

LOWER GWYNEDD TOWNSHIP

MONTGOMERY COUNTY, PENNSYLVANIA

ORDINANCE NO. 510

AN ORDINANCE OF LOWER GWYNEDD TOWNSHIP, MONTGOMERY COUNTY, COMMONWEALTH OF PENNSYLVANIA, AMENDING CERTAIN PROVISIONS OF THE CODE OF LOWER GWYNEDD TOWNSHIP; SPECIFICALLY AMENDING CHAPTER 1440, TO REPEAL CERTAIN TECHNICAL MODIFICATIONS OF THE INTERNATIONAL BUILDING CODE RELATED TO FIRE WALLS WITHIN A BUILDING AND ATTACHED DWELLING UNITS; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Lower Gwynedd Township previously approved exceptions to the requirements of the International Building Code, in accordance with the relevant provisions of the Uniform Construction Code Act, to permit certain regulations adopted by the Township on or before July 1, 1999, which equal or exceed Uniform Construction Code requirements, to remain in full force and effect; and

WHEREAS, the exceptions previously approved by the Township included a requirement that Fire Walls shall be totally constructed of ashlar or solid masonry material a minimum of eight inches in thickness and carry the required fire rating for the separation, said requirement being codified at Chapter 1440, Section 1440.06(b)(2)(5) of the Code of Lower Gwynedd Township, as well as a requirement that dwelling units located adjacent to other dwelling units shall be completely separate from the adjacent dwelling unit by an eight-inch-thick masonry wall extending from the foundation to the underside of a noncombustible roof deck, said requirement being codified at Chapter 1440, Section 1440.06(b)(2)(4); and

WHEREAS, the requirements of Section 705.3 and Section 705.1 of the International Building Code concerning construction of Fire Walls and dwelling unit separation walls have been approved by the Commonwealth of Pennsylvania, Department of Labor & Industry as a part of the Pennsylvania Uniform Construction Code and are acceptable and within generally accepted construction industry standards, and that the continued exceptions are unnecessary;

NOW THEREFORE, it is hereby **ORDAINED** and **ENACTED** by the Board of Supervisors of Lower Gwynedd Township as follows:

SECTION I.

The Lower Gwynedd Township Code is hereby amended to **REPEAL** Section 1440.06(b)(2)(5) of Chapter 1440, which section is stricken and of no further force or effect.

SECTION II.

The Lower Gwynedd Township Code is hereby amended to REPEAL Section 1440.06(b)(2)(4) of Chapter 1440, and to replace such provision with the following new provision:

Notwithstanding anything to the contrary in this Code, the requirements for fire separations in multifamily dwellings shall be as follows: Dwelling units located above other dwelling units shall be completely separated from the other dwelling unit by floor/ceiling assemblies of not less than two-hour fire-resistant rated construction. Note that the term "multifamily dwelling" shall specifically include multiple single-family dwelling units as referred to in Section 309.4.

SECTION III.

Any and all other ordinances or parts thereof inconsistent with this Ordinance are hereby repealed to the extent of any inconsistency.

SECTION IV.

The provisions of this Ordinance are declared to be severable. If any provision of this Ordinance is determined by a court of competent jurisdiction to be invalid or unconstitutional, such determination shall have no effect on the remaining provisions of this Ordinance or on the Agreement or its validity.

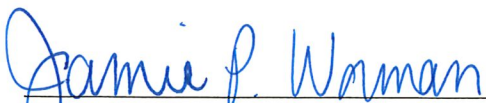
SECTION V.

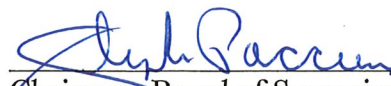
This Ordinance shall be effective five (5) days following its legal enactment.

ORDAINED AND ENACTED by the Board of Supervisors of Lower Gwynedd Township this 22nd day of November, 2016.

LOWER GWYNEDD TOWNSHIP
BOARD OF SUPERVISORS:

Attest:


Township Secretary
Assistant Township Manager


Chairman, Board of Supervisors