

Chapter 63
MECHANICAL STANDARDS

§ 63-1. Adoption of standards.

§ 63-3. Modification of standards.

§ 63-2. Administration; Office of Code Enforcement.

§ 63-4. General provisions; unlawful lease by owner.

[HISTORY: Adopted by the Borough Council of the Borough of Pennsburg 2-7-1994 by Ord. No. 2-94, which ordinance superseded former Ch. 63, Mechanical Standards, adopted 8-5-1991 by Ord. No. 5-91. Amendments noted where applicable.]

GENERAL REFERENCES

Building construction — See Ch. 34.
Code enforcement — See Ch. 36.
Electrical standards — See Ch. 41.

Fire prevention — See Ch. 51.
Plumbing — See Ch. 75.

§ 63-1. Adoption of standards.

There is hereby adopted in its entirety by the municipality, copies of which are on file in the office of the municipality, that certain Mechanical Code known as the "BOCA National Mechanical Code/1993 Edition," as amended through the effective date of adoption of this chapter and as published by the Building Officials and Code Administrators International, Inc., save and except such provisions as are hereinafter deleted, modified or amended.

§ 63-2. Administration; Office of Code Enforcement.

The provisions of Ordinance No. 3-88 (Code Enforcement Ordinance), adopted by the municipality on December 5, 1988, are hereby incorporated by reference and readopted with this chapter. The administration and enforcement of this chapter and of the BOCA National Mechanical Code/1993 Edition adopted herein shall be carried out by the Office of Code Enforcement of the municipality, in accordance with the procedures established by Chapter 36, Code Enforcement, of the Code of the Borough of Pennsburg and by the BOCA National Mechanical Code/1993 Edition adopted herein. Said Chapter 36, Code Enforcement, provides for certain powers and duties of a Code Enforcement Officer, for the creation of a Code Hearing Board and for procedures relative to applications, fees, permits, inspections, appeals, penalties and other matters. The term "Code Official," as used in the BOCA National Mechanical Code/1993 Edition adopted herein, shall mean "Code Enforcement Officer and/or Office of Code Enforcement," as used in the Code Enforcement chapter of the municipality referred to above.

§ 63-3. Modification of standards.

- A. Deletions. The following sections of the BOCA National Mechanical Code/1993 Edition adopted herein are hereby deleted in their entirety:
- (1) Section M-116.4, Violation penalties.
 - (2) Section M-117.2, Unlawful continuance.
 - (3) Section M-1203.2, Unvented appliances.
 - (4) Section M-1903.1.2, Indoor temperature.
 - (5) Chapter 20, Boilers and Pressure Vessels, Maintenance and Inspection.
- B. Amendments. The following sections of the BOCA National Mechanical Code/1993 Edition are hereby amended to read as follows:
- (1) In Section M-101.1, the name of the jurisdiction shall be the Borough of Pennsburg.
 - (2) Section M-113.2 shall be amended to read as follows: **“Periodic inspections:** The fees for all periodic inspections shall be as set forth in a fee schedule adopted by resolution of Pennsburg Borough Council.”
 - (3) Section M-113.3 shall be amended to read as follows: **“Fee schedule:** The fees for all mechanical work shall be as set forth in a fee schedule adopted by resolution of Pennsburg Borough Council.”
- C. Additions. The following new sections shall be added to the BOCA National Mechanical Code/1993 Edition:
- (1) **Section M-1203.3 Venting of fuel-burning appliances:** All fuel burning appliances are required to vent gaseous fumes to the atmosphere by way of factory-built chimney, masonry chimney or metal chimney or, space permitting, power vents.
 - (2) **Section M-1205.4 Cleanouts:** Every masonry chimney, other than chimneys serving fireplaces, shall be provided with an approved cleanout having a tight-fitting cover. Such cleanouts shall be installed at least 12 inches (305 millimeters) below the lowest chimney inlet opening.
 - (3) **Section M-1206.8 Existing chimneys without flues:** It shall be permitted to have a flexible, stainless steel, acid-resistant, properly sized sleeve installed in a chimney if U.L. listed or approved.

§ 63-4. General provisions; unlawful lease by owner.

- A. Saving clause. Nothing in this chapter or in the BOCA National Mechanical Code/1993 Edition hereby adopted shall be construed to affect any suit or proceeding now pending in any court or any rights acquired or liability incurred or any cause or causes of action accrued or existing under any act or ordinance repealed hereby. No right or remedy of any character shall be lost, impaired or affected by this chapter.

- B. Validity. The invalidity of any section or provision of this chapter or of the BOCA National Mechanical Code/1993 Edition hereby adopted shall not invalidate other sections or provisions thereof.
- C. Conflict of ordinances. Any ordinance or part of any ordinance conflicting with the provisions of this chapter be and the same is hereby repealed insofar as the same affects this chapter.
- D. Short title. This chapter, together with the BOCA National Mechanical Code/1993 Edition adopted herein, shall be known and may be cited as the "Mechanical Code of the Municipality."
- E. Unlawful lease by owner. It shall be unlawful for any owner to occupy or lease for occupancy any dwelling or dwelling unit which violates the provisions of this chapter at the time of occupancy.