough of East Conemaugh hereby adopts, for the purpose of prescribing regulations governing the safe installation and maintenance of all mechanical equipment, the mechanical code known as the "BOCA National Mechanical Code, 1993, Eighth Edition," as published by the Building Officials and Code Administrators International, Inc., save and except such portions as are hereinafter deleted, modified or amended, of which three copies have been and now are filed in the office of the Borough Secretary and the same are hereby adopted and incorporated as fully as if set out at length herein. From the date on which this Part shall take effect, the provisions thereof shall be controlling within the corporate limits of the Borough.

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§602. AMENDMENTS MADE IN MECHANICAL CODE.

The mechanical code hereby adopted is amended as follows:

A. Section M-101.1, "Title," is amended to read:

§M-101.1. Title. These regulations shall be known as the "Mechanical Code of the Borough of East Conemaugh," hereinafter referred to as "this code."

B. Section M-113.2, "Periodic Inspections," is amended to read:

§M-113.2. Periodic Inspections. The fees for all periodic inspections shall be as established, from time to time, by resolution of the Borough Council.

C. Section M-113.3, "Fee Schedule," is amended to read:

§M-113.3. Fee Schedule. The fees for all mechanical work shall be as provided, from time to time, by resolution of the Borough Council.

D. Section M-116.4, "Violation Penalties," is amended to read:

§M-116.4. Violation Penalties. Any person who shall violate a provision of this code or shall fail to comply with any of the requirements hereof or who shall erect, construct, alter or repair mechanical equipment or systems in violation of the approved construction documents or directive of the code official, or of a permit or certificate issued under the provisions of this code shall, upon conviction thereof, be sentenced to pay a fine of not more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not

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to exceed 30 days. Each day that a violation continues after notice has been served shall be deemed a separate offense.

E. Section M-117.2, "Unlawful Continuance," is amended to read:

§M-117.2. Unlawful Continuance. Any person who shall continue any work in or about the structure after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall, upon conviction thereof, be sentenced to pay a fine of not more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 30 days.

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§603. 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 Borough, as the case may be, shall control where the requirements thereof are the same as or in excess of the provisions of this Part. The code shall control in all cases where the State requirements, or the requirements of other ordinances of this Borough, are not as strict as those contained in this Part.

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§604. PROVISIONS TO BE CONTINUATION OF EXISTING REGULATIONS.

The provisions of this Part so far as they are the same as those of ordinances and/or codes in force immediately prior to the enactment of this Part, are intended as a continuation of such ordinances and codes and not as new enactments. The provisions of this Part shall not affect any act done or liability incurred, nor shall they affect any suit or prosecution pending or to be instituted to enforce any right or penalty or to punish any offense under the authority of any of the repealed ordinances.

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