

FILE OF THE COUNCIL OF THE CITY OF LEBANON, PA.

BILL NO. 10 SESSIONS 2024-2025

INTRODUCED BY Mr. Joseph O. Morales, September 22, 2025

**AN ORDINANCE**

ADOPTING THE 2018 EDITION OF THE *INTERNATIONAL BUILDING CODE*, REGULATING AND GOVERNING THE CONDITIONS AND MAINTENANCE OF ALL PROPERTY, BUILDINGS AND STRUCTURES; BY PROVIDING THE STANDARDS FOR SUPPLIED UTILITIES AND FACILITIES AND OTHER PHYSICAL THINGS AND CONDITIONS ESSENTIAL TO ENSURE THAT STRUCTURES ARE SAFE, SANITARY AND FIT FOR OCCUPATION AND USE; AND THE CONDEMNATION OF BUILDINGS AND STRUCTURES UNFIT FOR HUMAN OCCUPANCY AND USE AND THE DEMOLITION OF SUCH STRUCTURES IN THE CITY OF LEBANON; AND PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES THEREFORE; AND REPEALING ALL ORDINANCES AND PARTS OF THE ORDINANCES IN CONFLICT THEREWITH.

Be It Ordained by the Council of the City of Lebanon, Pennsylvania, and it is hereby ordained by the authority of the same, That:

SECTION 1. That a certain document, three (3) copies of which are on file in the Office of the City Clerk of the City of Lebanon, being marked and designated as the *International Building Code*, 2018 Edition, including Appendix Chapters A through and K as published by the International Code Council, be and is hereby adopted as the Building Code of the City of Lebanon in the Commonwealth of Pennsylvania for regulating and governing the conditions and maintenance of all property, buildings and structures; by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; and the condemnation of buildings and structures unfit for human occupancy and use and the demolition of such structures as herein provided; providing for the issuance of permits and collection of fees therefore; and each and all of the regulations, provisions, penalties, conditions and terms of said Building Code on file in the Office of the City Clerk are hereby referred to, adopted and made a part hereof, as if fully set out in this ordinance, with the additions, insertions, deletions and changes, if any prescribed in Section 2 of this ordinance.

SECTION 2. The following sections of the *International Building Code*, 2018 Edition, as adopted are hereby deleted, altered or amended as follows:

IBC 101.1 Title. These regulations shall be known as the *Building Code* of the City of Lebanon, hereinafter referred to as “this code”.

IBC 1612.3 Establishment of flood hazard areas. To establish flood hazard areas, the governing body shall adopt a flood hazard map and supporting data. The flood hazard map shall include, at a minimum, areas of special flood hazard as identified by the Federal Emergency Management Agency in an engineering report entitled *The Flood Insurance Study of the City of Lebanon* dated July 8, 2020, as amended or revised with the current Flood Insurance Rate Map (FIRM) for the City of Lebanon and Flood Boundary and Floodway Map (FBFM) and related supporting data along with any revisions thereto. The adopted flood hazard map and supporting data are hereby adopted by reference and declared to be part of this section.

IBC 3303 Demolition. This section shall be deleted in its entirety and replaced by the following:

(a) General.

- (1) Where applicable, Federal and State laws, rules and regulations governing any and all phases of demolition work shall be observed at all times.
- (2) No structure, or part of a structure, or any floor or temporary support, or scaffold, sidewalk shed, or bridge, or any device or equipment shall be loaded in excess of the safe carrying capacity which shall never be considered more than one-third (1/3) of its ultimate structural strength.
- (3) Walkways and passageways shall be provided for the use of the workmen, who shall be instructed to use them, and all such walkways and passageways shall be kept adequately lighted and free from debris and other materials.
- (4) On every demolition job, danger signs shall be conspicuously posted around the property, and all doorways or thoroughfares giving access to the property shall be kept barricaded except during the actual passage of men or equipment.
- (5) During the hours of darkness, red lights or flares shall be placed on or about all barricades.
- (6) Workers using jackhammers shall be furnished with safety goggles having strength-tested lenses and conforming to the requirements for Group A Goggles and, if the operations are dusty, with respirators approved by the U.S. Bureau of Mines for type A dust; and the workers shall be required to wear such protective devices.

(b) Preparatory.

- (1) If a structure to be demolished has been partially wrecked by fire, flood, explosion or other causes, the walls shall be shored or braced, in accordance with accepted engineering practice, before any demolition work is started.
- (2) The power on all electric service lines shall be shut off and all such lines cut or disconnected at or outside the property line before demolition work is started. Prior to the cutting of such lines, the contractor or property owner shall notify and obtain the approval or cooperation of the electric service company.
- (3) All gas, water, steam and other service lines shall be shut off and capped or otherwise controlled at or outside the building line or curb before demolition work is started. In each case, the service company involved shall be notified in advance and its approval or cooperation obtained by the contractor or property owner.
- (a) All water laterals shall be capped at the main. They shall be capped in accordance with the requirements of the City of Lebanon Authority (CoLA). All caps shall be inspected by the proper official, prior to backfilling

- (b) All sewer laterals shall be capped at the curb or inside the building wall. They shall be capped by using heavy consistency concrete poured into the trap and the first section of vent pipe in a manner that will assure complete obstruction of the sewer pipe to prohibit all fumes, etc., from escaping. No trap at the curb, etc., shall require special closing methods but must be in accordance with the requirements of the City of Lebanon Authority (CoLA). All caps shall be inspected by the proper City official, prior to backfilling.
- (4) If it is necessary to maintain any power, water or other lines (for dust control or) demolition, such lines shall be temporarily relocated or protected with substantial covering to the satisfaction of the utility company and in accordance with legal requirements.
- (5) Glazed sash and glazed doors and other glass shall be removed before other demolition work is started.
- (6) All exterior wall openings which extend down to floor level shall be barricaded to a height not less than three (3) feet above floor level. This provision shall not apply to a story after structural demolition of that story has been started, nor to the ground level floor.
- (7) All floor openings and shafts not used for material chutes shall be floored over or enclosed with guardrails and toe boards.
- (8) Except for the cutting of holes in floors for chutes, and holes through which to drop materials, preparation of storage space, and other necessary preparatory work, demolition of exterior walls and floor construction shall begin at the top of the structure and proceed downward, and each story of exterior wall and floor construction shall be removed and dropped into the storage space before commencing the removal of walls and floors in the story next below. This requirement shall not prohibit the demolition of a structure in sections if positive means are taken to prevent injury to persons or damage to property.
- (9) No demolition work shall be performed between the hours of 6:00 p .m. and 7:00 a.m. prevailing time, Monday through Saturday. Work is also prohibited on Sundays and observed holidays. Only in the case of an emergency, and with prior City consent, may work be performed during the above prohibited periods.
- (10) Structures shall be demolished in such a manner as to avoid hazards to persons and property, interference with the use of adjacent property, and interruption of free passage to and from such property.
- (c) Rodent Extermination.
  - (1) Before any other work is commenced, to prevent migration of rodents and other pests, thorough and efficient measures shall be pursued to exterminate them from the entire project area.
  - (2) Only experienced exterminators shall be employed and shall be approved by the City.
  - (3) Warning signs shall be displayed in conspicuous places.
  - (4) Ten (10) days prior to beginning demolition of any building, bait shall be distributed. No demolition of any nature shall begin before the elapse of ten (10) days from distribution of bait.
  - (5) Methods and materials shall not be permanently injurious to persons or to domestic animals.

- (6) The Department of Agriculture's Leaflet, Volume 65, "Red Squill Powder in Rat Control", suggests the use of the following method for extermination of rats and mice:
  - A. Bait used for the extermination of rats and mice shall be composed of powdered Red Squill mixed separately and thoroughly with the following foods: ground, fresh lean beef and ground, fresh fish, in the proportions of one (1) part Red Squill to ten (10) parts of food by weight.
  - B. In addition to the bait specified, rat burrows shall be fumigated with calcium cyanide, using foot pump dusters for the purpose.
  - C. Bait shall be placed on all floors and in the basement at the rate of one (1) ounce per hundred (100) square feet.
- (7) While the Red Squill method of extermination is suggested, any other method may be used, subject to the approval of a City Inspector or authorized City Official.
- (d) Public and Other Ground Level Protection.
  - (1) Before any demolition work is commenced, every sidewalk or public thoroughfare adjacent to the work site shall either be closed or protected as specified elsewhere herein. All such thoroughfares which are open to the public shall be kept clear and unobstructed at all times.
  - (2) If the structure to be demolished is more than two (2) stories or twenty-five (25) feet high measured from sidewalk or street level and the horizontal distance from the inside of the sidewalk to the structure is fifteen (15) feet or less, a substantial sidewalk shed shall be constructed over the entire length of the sidewalk adjacent to the structure, of sufficient width to accommodate pedestrian traffic without causing congestion. The sidewalk shed shall be lighted either by natural or artificial means sufficient to ensure safety at all times.
  - (3) Every sidewalk shed shall be capable of safely sustaining a load of one hundred and fifty (150) pounds per square foot, and if material is to be stored thereon it shall be capable of sustaining a load of at least three hundred (300) pounds per square foot.
  - (4) The outside edge and ends of the deck of the shed shall be provided with a substantial enclosure of at least forty-two (42) inches above the deck of the shed. Such enclosures may be vertical or inclined outward at approximately forty-five (45) degrees and shall consist of boards laid close together secured to braced uprights, or toe boards and galvanized wire netting formed of not less than No. 16 U.S. gauge wire and one and one-half inch (1-1/2") mesh.
  - (5) Sidewalk shed openings for loading purposes shall be kept closed at all times except during actual loading operations.
  - (6) The deck flooring of a sidewalk shed shall consist of planking of not less than two (2) inches in thickness, closely laid, and the deck made watertight. All members of the shed shall be adequately braced and connected to resist displacement of members or distortion of the framework.
  - (7) Unless the top deck of the sidewalk shed is built solidly against the face of the structure to be demolished, the vertical face of the shed supports next to the building shall be solidly fenced throughout. This shall not prohibit the construction and use of solid sliding or swinging gates as may be necessary for the prosecution of the work.
  - (8) When the horizontal distance from the inside of the sidewalk to the structure is more than fifteen (15) feet and less than twenty-five (25) feet, a sidewalk shed may be

- constructed over the sidewalk as described above or, in place of such shed, a substantial fence shall be constructed along the inside edge of the sidewalk or, if permission has been granted to close the sidewalk, along the inside edge of the roadway.
- (9) Every fence shall be constructed at least six (6) feet high of wood or other suitable material and shall be built solid for its entire height and length except that openings necessary for the proper prosecution of the work may be provided with solid sliding or swinging gates.
  - (10) When the horizontal distance from the inside of the sidewalk to the structure is more than twenty-five (25) feet, a shed or fence as described above may be built or, in place of such shed or fence, a substantial railing shall be constructed on the inside of the sidewalk or roadway along the entire length of the demolition site and provided with movable bars as may be necessary for the proper prosecution of the work.
  - (11) Where workers' entrances to buildings being demolished are not completely protected by sidewalk sheds, all such entrances shall be protected by canopies extending from the face of the building to a point not less than eight (8) feet from it. In each case such overhead protection shall be at least two (2) feet wider than the building entrance or opening and every canopy shall be at least as strong as the sidewalk shed specified in subsection (d)(3) hereof.
  - (12) Proper signage must be provided for the warning and protection/safeguarding of pedestrians and motorists alike.
- (e) Demolition Work.
- (1) All operations in connection with demolition shall be completed in a workmanlike manner acceptable to the City of Lebanon Building Inspector.
  - (2) The contractor shall, at his own expense, arrange to have the electricity and gas turned off, and shall notify the various utility companies when he proposes to commence work, so that all wires and services may be disconnected in accordance with the rules and regulations of the various utility companies.
  - (3) The contractor shall furnish, erect, and maintain approved danger, warning, and "KEEP OUT" signs at places and locations where the placing of such signs is warranted, or as directed by the City, such signs to be sufficiently illuminated if directed by the City.
  - (4) Blasting shall not be permitted except on prior written permission of the City for each case, and only after obtaining and submitting to the City all necessary permits thereof.
  - (5) Burning of any material whatsoever is prohibited.
  - (6) The contractor shall not close or obstruct any streets, sidewalks, alleys or passageways unless specifically authorized. No material whatsoever shall be placed or stored in streets, sidewalks, alleys or passageways. The contractor shall conduct his operations so as to interfere as little as possible with the use ordinarily made of any roads, streets, driveways, alleys, sidewalks, facilities, etc. near enough to the work to be affected thereby.
  - (7) Suitable barriers, subject to the approval of the City Building Inspector, shall be erected and maintained by the contractor around all operations and all openings in the ground as long as such operations or openings shall, in the opinion of the City Building Inspector, constitute a hazard or a dangerous condition.

- (8) During the demolition of buildings and structures, the work shall be kept thoroughly wetted down to prevent the spread of dust. The contractor shall provide necessary water and connections thereof.
- (9) Before beginning demolition operations, the contractor shall pump out and clean, in a sanitary manner, all wells and cesspools within the areas to be cleared, and disinfect them as may be required by the Bureau of Health.
- (10) The contractor shall be responsible for any water conditions from any cause and shall be responsible for the immediate elimination of the condition at his own expense.
- (11) Window and door frames shall not be removed until the demolition work shall have progressed to their elevations in the walls.
- (12) No portions of walls above the elevations of the first floor and located immediately adjacent and parallel to any street shall be "thrown" but shall be barred loose and demolished piecemeal.
- (13) All buildings, structures, vaults, steps, walls, cesspool tanks, fences, guard posts, stacks, floor slabs on ground, and any other construction shall be demolished and removed completely to the original level of the ground adjacent to the wall or structure. Buildings facing streets shall not be demolished before all windows are deglazed to prevent accident caused by flying glass.
- (14) All operations in connection with backfilling and grading shall be performed and completed in such manner as will ensure proper drainage and provide uniform grades between streets, or as directed by the City.
- (15) All curbs, public sidewalks, and street paving damaged or disturbed by the contractor, shall be restored by the contractor to a satisfactory and safe condition, at least equal to that existing at the start of the work and in compliance with the City's sidewalk ordinances, unless otherwise waived by an authorized City Official.
- (16) All floor construction shall be removed regardless of elevation or location. All basement partitions, furnaces, heating apparatus, piping, gasoline or oil tanks, miscellaneous fixtures and stairways shall be removed from the area of demolition.
- (17) The contractor shall leave contiguous buildings in a safe condition, and shall not deface, mar, hurt, or jeopardize any adjacent buildings, and any damage done to such adjacent or nearby buildings shall be repaired or restored by the contractor to the satisfaction of the City and the owner of the property.
- (18) The contractor shall remove all debris and equipment and dispose of all material from the site of the work, and leave the ground clear of all materials, rubbish, and debris, and in a clean and neat condition, as demolition on each structure is completed. All materials must be disposed of at the Greater Lebanon Refuse Authority in the appropriate manner for each material type, as pre-arranged via contract or verbal agreement with the City.
- (19) Should demolition of a building reveal a party wall of an adjoining building not to be demolished, which is not full width of proper masonry as required by the Uniform Construction Code and regulations of the City of Lebanon, the contractor shall fill in such area, gable, or opening to make the remaining party wall conform with the above regulations and be weathertight. Any repairs to roof and flashing necessary shall be done by the contractor.
- (20) Where the contractor enters upon properties or adjoining properties, he shall obtain permission from the owner thereof and, on completion of any work, shall leave the

property clean and free of debris of any kind and shall repair any damage to property which may have been caused by his work or by his employees.

- (21) Wherever joist holes, or any other breaks or depressions in remaining walls, are caused by the separation therefrom of joist, beams, flooring, roof, walls or any other parts of demolished structures which had been built into, or has been jointed to remaining walls, said holes, depressions or other irregularities shall be filled up and repaired with approved brick and cement mortar, the whole of such repaired areas to be satisfactorily cement mortar rough case in such manner as will leave such areas in a safe and weather proof condition.
  - (22) Where party walls are left standing and their capping has been disturbed by the contractor's operations, the latter shall restore the capping to its former condition or as directed by the City of Lebanon Building Inspector.
  - (23) The contractor shall obtain the signature of the Building Inspector on the permits for all buildings which adjoin party walls that are to remain indicating that he approves the condition of the party wall.
- (f) Multi-Story Buildings and Site Clearance.
- (1) Demolition of multi-story buildings shall begin by barricading the work area, posting warning signs, erecting sidewalk shed or bridge, obtaining a permit to demolish from the City of Lebanon Building Inspector, notifying the Department of Public Safety that demolition is to commence, and employing a competent foreman and watchman to be on duty at all times during the working period.
  - (2) Work shall begin at the roof by removing all pent houses, parapets, skylights, vents and roofing. A chute shall be installed from the uppermost floor to ground level and into the basement for the purpose of removing debris. Work of dismantling shall progress from the roof to next uppermost floor. No floor shall be removed until walls and partitions are down to beam and joist bearing level of such floor.
  - (3) Undersidewalk vaults shall be filled to subgrade of sidewalk slabs with well-compacted layers of 2A modified stone. After fill has been completed and approved by the site inspector, the sidewalk shall be replaced in accordance with City regulations.
  - (4) Whenever acetylene or oxygen cylinders are transported or lifted by crane or derrick, such cylinders shall be placed in substantial stands or cradles. No beam shall be cut until precautions have been taken to prevent it from swinging freely and possibly striking any worker or any piece of equipment or any part of the structure being demolished. All structural steel shall be lowered from the building and never allowed to drop. Exception: When buildings being demolished are not adjacent to other buildings or thoroughfares, materials may be dropped provided that a sufficient number of employees are assigned to keep the public and employees from entering the danger area.
  - (5) When a structural steel frame is demolished without a derrick, the entire tier of beams next below that from which the beams and columns are being removed shall be completely planked over. This provision shall not apply to floors from which arches have not been removed nor to openings for the passage of material or equipment.
  - (6) The contractor engaged to perform demolition work shall abide by all safety regulations as stated in the "Regulations For Demolition Work", 1960 Edition, of the

Department of Labor and Industry, Harrisburg, Pa., and these regulations shall become a part of the above rules and regulations.

(g) Definitions.

- (1) "Contractor" means any person, persons, corporations or individuals doing demolition work for any corporation, individual or individuals, firms or corporations.
- (2) "Building Inspector" means any person or persons employed or contracted by the City of Lebanon to carry out functions of inspections to enforce the rules and regulations herein.
- (3) "Demolish" means to raze or tear down a building level with the ground.
- (4) "City official" means anyone employed by the City of Lebanon Department of Public Safety or the City of Lebanon Department of Public Works.
- (5) "Multi-story building" means any building or buildings over two (2) stories in height.

(h) Hard Flats.

- (1) All persons on any demolition job shall be furnished with and required to wear approved type "hard hats".

(i) Protection of Party Walls.

- (1) The term "party wall" means a wall built on the dividing line between adjoining buildings for their common use.
- (2) Whenever a building or other structure on one side of a party wall is removed, such party wall shall be maintained in a safe, weather-proof condition by and at the expense of the person causing the building or structure to be removed. Temporary or permanent bracing shall be provided as necessary for maintaining the stability of such party wall or adjoining building, whenever such stability is endangered by the removal of a building or other structure or part thereof.
- (3) The newly exposed face of the party wall is to be made as plumb and even as possible. In the case of a brick or masonry wall, open beam holes and other voids shall be closed with approved masonry. The courses shall be cut flush and the wall cement parged with approved materials. Frame or wood stud party walls shall be covered in the following manner: the wall shall be cut as close to the wood framing members as possible to create a flush perpendicular face. The lath and plaster exposed on the side of the party wall being demolished may remain in place if soundly anchored. Plywood sheathing of not less than three-eighths inch (3/8") thickness will then be affixed to such wall as in standard building practice. The exposed wall will then be faced with an approved facing material.
- (4) The type of exterior facing or siding material will be determined by the existing structure and architecture of the surrounding area. Such determining of material to be utilized shall be the responsibility of the Building Inspector.
- (5) Where a chimney exists in party between the building to be removed and the building that is to remain, the person causing the demolition work shall be certain the chimney is made sound and weather-tight. The chimney is to be cement and to present a decent appearance.
- (6) Special attention shall be given to the waterproofing of party foundation walls. Such walls are to be waterproofed in the manner prescribed for new construction. Foundation walls, in party, that are above grade are to be capped with concrete in such a manner that a drainage slope is provided.

- (7) Special care shall be given to the grading and seeding of the newly created lot. The contractor shall make certain to slope the grade in such a manner that surface water will drain away from the newly exposed foundation party wall. Seeding is required to follow restoration standards as expressly laid out by the City Engineer or as specified within approved building plans.
  - (8) Where no foundation wall exists between the structure to be removed and the structure to remain, it shall be the responsibility of the person causing the demolition work to build a suitable concrete block foundation wall. Such wall is to be waterproofed as in new construction. Such wall is to be erected in such a manner that the floor beam will rest securely upon the wall.
  - (9) The person causing the demolition work shall make certain the roof covering and the roof drainage system is repaired or replaced as in new construction. This shall include flashing, drip-edge plates, gutters and rain water conductors as required.
  - (10) It is to be understood that the person causing the demolition work shall be responsible for any and all damage to the party wall, including damage that may occur on the opposite side of the wall from the side being worked upon. The contractor shall make a survey of any damage which may occur, both during demolition and immediately following the covering of the exposed wall, and the contractor shall then make arrangements to correct such damage to the satisfaction of the property owner and the City Building Inspector.
- (j) Dust and Dirt Control During Demolition.
- (1) When deemed necessary by the Building Inspectors or City Engineer, the demolition contractor shall be required to water soak the building being removed during actual demolition.
- (k) Application.
- (1) The term "unsafe building or structure" applies to buildings or structures, or portions thereof, existing or hereafter erected, as follows:
    - (a) Those whose interior walls or other vertical structural members list, lean, or buckle to such an extent that a plumb line passing through the center of gravity falls outside of the middle third of its base.
    - (b) Those which, exclusive of the foundation, show thirty-three percent (33%) or more, of damage or deterioration of the supporting member or members, or fifty percent (50%) of damage or deterioration of the non-supporting enclosing or outside walls or covering.
    - (c) Those which have improperly distributed loads upon the floors or roofs or in which the same are overloaded, or which have insufficient strength to be reasonably safe for the purpose used.
    - (d) Those which have been damaged by fire, wind or other causes so as to have become dangerous to life, safety, morals or the general health and welfare of the occupants or the people of the City.
    - (e) Those which have become or are so dilapidated, decayed, unsafe, unsanitary or which so utterly fail to provide the amenities essential to decent living that they are unfit for human habitation, or are likely to cause injury, sickness or disease to those living therein or to the general public.
    - (f) Those having inadequate light, air and sanitation facilities likely to cause injury, sickness or disease to those living therein or to the general public.

- (g) Those having inadequate facilities for egress in case of fire or panic or those having insufficient stairways, elevators, fire escapes or other means of communication.
  - (h) Those which have parts thereof which are so attached that they may fall and injure members of the public or property.
  - (i) Those dwellings and premises existing in violation of the provision of this Building Code or other relevant ordinances of the City and the Statutes of the Commonwealth of Pennsylvania which, because of their condition or the manner in which the same are maintained, are so unsafe, unsanitary or dangerous as to constitute a danger to the health and safety of those living therein or to the general public.
- (l) Disregard of Unsafe Notice.
- (1) If a person served with a notice or order to remove or repair an unsafe building or structure or portion thereof should fail to do so within the time set forth in such notice or order, or after the expiration of any additional period or periods extended to such person by the building official for the reasons set forth hereafter, the City, through its duly constituted representatives, shall cause such order to be executed by private contractor or otherwise and the funds necessary therefor shall be utilized by the City . The cost to the City on account of the execution of such order may be entered as a lien against the premises involved in accordance with the existing provisions of law where such notice or order was delivered to the owner thereof. The City may also collect such costs from the person to whom such notice or order was delivered in an action of assumpsit, together with a penalty of ten percent (10%) thereof. Nothing herein shall preclude the City Solicitor from instituting an appropriate action on behalf of the City in court for the purpose of compelling an owner to comply with any such notice or order. If due to an Act of God or because of circumstances beyond the control of the person to whom such notice or order is directed, the notice or order is not completely executed within such thirty (30) day period, the Building Official may in writing grant an additional period or periods of time for the execution of such notice or order.
- (m) Disposal of Debris.
- (1) No person shall hereafter dispose of any debris or solid waste from any demolition job in the City except by conveyance to a site approved by the Department of Environmental Protection (D.E.P.).
  - (2) If such disposal site is other than the sanitary landfill operated by the Greater Lebanon Refuse Authority, proof of approval by D.E.P. must be given at the time the permit is issued.
- (n) Permits for Demolition.
- (1) Permit Required. No demolition work shall be commenced until a permit for such work has been issued by the City of Lebanon Department of Public Works or other authorized City Official. A permit shall become effective on the date of issuance.
  - (2) Time Limit on Permits. Any demolition permit issued by the City of Lebanon Department of Public Works under this provision shall expire after thirty (30) calendar days, after which such permit shall become null and void. Before any work is commenced, a new permit shall be obtained which shall cost three (3) times the cost of the original permit that was issued by the Department of Public Works. Time

will be allowed because of inclement weather conditions during demolition determined by the Building Inspector.

(o) Validity.

- (1) If any term, part, provisions, section, sub-section or paragraph of this section shall be held unconstitutional, invalid or ineffective, in whole or part, by any court of competent jurisdiction, such determination shall be deemed to invalidate only the article, sections, terms, provisions, sub-sections, paragraphs, or parts thereof affected, and it shall be presumed that this section would have been passed without such invalid portion; and that every other article, section, paragraph, provision, or part of this section shall be deemed valid and shall continue in full force and effect.

(p) Insurance.

- (1) The contractor shall take out and maintain during the life of the contract, adequate worker's compensation insurance for all employees employed at the site of the project and in case any work is sublet, the contractor shall require the subcontractor similarly to provide worker's compensation insurance for the lather's employees, unless such employees are covered by the protection afforded by the prime contractor. The contractor shall provide the Department of Public Works with a certificate of worker's compensation insurance acceptable to the Insurance Consultant and City Solicitor.
- (2) Prior to the issuance by the City of any permit or other authority to commence with demolition, the contractor and/or property owner shall execute a hold harmless agreement in such form as the City shall provide, guaranteeing to defend, protect and compensate the City of Lebanon as a result of any cause of action which may be brought or perfected against the City of Lebanon in connection herewith. The contractor and/or property owner shall provide the Department of Public Works with a certificate of insurance acceptable to the Insurance Consultant covering such contractor and/or property owner for bodily injury, including wrongful death, and property damage through Commercial General Liability insurance, or equivalent personal liability coverage, on an occurrence basis with a combined single limit of no less than five hundred thousand dollars (\$500,000) and naming the City of Lebanon as an Additional Insured. Said certificate shall be for continuous coverage unless cancelled by the insurance company at which time notice of cancellation will be received by the City Clerk no later than 30 days previous to cancellation of the insurance. The certificate of insurance shall include an advance 30 day notice of cancellation.
- (3) The form of insurance and the surety thereon shall be satisfactory to the City Solicitor and the Insurance Consultant.

Appendix G (amend as follows):

G201.2 Definitions (add following definitions:)

- (a) "Construction" includes the building, reconstruction, extension, expansion, alteration, substantial improvements, erection or relocation of a building or structure, including mobile homes. For flood plain purposes, "construction" includes structures for which

the "start of construction" commenced on or after the effective date of a flood plain management regulation adoption by the Municipality.

- (b) "One hundred (100) year flood (regulatory flood)" means a flood that, on the average, is likely to occur once every 100 years (I .e., that has a one percent (1%) chance of occurring each year, although the flood may occur in any year).
- (c) "Regulatory flood" means the flood which has been selected to serve as the basis upon which the flood plain management provisions of this Appendix and other ordinances have been prepared, for the purposes of this Appendix, the 100 year flood, as defined by the Federal Insurance Administrator.
- (d) "Regulatory flood elevation" means the 100 year flood elevation based upon the information contained in the Official Flood Insurance Study. Where flood elevations have not been provided, the regulatory flood elevation shall be the elevation at a point on the boundary of the identified flood plain area which is nearest to the construction site in question.
- (e) "Approximated Flood Plain Zone" means that flood plain area for which no specific flood profiles have been provided. Where the specific 100 year flood elevation cannot be determined for this area using other sources of data such as the U.S. Army Corps of Engineers, Flood Plain Information Reports, U.S. Geological Survey Flood Prone Quadrangles, etc., then the applicant for the proposed use, development and/or activity shall determine this elevation in accordance with hydrologic and hydraulic engineering techniques. Consideration shall be given to the methods specified by the U.S. Water Resource Council's Technical Bulletin No. 17. This elevation information shall be subject to review by the Municipality and other agencies that it shall designate such as the Corps of Engineers, the Department of Environmental Resources, a River Basin Commission, etc.
- (f) "Floodproofing" means any combination of structural and non-structural additions, changes or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents. It is additionally defined as constructing or altering a structure to be watertight with walls substantially impermeable to the passage of water. Furthermore, structural components have the capability of resisting hydrostatic and hydrodynamic loads and the effects of buoyancy. (See the Army Corps of Engineers publication concerning Floodproofing, June, 1972, for details on floodproofing methods.)
- (g) "Floodplain district" means the zoning district that establishes the bounds of the 100-year flood plain as identified by the Federal Insurance Administrator with flood elevations so that necessary flood plain management control measures can be instituted in flood prone areas. This district has been divided into the following zones as identified in Section 1309.16(a) for Special Floodplain Hazard Areas (SFHA's) Flood Insurance Rate Maps (FIRMs) dated July 8, 2020. Zones can be identified with the following designators: AE, A, AO & AH.
- (h) "Mobile home" means a transportable, single-family dwelling intended for permanent occupancy, office or place of assembly contained in one unit or in two units, designed to be joined into one integral unit capable of again being separated for repeated towing, which arrives at a site complete and ready for occupancy except for minor and incidental unpacking and assembly operations, and constructed so that it may be used without a permanent foundation.

- (i) "Substantial improvement" means any reconstruction, major alteration or improvement (not including general maintenance or repair) of a structure, the cost of which equals or exceeds fifty percent (50%) of the market value of the structures either:

- (1) Before the improvement or repair is started; or
- (2) If the structure has been damaged, and is being restored, before the damage occurred.

For the purposes of this Appendix, substantial improvement is considered to have occurred when the first alteration of any wall, ceiling, floor or other structural part of the building commences whether or not that alteration affects the external dimensions of the structure. The term does not, however, include either:

- (1) Any project for improvement of a structure to comply with existing or local health, sanitary or safety code specifications which are solely necessary to assure safe living conditions; or
- (2) Any alteration of a structure listed on the National Register of Historic Places or a State Inventory of Historic Places.

G401 – Site Improvement (add the following subparagraphs)

G401.7 Basements and First Floors.

- (a) Lowest floor levels including basements in non-residential structures and substantial improvements thereto shall be constructed at or above an elevation of two feet above the regulatory flood or they may be constructed below the level of the 100 year flood, provided that they are floodproofed and designed to preclude inundation to an elevation of at least two feet above the regulatory flood elevation and to withstand the hydrostatic and hydrodynamic load of the regulatory flood. Note should be made of the publication entitled "Flood Proofing Regulations" prepared by the U.S. Army Corps of Engineers, which contains extensive information which can be of substantial benefit to municipalities in regulating activities in areas subject to flooding.
- (b) The lowest floor levels including basements in residential structures and substantial improvements thereto shall be constructed at or above an elevation of two feet above the regulatory flood elevation.

G401.8 Fill. If fill is used to raise the finished surface of the lowest floor two feet above the regulatory flood elevation:

- (a) Fill shall extend laterally fifteen feet beyond the building line from all points;
- (b) Fill shall consist of soil or small rock materials only. Sanitary land fills shall not be permitted;
- (c) Fill material shall be compacted to provide the necessary permeability and resistance to erosion, scouring or settling;
- (d) Fill slopes shall be no steeper than one vertical on two horizontals, unless substantiating data, justifying steeper slopes, are submitted to and approved by the City Engineer;
- (e) Fill shall be used only to the extent to which it does not adversely affect adjacent properties.

G401.9 Placement of Buildings and Structures.

- (a) All buildings and structures, including mobile homes, shall be constructed and placed on the lot so as to offer the minimum obstruction to the flow of water and shall be designed to have a minimum effect upon the flow and height of flood water .
- (b) The following shall not be placed or caused to be placed in any of the designated Flood Plain Zones : Fences, except two-wire fences, other structures, or other matter which may impede, retard or change the direction of the flow of water, or that will catch or collect debris carried by such water, or that is placed where the natural flow of the stream of flood waters would carry the same downstream to the damage or detriment of either public or private property adjacent to the flood plain .

G401.10 Anchoring.

- (a) All buildings, mobile homes and structures shall be firmly anchored in accordance with accepted engineering practices to prevent flotation, collapse or lateral movement, thus reducing the threat to life and property and decreasing the possibility of the blockage of bridge openings and other restricted sections of the watercourse .
- (b) All air ducts, large pipes and storage tanks located at or below the regulatory flood elevation shall be firmly anchored to prevent flotation, collapse or lateral movement.

G401.11 Floors, Walls and Ceilings.

- (a) Wood flooring used at or below the lowest floor level shall be installed to accommodate a lateral expansion of the flooring, perpendicular to the flooring grain, without incurring structural damage to the building.
- (b) Plywood used at or below the lowest floor level shall be of any "exterior" or "marine" grade and of a water-resistant or waterproof variety.
- (c) Basement ceilings in nonresidential structures shall have sufficient wet strength and be so installed as to survive inundation.
- (d) Window frames, door frames and door jambs used at or below the lowest floor level shall be made of metal.

G401.12 Electrical Systems.

- (a) All electric water heaters, electric furnaces, electric air conditioning and ventilating systems and other critical electrical installation, shall be permitted only at elevations of two feet or more above the regulatory flood elevation.
- (b) No electrical distribution panels shall be allowed at an elevation of less than two feet above the level of the regulatory flood elevation.
- (c) Separate electrical circuits shall serve lower levels and shall be dropped from above.

**G401.13 Plumbing.**

- (a) Water heaters, furnaces and other critical mechanical installations shall be permitted only at elevations of two feet or more above the regulatory flood elevation.
- (b) No part of any on-site sewage disposal system shall be constructed within any Flood Plain Zone.
- (c) Water supply systems and sanitary sewage systems shall be designed and located to preclude infiltration of flood waters into the system and discharges from the system into flood waters.
- (d) All gas and oil supply systems shall be designed to preclude the infiltration of flood waters into the system and discharges from the systems into flood waters. Additional provisions shall be made for the drainage of these systems in the event that flood water infiltration occurs.

**G401.14 Paints and Adhesives.**

- (a) Adhesive used at or below the lowest floor level shall have a bonding strength that is unaffected by inundation.
- (b) Doors and all wood trim at or below the lowest floor level shall be sealed with a waterproof paint or similar product.
- (c) Paints or other finishes used at or below the lowest floor level shall be capable of surviving inundation.

**G401.15 Storage.**

- (a) No materials that are buoyant, flammable, explosive or in times of flooding, could be injurious to human, animal or plant life, shall be stored below an elevation two feet above the regulatory flood elevation.

**G401.16 Plan Requirements.** The Zoning Officer and/or City Engineer shall require the following specific information to be included as part of an application for a building permit and shall maintain a permanent record of all such information.

- (a) A plan which details size of structure, finished ground elevation, finished floor elevation, elevation of lowest floor (including basement), whether or not such structures contain a basement, the elevation of the first floor and other elevations which indicate the level of floodproofing .
- (b) A document certified by a registered professional engineer or architect that the design of any proposed building or structure, and plans for the proposed development of the site, comply with the provisions of this Appendix and any other applicable ordinance and that the floodproofing measures applied to such development are adequate to withstand flood depths and pressures, velocities, impacts and uplift forces, and any other factors associated with the regulatory flood.
- (c) A record of such certificates indicating the specific elevation (in relation to National Geodetic Vertical Datum of 1929) to which such structures are floodproofed shall be maintained by the Zoning Officer.
- (d) All other necessary governmental permits such as those required by State and Federal law including Federal Water Pollution Control Act Amendments of

1972 (33 U . S. C . 1334) shall be presented for review upon permit application.

G501 – Manufactured Homes (add the following subparagraph)

G501.3.1 Mobile Home-Special Anchoring and Site Requirements. All mobile homes to be located in any designated Flood Plain Zone shall be anchored to resist flotation, collapse or lateral movement by providing over-the-top and frame ties to ground anchors as well as additional precautions in the following manner:

- (a) Over-the-top ties shall be provided at each of the four corners of the mobile home, with two additional ties per side at intermediate locations and mobile homes less than fifty feet long requiring one additional tie per side.
- (b) Frame ties shall be provided at each corner of the home with five additional ties per side at intermediate points for mobile homes fifty feet or more in length and mobile homes less than fifty feet long requiring four additional ties per side.
- (c) All components of the anchoring system shall be capable of carrying a force of 4,800 pounds.
- (d) Any additions to mobile homes shall be similarly anchored.
- (e) All individual mobile homes, new mobile home parks and mobile home subdivisions, expansion to existing mobile home parks and mobile home subdivisions, existing mobile home parks and mobile home subdivisions where the repair, reconstruction or improvement of the streets, utilities and pads equals or exceeds fifty percent (50%) of the value of the streets, utilities and pads before the repair, reconstruction or improvements have commenced, shall be located and/or designed so that:
  - (1) Stands or lots are elevated on compacted fill or on pilings so that the lowest floor of the mobile home will be at or above an elevation of at least two feet above the regulatory flood elevation.
  - (2) Adequate surface drainage and access for a hauler are provided.
- (f) Where piers or pilings are used to elevate mobile homes, they shall be:
  - (1) Placed on lots large enough to permit steps;
  - (2) Placed on piling foundations in stable soils no more than ten feet apart; and
  - (3) Adequately reinforced if more than six feet above ground level.
- (g) An evacuation plan indicating alternate vehicular access and escape routes for mobile home parks and mobile home subdivisions shall be filed with the appropriate local officials where appropriate.
- (h) Mobile homes shall not be placed in the Floodway or Approximated Flood Plain Zone, except in existing mobile home parks and existing mobile home subdivisions.

SECTION 3. Any ordinance or part of ordinance conflicting with the provisions of this ordinance be and the same is hereby repealed so far as the same affects this ordinance.

SECTION 4. If any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The Council of the City of Lebanon hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

SECTION 5. Nothing in this ordinance or in the Building Code hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in Section 2 of this ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance.

SECTION 6. This ordinance and the rules, regulations, provision, requirements, orders and matters established and adopted hereby shall take effect and be in full force and effect upon final adoption of Lebanon City Council.