

**BOROUGH OF CARROLL VALLEY
PLANNING COMMISSION MEETING**

**Monday, June 6, 2022 – 7:00 P.M.
Borough Office**

A G E N D A

- A. Approval of Meeting Minutes**
 - A. Minutes of the May 2, 2022 meeting
- B. Open to the Public**
- C. New Business**
 - A. Property Maintenance
- D. Old Business**
- E. Adjournment**

International Property Maintenance Code Evaluation Chapter 3

Section 301:

One Member's Recommended Version:

301.1

The provisions of this chapter shall govern the minimum conditions and the responsibilities of persons for maintenance of structures, equipment and exterior property.

301.2

The owner of the premises shall maintain the structures and exterior property in compliance with these requirements, except as otherwise provided for in this code. A person shall not occupy as owner-occupant or permit another person to occupy premises that are not in a sanitary and safe condition ~~and that do not comply with the requirements of this chapter.~~ Occupants of a dwelling unit, ~~rooming unit or housekeeping unit~~ are responsible for keeping in a ~~clean~~, sanitary and safe condition that part of the dwelling unit, ~~rooming unit, housekeeping unit or premises~~ they occupy and control.

301.3

Vacant structures. ~~and land.~~ Vacant structures and premises thereof ~~or vacant land~~ shall be maintained in a ~~clean~~, safe, secure and sanitary condition as provided herein so as not to ~~cause a blighting problem or~~ adversely affect the public health or safety.

Section 302:

302.4:

One Member's Evaluation:

Paragraph 2, which begins with Upon failure to comply. . . , I think it would be better to levy a fine, rather than threaten to enter or claim "to have authorization to enter."

"Should list weed height at 12 inches to be consistent with current code."

302.6:

One Member's Evaluation:

"Is this necessary given setbacks already in place for structures on a lot, if it is an issue within the borough then include it."

302.8

One Member's Evaluation:

"We should allow for at least 1 unregistered vehicle to allow for the individual who plans to do work/ restoration on a vehicle but hasn't had the time or funds to do so yet."

302.9

One Member's Evaluation:

"Isn't this already illegal?"

Section 303:

One Member's Evaluation:

"Is this already covered in our code?"

Another Member's Recommended Version:

303.1:

~~303.1 Swimming pools. Swimming pools shall be maintained in a clean and sanitary condition, and in good repair.~~

303.2:

[Swimming Pool] Enclosures. Private swimming pools, hot tubs and spas, containing water more than 24 inches (~~610 mm~~) in depth shall be completely surrounded by a fence or barrier not less than 48 inches (~~1219 mm~~) in height above the finished ground level measured on the side of the barrier away from the pool. Gates and doors in such barriers shall be self-closing and self-latching. ~~Where the self-latching device is less than 54 inches (1372 mm) above the bottom of the gate, the release mechanism shall be located on the pool side of the gate. Self-closing and self-latching gates shall be maintained such that the gate will positively close and latch when released from an open position of 6 inches (152 mm) from the gatepost. An existing pool enclosure shall not be removed, replaced or changed in a manner that reduces its effectiveness as a safety barrier.~~ Exception: Spas or hot tubs with a safety cover that complies with ASTM F1346 shall be exempt from the provisions of this section.

Section 304:

One Member's Recommended version:

304.1:

General. The exterior of a structure shall be maintained ~~in good repair,~~ structurally sound ~~and sanitary~~ so as not to pose a threat to the public health [or] safety ~~or welfare.~~

One Member's Recommended version:

304.1.1

Unsafe conditions. The following conditions shall be determined as unsafe and shall be repaired, replaced, [or demolished to a safe condition] ~~comply with the International Building Code or the International Existing Building Code as required for existing buildings:~~

1. The nominal strength of any structural member is exceeded by nominal loads, the load effects or the required strength.
2. The anchorage of the floor or roof to walls or columns, and of walls and columns to foundations is not capable of resisting all nominal loads or load effects.
- ~~3. Structures or components thereof that have reached their limit state.~~
- ~~4. Siding and masonry joints including joints between the building envelope and the perimeter of windows, doors and skylights are not maintained, weather resistant or watertight.~~
5. Structural members that have evidence of deterioration or that are not capable of safely supporting all nominal loads and load effects.
6. Foundation systems that are not firmly supported by footings, ~~are not plumb and free from open cracks and breaks,~~ are not properly anchored or are not capable of supporting all nominal loads and resisting all load effects.
7. Exterior walls that are not ~~anchored to supporting and supported elements or are not plumb and free of holes, cracks or breaks and loose or rotting materials,~~ are not properly anchored or are not capable of supporting all nominal loads and resisting all load effects.

8. Roofing or roofing components ~~that have defects that admit rain, roof surfaces with inadequate drainage, or any portion of the roof framing that is not in good repair with signs of deterioration, fatigue or without proper anchorage~~ [or that are] incapable of supporting all nominal loads and resisting all load effects.
9. ~~Flooring and flooring components with defects that affect serviceability or flooring components that show signs of deterioration or fatigue, are not properly anchored or are incapable of supporting all nominal loads and resisting all load effects.~~
10. ~~Veneer, cornices, belt courses, corbels, trim, wall facings and similar decorative features not properly anchored or that are anchored with connections not capable of supporting all nominal loads and resisting all load effects.~~
11. Overhang extensions or projections including, but not limited to, trash chutes, canopies, marquees, signs, awnings, fire escapes, standpipes and exhaust ducts not properly anchored or that are anchored with connections not capable of supporting all nominal loads and resisting all load effects.
12. Exterior stairs, decks, porches, balconies and all similar appurtenances attached thereto, including guards and handrails, are not structurally sound, not properly anchored or that are anchored with connections not capable of supporting all nominal loads and resisting all load effects.
13. Chimneys, cooling towers, smokestacks and similar appurtenances not structurally sound or not properly anchored, or that are anchored with connections not capable of supporting all nominal loads and resisting all load effects.

Exceptions:

1. Where substantiated otherwise by an approved method.
2. ~~Demolition of unsafe conditions shall be permitted in place of repair where approved by the code official.~~ [moved to the top of the section]

Another Member's Recommended Version of Section 304.1.1:

304.1.1 Unsafe conditions. The following conditions shall be determined as unsafe and shall be repaired or replaced to comply with the *International Building Code* or the *International Existing Building Code* as required for existing buildings. ~~Demolition of unsafe conditions shall be required where directed by the code official.:~~

- ~~1. The nominal strength of any structural member is exceeded by nominal loads, the load effects or the required strength.~~
- ~~2. The anchorage of the floor or roof to walls or columns, and of walls and columns to foundations is not capable of resisting all nominal loads or load effects.~~
- ~~3. Structures or components thereof that have reached their limit state.~~
- ~~4. Siding and masonry joints including joints between the building envelope and the perimeter of windows, doors and skylights are not maintained, weather resistant or water tight.~~

15. Structural members that have evidence of *deterioration*. ~~or that are not capable of safely supporting all nominal loads and load effects.~~

~~6. Foundation systems that are not firmly supported by footings, are not plumb and free from open cracks and breaks, are not properly anchored or are not capable of supporting all nominal loads and resisting all load effects.~~

27. Exterior walls that are not *anchored* to supporting and supported elements or are not plumb and free of holes, cracks or breaks and loose or rotting materials., ~~are not properly anchored or are not capable of supporting all nominal loads and resisting all load effects.~~

38. Roofing or roofing components that have defects that admit rain, ~~roof surfaces with inadequate drainage~~, or any portion of the roof framing that is not in good repair with signs of *deterioration*., ~~fatigue or without proper anchorage and incapable of supporting all nominal loads and resisting all load effects.~~

~~9. Flooring and flooring components with defects that affect serviceability or flooring components that show signs of deterioration or fatigue, are not properly anchored or are incapable of supporting all nominal loads and resisting all load effects.~~

~~10. Veneer, cornices, belt courses, corbels, trim, wall facings and similar decorative features not properly anchored or that are anchored with connections not capable of supporting all nominal loads and resisting all load effects.~~

~~11. Overhang extensions or projections including, but not limited to, trash chutes, canopies, marquees, signs, awnings, fire escapes, standpipes and exhaust ducts not properly anchored or that are anchored with connections not capable of supporting all nominal loads and resisting all load effects.~~

412. Exterior stairs, decks, porches, balconies and all similar appurtenances attached thereto, including *guards* and handrails, are not structurally sound ~~or~~, not properly *anchored*. ~~or that are anchored with connections not capable of supporting all nominal loads and resisting all load effects.~~

~~13. Chimneys, cooling towers, smokestacks and similar appurtenances not structurally sound or not properly anchored, or that are anchored with connections not capable of supporting all nominal loads and resisting all load effects.~~

Exceptions:

1. Where substantiated otherwise by an *approved* method.

2. Demolition of unsafe conditions shall be permitted where *approved* by the *code official*.

304.2

One Member's Evaluation:

"I think should be excluded, it is not really a safety issue, if someone wished to not treat their outdoor wood structures/features and have to replace them more often that is their choice."

Another Member's Recommendation regarding Section 304.2:

~~304.2 Protective treatment. Exterior surfaces, including but not limited to, doors, door and window frames, cornices, porches, trim, balconies, decks and fences, shall be maintained in good condition. Exterior wood surfaces, other than decay resistant woods, shall be protected from the elements and decay by painting or other protective covering or treatment. Peeling, flaking and chipped paint shall be eliminated and surfaces repainted. Siding and masonry joints, as well as those between the building envelope and the perimeter of windows, doors and skylights, shall be maintained weather resistant and watertight. Metal surfaces subject to rust or corrosion shall be coated to inhibit such rust and corrosion, and surfaces with rust or corrosion shall be stabilized and coated to inhibit future rust and corrosion. Oxidation stains shall be removed from exterior surfaces. Surfaces designed for stabilization by oxidation are exempt from this requirement.~~

Another Member's Recommended Version of Section 304.2:

~~304.2 Protective treatment. Exterior surfaces, including but not limited to, doors, door and window frames, cornices, porches, trim, balconies, decks and fences, shall be maintained in good condition. Exterior wood surfaces, other than decay resistant woods, shall be protected from the elements and decay by painting or other protective covering or treatment. Peeling, flaking and chipped paint shall be eliminated and surfaces repainted. Siding and masonry joints, as well as those between the building envelope and the perimeter of windows, doors and skylights, shall be maintained weather resistant and water tight. Metal surfaces subject to rust or corrosion shall be coated to inhibit such rust and corrosion, and surfaces with rust or corrosion shall be stabilized and coated to inhibit future rust and corrosion. Oxidation stains shall be removed from exterior surfaces. Surfaces designed for stabilization by oxidation are exempt from this requirement.~~

304.3:

One Member's Recommended Version:

Premises identification. Buildings shall have approved address numbers placed in a position to be plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background. Address numbers shall be Arabic numerals or alphabet letters. Numbers shall be not less than 4 inches (102 mm) in height with a minimum stroke width of 0.5 inch (12.7 mm).

Another Member's Recommended Version of Section 304.3:

~~¶~~ **304.3 Premises identification.** Buildings shall have *approved* address numbers placed in a position to be plainly legible and visible from the street or road fronting the property. ~~These numbers shall contrast with their background.~~ Address numbers shall be Arabic numerals or alphabet letters. Numbers shall be not less than 4 inches (102mm) in height with a minimum stroke width of 0.5 inch (12.7 mm).

Sections 304.4 through 304.13:

Two (2) of the four (4) members who provided evaluation recommended the elimination of all of these sections.

Sections 304.14 through 304.18:

Three (3) of the four (4) members who provided evaluation recommended the elimination of all of these sections.

304.18.1:

One Member's Recommended Version:

Doors providing access to a dwelling unit, rooming unit or housekeeping unit that is rented, leased or let shall be equipped with a deadbolt lock designed to be readily openable from the side from which egress is to be made without the need for keys, special knowledge or effort ~~and shall have a minimum lock throw of 1 inch (25 mm)~~. Such deadbolt locks shall be installed according to the manufacturer's specifications and maintained in good working order. ~~For the purpose of this section, a sliding bolt shall not be considered an acceptable deadbolt lock.~~

Another Member's Recommended Version of Section 304.18.1:

~~**304.18.1 Doors.** Doors providing access to a dwelling unit, rooming unit or housekeeping unit that is rented, leased or let shall be equipped with a deadbolt lock designed to be readily openable from the side from which egress is to be made without the need for keys, special knowledge or effort and shall have a minimum lock throw of 1 inch (25 mm). Such deadbolt locks shall be installed according to the manufacturer's specifications and maintained in good working order. For the purpose of this section, a sliding bolt shall not be considered an acceptable deadbolt lock.~~

Sections 304.18.2 through 304.18.3:

Three (3) of the four (4) members who provided evaluation recommended the elimination of all of these sections.

Section 304.19:

Three (3) of the four (4) members who provided evaluation recommended the elimination of all of this section.

Section 305:

Three (3) of the four (4) members who provided evaluation recommended the elimination of Section 305 and all of the sub-sections.

Section 306:

One (1) of the three (3) members who provided evaluation recommended the elimination of Section 306 and all of the sub-sections.

Another Member's Recommended Version of Section 306:

306.1 General. The components of a structure and equipment therein shall be maintained in good repair, structurally sound and in a sanitary condition.

306.1.1 Unsafe conditions. Where any of the following conditions cause the component or system to be beyond its limit state, the component or system shall be determined as unsafe and shall be repaired or replaced to comply with the *International Building Code* or the *International Existing Building Code* as required for existing buildings. **Demolition of unsafe conditions shall be required where directed by the code official:**

~~1. Soils that have been subjected to any of the following conditions:~~

~~1.1. Collapse of footing or foundation system~~

~~1.2. Damage to footing, foundation, concrete or other structural element~~

due to soil expansion.

~~1.3. Adverse effects to the design strength of footing, foundation, concrete or other structural element due to a chemical reaction from the soil.~~

~~1.4. Inadequate soil as determined by a geotechnical investigation. 1.5. Where the allowable bearing capacity of the soil is in doubt.~~

~~1.6. Adverse effects to the footing, foundation, concrete or other structural element due to the ground water table.~~

~~2. Concrete that has been subjected to any of the following conditions:~~

~~2.1. Deterioration.~~

~~2.2. Ultimate deformation.~~

~~2.3. Fractures.~~

~~2.4. Fissures.~~

~~2.5. Spalling.~~

~~2.6. Exposed reinforcement.~~

~~2.7. Detached, dislodged or failing connections.~~

~~3. Aluminum that has been subjected to any of the following conditions:~~

~~3.1. Deterioration.~~

~~3.2. Corrosion.~~

~~3.3. Elastic deformation.~~

~~3.4. Ultimate deformation.~~

~~3.5. Stress or strain cracks.~~

~~3.6. Joint fatigue.~~

~~3.7. Detached, dislodged or failing connections.~~

~~4. Masonry that has been subjected to any of the following conditions:~~

~~4.1. Deterioration.~~

~~4.2. Ultimate deformation.~~

~~4.3. Fractures in masonry or mortar joints.~~

~~4.4. Fissures in masonry or mortar joints.~~

~~4.5. Spalling.~~

~~4.6. Exposed reinforcement.~~

~~4.7. Detached, dislodged or failing connections.~~

~~5. Steel that has been subjected to any of the following conditions:~~

~~5.1. Deterioration.~~

~~5.2. Elastic deformation.~~

~~5.3. Ultimate deformation.~~

~~5.4. Metal fatigue.~~

~~5.5. Detached, dislodged or failing connections.~~

~~6. Wood that has been subjected to any of the following conditions:~~

~~6.1. Ultimate deformation.~~

~~6.2. Deterioration.~~

~~6.3. Damage from insects, rodents and other vermin.~~

~~6.4. Fire damage beyond charring.~~

~~6.5. Significant splits and checks.~~

- ~~6.6. Horizontal shear cracks.~~
- ~~6.7. Vertical shear cracks.~~
- ~~6.8. Inadequate support.~~
- ~~6.9. Detached, dislodged or failing connections.~~
- ~~6.10. Excessive cutting and notching.~~

Exceptions:

1. Where substantiated otherwise by an *approved* method.
2. ~~Demolition of unsafe conditions shall be permitted where approved by the code official.~~

Section 307:

One (1) of the three (3) members who provided evaluation recommended the elimination of Section 307 and all of the sub-sections.

Another Member’s Recommended Version of Section 307:

307.1 General. [Handrails and Guardrails on exterior stairs, landings, balcony’s, porches, decks, ramps and other elevated walking surfaces shall be maintained to the standard of the building code that was in effect at the time they were constructed.]

Exception: *Guards* shall not be required where exempted by the adopted building code.

Section 308:

One Member’s Evaluation:

“Borough ordinances should address public safety issues but the Borough should not create HOA style rules on how a person should maintain their property. A trashy yard may not look nice, but it’s not up to the Borough to tell people their property has to look nice. If it’s to a point that their trash is blowing off their property, I would assume this is already covered under littering laws.”

Another Member’s Evaluation:

308.1: is ok.

308.2: is ok.

308.2.2:

“I would strike through and remove "without first removing the doors." I don't think old refrigerators should be stored anywhere outside, whether doors are on or not.”

308.3: looks fine.

308.3.1:

“I would remove the whole paragraph.”

308.3.2: is ok.

Another Member’s Recommended Version of Section 308:

308.1 Accumulation of rubbish or garbage. *Exterior property and premises*, and the interior of every *structure*, shall be free from any accumulation of *rubbish* or garbage.

308.2 Disposal of rubbish. Every *occupant* of a *structure* shall dispose of all *rubbish* in a clean and sanitary manner ~~by placing such rubbish in approved containers.~~

~~**308.2.1 Rubbish storage facilities.** The *owner* of every occupied *premises* shall supply approved covered containers for *rubbish*, and the *owner* of the *premises* shall be responsible for the removal of *rubbish*.~~

308.2.2 Refrigerators. Refrigerators and similar equipment not in operation shall not be discarded, abandoned or stored on *premises* without first removing the doors.

308.3 Disposal of garbage. Every *occupant* of a *structure* shall dispose of garbage in a clean and sanitary manner by placing such garbage in an *approved* garbage disposal facility or *approved* garbage containers.

308.3.1 Garbage facilities. ~~The owner of every dwelling shall supply one of the following: an approved mechanical food waste grinder in each dwelling unit; an approved incinerator unit in the structure available to the occupants in each dwelling unit; or an approved leakproof, covered, outside garbage container.~~

308.3.2 Containers. ~~The operator of every establishment producing garbage shall provide, and at all times cause to be utilized, approved leakproof containers provided with close fitting covers for the storage of such materials until removed from the premises for disposal.~~

Additional Note from this Member regarding Section 803:

“I know we have more details on safety concerning appliances and such.”

Section 309:

One Member’s Evaluation:

“I don’t think it should be included for the same reasons as section 308.”

Another Member’s Evaluation:

“While not related to safety, this doesn’t seem to be a bad section to keep as it does pertain to health - which is a good area to cover also.”