

MONDAY, SEPTEMBER 22, 2025

The regular monthly meeting of the Council of the City of Lebanon, Pa., was held in Dixon Council Chamber of City Hall, Lebanon, Pa., this evening, Chairperson Martin presiding.

The meeting was called to order at 6:30 p.m.

Present--Mrs. Haitos, Mr. Maguire, Mr. Morales, Mr. Potash, and Mr. Martin, Chairperson. Absent—none.

Also present were Mayor Sherry L. Capello; Assistant Fire Chief Jeffrey Campbell; City Solicitor Anthony Francos; Community and Economic Administrator Janelle Groh; Director of Administration-Assistant to the Mayor Melissa Quinones; Captain of Police Eric Sims; Director of Public Works Chad Yeagley; 15 persons in the audience; and 3 members of the news media.

A moment of silence was held in memory of conservative leader Charlie Kirk who was assassinated at a speaking event in Utah on September 10, 2025; and for the three York County police officers killed in the line of duty last week.

The minutes of the August 25, 2025, City Council meeting were presented by the City Clerk. There being no corrections, deletions or additions, the minutes were approved as presented.

Chairperson Martin announced that Council received budget reports for the period January 1 through July 31, 2025. Mayor Capello reported that 67 percent of the fiscal year is completed; revenues are at 81 percent; and expenditures are about 55 percent. She reported that overall, we are performing better than budget in both categories.

On behalf of Friends of All Animals, Gloria Pushnik presented a check in the amount of \$999.00 to the City of Lebanon Police Department for the purchase of a heat alarm system for the police department's K9 vehicle. Mayor Capello extended her sincere thanks to the group on behalf of Council and the members of the Lebanon Police Department.

Mayor Capello reported that Friends of All Animals is a local nonprofit founded in July 2000 by Gloria Pushnik. Since 2010, the group has been instrumental in fundraising efforts to support the police department's canine fund. Today's donation will fund the purchase of a heat alarm system that will alert the officer if something happens and there is no cold air circulating in the vehicle. When the alarm is triggered, the car horn and lights are activated and the officer can initiate the windows in the vehicle to be lowered. Captain Sims added that if an officer is on a call and gets into a struggle, the officer can open the door on the vehicle by pushing a button on the officer's belt, allowing the canine to exit and assist the officer.

Mr. Maguire introduced Resolution No. 30, as follows:

APPROVING THE RULES AND REGULATIONS OF THE POLICE CIVIL SERVICE
COMMISSION FOR THE BUREAU OF POLICE.

SECTION 1. The Rules and Regulations of the Police Civil Service Commission for the Bureau of Police adopted by the Civil Service Commission on September 15, 2025, are hereby approved.

SECTION 2. A copy of said Rules and Regulations of the Police Civil Service Commission for the Bureau of Police is hereby attached to and made part of this resolution.

Mayor Capello reported that in an effort to help the City of Lebanon become more competitive in the hiring process, the Police Civil Service Commission is recommending revisions to the rules and regulations. The passing score for the written exam is being changed to 75 percent which is also being utilized as a passing score by the City of Lancaster, the City of Reading, and the City of Harrisburg. In addition, the requirements for the physical agility test are being amended to eliminate the gun trigger pull and window access work stations. Mayor Capello explained that all candidates will still be required to meet the MPOETC standards.

Councilmember Maguire agreed that so many of the qualities of an excellent police officer have little to do with the ability to take a book test. Councilmember Morales asked if applicants must still complete the Act 120 certification with the State to which Mayor Capello confirmed that is correct.

Councilmember Potash asked when application will open to candidates to which Mayor Capello responded that the Civil Service Commission will begin advertising tomorrow, September 23.

Resolution No. 30 was passed finally on motion of Mr. Maguire, seconded by Mr. Potash. Yeas—Mrs. Haitos, Mr. Maguire, Mr. Morales, Mr. Potash, and Mr. Martin, Chairperson—5; nays—none.

Mr. Morales introduced Bill No. 8, as follows:

AMENDING PART ELEVEN (PUBLIC HEALTH CODE) OF THE CITY OF LEBANON
CODIFIED ORDINANCES TO ESTABLISH ARTICLE 1108, SPECIALTY
TOBACCO AND E-CIGARETTE ESTABLISHMENTS AND HOOKAH
ESTABLISHMENTS, TO ENACT REGULATIONS FOR THE SALES OF TOBACCO
AND E-CIGARETTES AND TO INCLUDE REGULATIONS GOVERNING THE
OPERATION OF SPECIALTY TOBACCO AND E-CIGARETTE
ESTABLISHMENTS AND HOOKAH ESTABLISHMENTS WITHIN THE CITY OF
LEBANON.

WHEREAS, the City of Lebanon is empowered to enact ordinances directing the uses of
land for the protection and promotion of the safety, health and morals of its citizens and visitors;
and

WHEREAS, businesses in the City are marketing tobacco, e-cigarettes and other products
legally to sell to adults in the Commonwealth of Pennsylvania; *and*

WHEREAS, these businesses directly or indirectly influence minor children to acquire and consume these products with adverse effects; *and*

WHEREAS, the Pennsylvania state law prohibits the sale of tobacco to minors; *and*

WHEREAS, the City believes that it is in the best interest of the citizens to prohibit the sale of Tobacco Products to minors and to prohibit minors from entering the premises of Specialty Tobacco and E-Cigarette Establishments and Hookah Establishments.

NOW, THEREFORE, BE IT ORDAINED, by the Council for the City of Lebanon, Pennsylvania that Part Eleven, Public Health Code, of the City of Lebanon Codified Ordinances is amended by enacting Article 1108, Specialty Tobacco and E-Cigarette Establishments and Hookah Establishments, in its entirety as set forth herein:

SECTION ONE: PURPOSE

The purpose of these regulations is to foster the health and safety of all citizens and visitors in the City.

SECTION TWO: DEFINITIONS

As used in this Ordinance, the following words, terms and phrases shall have the following meanings unless it is apparent from the context that a different meaning is intended:

MINOR - As follows:

- (1) Except as provided under paragraph (2), an individual under 21 years of age.
- (2) A member of the active or reserve components of any branch or unit of the armed forces of the United States under 18 years of age or a veteran who received an honorable discharge from any branch or unit of the active or reserve components of the armed forces of the United States under 18 years of age.

TOBACCO PRODUCTS - Any substance containing tobacco leaf, including but not limited to cigarettes, cigars, pipe tobacco, snuff, chewing tobacco or dipping tobacco, chewing tobacco, and related accessories, including, but not limited to, matches, lighters, grinders, hookahs, pipes, cigarette rolling machines or papers, ashtrays, pipe tools, pipe supplies and pipe accessories, and vaping products and accessories.

SPECIALTY TOBACCO AND E-CIGARETTE ESTABLISHMENT- An establishment which is primarily dedicated to the display, sale, distribution, delivery, offering, furnishing, or marketing of Tobacco Products or e-cigarettes and related products, including but not limited to, e-cigarette atomizers, vaporizers, batteries, replacement cartridges and any solution manufactured for use with such devices. This definition does not include convenience stores and gas stations, which mainly serve ready-to-eat food and beverages for primarily off-site consumption, as well as other common household items.

ELECTRONIC SMOKING DEVICE - An electronic device that delivers nicotine or other substances via vapor for inhalation. This includes e-cigarettes, e-cigars, e-pipes and any other such products; and includes all component parts, such as e-cigarette batteries, atomizers, vaporizers, replacement cartridges and any solution manufactured for use with such a device. It does not include any product approved or certified for sale by the United States Food and Drug Administration as a tobacco use cessation product, or for other medical purposes. It may also be referred to herein as "e-cigarette".

SECTION THREE: SALES TO MINORS PROHIBITED; MANDATORY IDENTIFICATION

1. It shall be unlawful for any Specialty Tobacco, and E-Cigarette Establishment and/or Hookah Establishment to permit minors to enter or remain on the premises without the supervision of an adult.
2. It shall be unlawful for any person, including any retail business or Specialty Tobacco and E-Cigarette Establishment and/or Hookah Establishment, to sell or furnish by gift, purchase or other means to any minor the following products:
 - a. Cigarettes or other Tobacco Products
 - b. Electronic Smoking Devices or other related products
3. No person shall sell any of the products listed under 1108.03(2)(a) and (b) unless the purchaser either:
 - a. demonstrates proof of legal age by means of a photographic identification card issued by a government entity; or
 - b. reasonably appears to be at least thirty (30) years of age.
4. Defense. The following affirmative defense is available:
 - a. It is an affirmative defense for a retailer to an offense under this section that, prior to the date of the alleged violation, the retailer has complied with all of the following:
 - i. adopted and implemented a written policy against selling tobacco products to minors which includes:
 1. a requirement that an employee ask an individual who appears to be 30 years of age or younger for a valid photoidentification as proof of age prior to making a sale of tobacco products;
 2. a list of all types of acceptable photoidentification;
 3. a list of factors to be examined in the photoidentification, including photo likeness, birth date, expiration date, bumps, tears or other damage and signature;
 4. a requirement that, if the photoidentification is missing any of the items listed in subclause (III), it is not valid and cannot be accepted as proof of age for the sale of tobacco products. A second photoidentification may be required to make the sale of tobacco products, with questions referred to the manager; and
 5. a disciplinary policy which includes employee counseling and suspension for failure to require valid photoidentification and dismissal for repeat improper sales.

- ii. informed all employees selling tobacco products through an established training program of the applicable Federal and State laws regarding the sale of tobacco products to minors;
 - iii. documented employee training indicating that all employees selling tobacco products have been informed of and understand the written policy referred to in subsection (a);
 - iv. trained all employees selling tobacco products to verify that the purchaser is at least 21 years of age or if the minor is a member of the active or reserve components of any branch or unit of the armed forces of the United States or a veteran who received an honorable discharge from any branch or unit of the active or reserve components of the armed forces of the United States, at least 18 years of age before selling tobacco products;
 - v. conspicuously posted a notice that selling tobacco products to a minor is illegal, that the purchase of tobacco products by a minor is illegal and that a violator is subject to penalties; and
 - vi. established and implemented disciplinary sanctions for noncompliance with the policy under subsection (a).
- b. An affirmative defense under this paragraph must be proved by a preponderance of the evidence.
 - c. An affirmative defense under this paragraph may be used by a retailer no more than three times at each retail location during any 24-month period.

SECTION FOUR: WARNING SIGNS

- 1. Every retail outlet that sells cigarettes or Tobacco Products -- including but not limited to Specialty Tobacco and E-Cigarette Establishments, Hookah Establishments, convenience stores and gas stations -- shall post in a conspicuous place, clearly visible from any point of sale, a Warning Sign, as described below. Every vending machine contained within said retail outlet shall conspicuously bear a Warning Sign, as described below.
- 2. Warning Signs for 1108.04(1) shall state the following:
 - a. Tobacco Products and Cigarettes: "SALE OF CIGARETTES AND OTHER TOBACCO PRODUCTS TO PERSONS UNDER 21 YEARS OF AGE IS PROHIBITED BY LAW. PHOTO I.D. WILL BE REQUIRED. THIS LAW WILL BE STRICTLY ENFORCED." Such a sign shall be printed on a white card in red letters at least one-quarter inch in height, or in such other format as the Department of Licenses and Inspections shall allow by regulation.

SECTION FIVE: PENALTY

- 1. *Violation of Section 1108.03.* A retailer that violates any of the provisions of Section 1108.03 (1-3), upon conviction thereof in a summary proceeding before the Magisterial District Judge, shall be sentenced as follows:
 - (i) for a first offense, to pay a fine of not less than \$100 nor more than \$500;
 - (ii) for a second offense, to pay a fine of not less than \$500 nor more than \$1,000;
 - (iii) for a third offense, to pay a fine of not less than \$1,000 nor more than \$3,000;

- (iv) for a fourth or subsequent offense, to pay a fine of not less than \$3,000 nor more than \$5,000.
- 2. *Violation of Section 1108.04.* Any person who violates any of the provisions of Section 1108.04, upon conviction thereof in a summary proceeding before any Magisterial District Judge, shall be sentenced to pay a fine for each offense of not less than \$100 nor more than \$300 and the cost of prosecution.

SEVERABILITY CLAUSE.

The terms, conditions and provisions of this Ordinance are hereby declared to be severable, and, should any portion, part or provision of this Ordinance be found by a court of competent jurisdiction to be invalid, unenforceable or unconstitutional, the City Council hereby declares its intent that the Ordinance shall have been enacted without regard to the invalid, unenforceable or unconstitutional portion, part or provision of this Ordinance.

REPEALER.

Any and all other Ordinances or parts of Ordinances in violation or conflict with the terms, conditions and provisions of the Ordinance are hereby repealed to the extent of such irreconcilable conflict.

Mayor Capello reported that the ordinance is focused on prohibiting minors from entering retail establishments where the primary product is tobacco or specialty tobacco products and this is within the power of the city to enforce. She added that there is a state law addressing this issue; however, the use of tobacco products has become a huge concern among school officials and our community. This ordinance is an additional layer to protect the youth. Additionally, this ordinance will penalize the retail clerk and/or establishment rather than the minor.

Mayor Capello reported that subsequent to the discussion at the Pre-Council meeting, Paragraph 1 of Section 3 of the ordinance was revised to add the phrase “without the supervision of an adult” to the end of the sentence.

Councilmember Maguire stated that he appreciates the revision to the language to clarify that it only applies to unaccompanied children. However, in his opinion, the state law is sufficient to punish those who violate the law.

Bill No. 8 was passed on first reading and will be considered for final reading at the City Council meeting of October 27, 2025, on motion of Mr. Morales, seconded by Mrs. Haitos. Yeas--Mrs. Haitos, Mr. Morales, Mr. Potash, and Mr. Martin, Chairperson—4; nays—Mr. Maguire--1.

Mrs. Haitos introduced Bill No. 9, as follows:

AMENDING SECTION 1701.06, “FEES”, OF ARTICLE 1701, “PENNSYLVANIA CONSTRUCTION CODE”, OF THE CODIFIED ORDINANCES OF THE CITY OF LEBANON, PA., FOR THE PURPOSE OF REVISING THE FEE STRUCTURE; AND REPEALING ALL ORDINANCES AND PARTS OF THE ORDINANCES IN CONFLICT THEREWITH.

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

SECTION 1. Section 1701.06, “Fees”, of Article 1701, “Pennsylvania Construction Code”, of the Codified Ordinances of the City of Lebanon, Pa., is hereby repealed, rescinded and deleted in its entirety and shall be replaced by the following new section:

“1701.06 FEES.

- a. Fees assessable by the City of Lebanon for the administration and enforcement undertaken pursuant to this article and the Code shall be established by the governing board by ordinance from time to time.
- b. The following schedule of fees for various matters pertaining to the City of Lebanon Building Code is hereby approved:

<u>Type</u>	<u>Fee</u>
<u>Residential One & Two Family Dwelling Construction</u> <u>(10% discount for Owner Occupied)</u>	
New Construction – all space including living area, finished basements, garages, decks, porches, additions and accessory structures over 250 sq. ft.	\$.45 per square foot (minimum fee is \$100)
Renovations/Alterations (based on fair market value of project cost), Including roofing, electrical/heating/plumbing/solar and single trade miscellaneous	
\$1 – \$10,000	\$ 60
\$10,001 - \$50,000	\$ 75
\$50,001 – \$100,000	\$100
\$100,001 and up	\$125
Pools (includes spas/hot tubs)	
Above Ground	\$50
In-ground	\$75
Storable – any pool that can contain 24” of water (no additional zoning fee)	\$25
Demolition (dwellings and accessory buildings over 250 sq ft.)	\$200
<u>Commercial /Mixed Use/Multi-Family (3 or more units)</u>	
New construction – additions and accessory structures	\$.50 per square foot (minimum fee is \$200)

Renovations / Alterations

(based on fair market value of project costs), including roofing, electrical/heating/plumbing/solar and single trade miscellaneous

\$1 - \$9,999	\$100
\$10,000 – \$49,999	\$200
\$50,000 – \$99,999	\$500
\$100,001 – \$499,999	\$1,000
\$500,000 – 999,999	\$2,000
\$1,000,000 and up	\$3,000
Demolition (including partial)	\$500
Signs (over 20 sq. ft.)	
Building (non-illuminated)	\$ 50/per sign
Building (illuminated)	\$100/per sign
Freestanding (non-illuminated)	\$100/per sign
Freestanding (illuminated)	\$150/per sign

Note:

1. All Uniform Construction Code inspections and plan reviews shall be conducted by a third party. Applicant shall be responsible for all fees associated with said inspections and plan reviews.
2. Work started (or signs installed) without a permit are subject to twice the regular permit fee.
3. Projects cancelled or permits not picked up within thirty (30) days of issue date will be invoiced for fifty percent (50%) of city permit fee and all third party plan review fees. Fees unpaid for ninety (90) days may be subject to a ten percent (10%) interest rate or maximum allowable by law. Unpaid fees after one (1) year are subject to lien.
4. Owners of property with illegally installed signs or signs not removed within the appropriate time frame may be charged for removal/storage and/or disposal as follows:
 - a. 1st offense - \$10 per sign
 - b. 2nd offense - \$20 per sign
 - c. Additional offenses will be prosecuted to the full extent of the law.”

SECTION 2. 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.

Mayor Capello reported that the building fees are no changing; however, wording was added for clarification.

Bill No. 9 was introduced and will be considered for final reading at the City Council meeting of October 27, 2025, on motion of Mrs. Haitos, seconded by Mr. Morales. Yeas--Mrs. Haitos, Mr. Maguire, Mr. Morales, Mr. Potash, and Mr. Martin, Chairperson—5; nays—none.

Mr. Morales introduced Bill No. 10, as follows:

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 been 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) Under sidewalk 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 cap 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 landfills 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.

Mayor Capello explained that the Uniform Construction Code and the International Building Code are being amended to be in line with state regulations.

Bill No. 10 was introduced and will be considered for final reading at the City Council meeting of October 27, 2025, on motion of Mr. Morales, seconded by Mr. Maguire. Yeas--Mrs. Haitos, Mr. Maguire, Mr. Morales, Mr. Potash, and Mr. Martin, Chairperson—5; nays—none.

Mr. Potash introduced Bill No. 11, as follows:

ADOPTING THE 2018 EDITION OF THE *INTERNATIONAL RESIDENTIAL CODE*, REGULATING AND GOVERNING THE CONSTRUCTION, ALTERATION, MOVEMENT, ENLARGEMENT, REPLACEMENT, REPAIR, EQUIPMENT, LOCATION, REMOVAL AND DEMOLITION OF DETACHED ONE AND TWO FAMILY DWELLINGS AND MULTIPLE SINGLE FAMILY DWELLINGS (TOWNHOUSES) NOT MORE THAN THREE STORIES IN HEIGHT WITH SEPARATE MEANS OF EGRESS IN THE CITY OF LEBANON; 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. 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 Residential Code*, 2018 Edition, including Appendix A through Q as published by the International Code Council, be and is hereby adopted as the Residential Code of the City of Lebanon in the Commonwealth of Pennsylvania regulating and governing the construction,

alteration, movement, enlargement, replacement, repair, equipment, location, removal and demolition of detached one and two family dwellings and multiple single family dwellings (townhouses) not more than three stories in height with separate means of egress 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 Mechanical 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 Residential Code*, 2018 Edition, as adopted, are hereby deleted, altered or amended as follows:

R101.1 Title. These regulations shall be known as the *International Residential Code for One- and Two-Family Dwellings* of the City of Lebanon, hereinafter referred to as “this code”.

Table R301.2(1) (insert following)

- a. Ground Snow Load = 30
- b. Wind Speed = 90 mph
- c. Seismic Design Category = B
- d. Weathering = Severe
- e. Frost Line Depth = 36 inches
- f. Termite = Moderate to Heavy
- g. Winter Design Temp = 10 degrees
- h. Ice Barrier Underlayment Required = yes
- i. Flood Hazards = per current FIRM (flood insurance rate map)
- j. Air Freezing Index = 1,000
- k. Mean Annual Temp = 52 degrees Fahrenheit

Section P2603.5.1 Sewer depth. (insert) 42 inches

Appendix L Permit Fees (delete in entirety)

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 Residential 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 upon final adoption by Lebanon City Council.

Bill No. 11 was introduced and will be considered for final reading at the City Council meeting of October 27, 2025, on motion of Mr. Potash, seconded by Mrs. Haitos. Yeas--Mrs. Haitos, Mr. Maguire, Mr. Morales, Mr. Potash, and Mr. Martin, Chairperson—5; nays—none.

Mr. Martin introduced Bill No. 12, as follows:

ADOPTING THE 2018 EDITION OF THE *INTERNATIONAL EXISTING BUILDING CODE*, REGULATING THE REPAIR, ALTERATION, CHANGE OF OCCUPANCY, ADDITION, AND RELOCATION OF EXISTING BUILDINGS, INCLUDING HISTORIC BUILDINGS, IN THE CITY OF LEBANON; 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. 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 Existing Building Code*, 2018 Edition, including Appendix A through B, as published by the International Code Council, be and is hereby adopted as the Existing Building Code of the City of Lebanon in the Commonwealth of Pennsylvania for regulating and governing the repair, alteration, change of occupancy, addition, and relocation of existing buildings, including historic buildings, 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 Existing 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 Existing Building Code*, 2018 Edition, as adopted, are hereby deleted, altered or amended as follows:

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

IEBC [A] 101.4 Applicability. This code shall apply to the repair, alteration, change of occupancy, addition and relocation of existing buildings, regardless of occupancy, subject to the criteria of Section 101.4.1 and 101.4.2 except for structures that were built or existing prior to December 14, 1959.

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 Existing 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 upon final adoption by Lebanon City Council.

Bill No. 12 was introduced and will be considered for final reading at the City Council meeting of October 27, 2025, on motion of Mr. Martin, seconded by Mr. Morales. Yeas--Mrs. Haitos, Mr. Maguire, Mr. Morales, Mr. Potash, and Mr. Martin, Chairperson—5; nays—none

Mr. Maguire introduced Bill No. 13, as follows:

ADOPTING THE 2018 EDITION OF THE *INTERNATIONAL MECHANICAL CODE*, REGULATING AND GOVERNING THE DESIGN, CONSTRUCTION, QUALITY OF MATERIALS, ERECTION, INSTALLATION, ALTERATION, REPAIR, LOCATION, RELOCATION, REPLACEMENT, ADDITION TO, USE OR MAINTENANCE OF MECHANICAL SYSTEMS IN THE CITY OF LEBANON; 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. 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 Mechanical Code*, 2018 Edition, including Appendix A as published by the International Code Council, be and is hereby adopted as the Mechanical Code of the City of Lebanon in the Commonwealth of Pennsylvania regulating and governing the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of mechanical systems 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 Mechanical 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 Mechanical Code*, 2018 Edition, as adopted, are hereby deleted, altered or amended as follows:

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

IMC 106.5.2 Fee Schedule (delete in entirety)

IMC 106.5.3 Fee Refunds (delete in entirety)

IMC 108.4 Violation Penalties Any person who fails to correct a violation or institute a remedial action as ordered by the enforcing official or who violates a provision or fails to comply with any requirements of this article or Code or any of the other applicable codes or ordinances shall be guilty of a summary offense, for each violation, punishable by a fine of not less than One Hundred Dollars (\$100.00) or more than One Thousand Dollars (\$1,000.00) plus costs of prosecution and/or be imprisoned not more than ninety days. Each day that a violation continues shall be deemed a separate offense.

IMC 108.5 Stop work orders (insert) \$100.00 and \$1,000.00

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 Mechanical 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 upon final adoption by Lebanon City Council.

David Funk, 609 Chestnut Street, Lebanon, stated that the state is adopting the 2024 codes and asked why the City is adopting the 2018 codes. Mayor Capello responded that the 2018 Edition is the latest version adopted by the State and these ordinances bring the City of Lebanon into compliance. She added that if the State adopts the 2024 edition, the City will review those changes and make revisions as necessary.

Bill No. 13 was introduced and will be considered for final reading at the City Council meeting of October 27, 2025, on motion of Mr. Maguire, seconded by Mr. Potash. Yeas--Mrs. Haitos, Mr. Maguire, Mr. Morales, Mr. Potash, and Mr. Martin, Chairperson—5; nays—none

Mrs. Haitos introduced Bill No. 14, as follows:

ADOPTING THE 2018 EDITION OF THE *INTERNATIONAL PLUMBING CODE*, REGULATING AND GOVERNING THE DESIGN, CONSTRUCTION, QUALITY OF MATERIALS, ERECTION, INSTALLATION, ALTERATION, REPAIR, LOCATION, RELOCATION, REPLACEMENT, ADDITION TO, USE OR MAINTENANCE OF PLUMBING SYSTEMS IN THE CITY OF LEBANON; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES THEREFOR; 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 Plumbing Code*, 2018 Edition, including Appendix B through E as published by the International Code Council, be and is hereby adopted as the Plumbing Code of the City of Lebanon in the Commonwealth of Pennsylvania regulating and governing the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of plumbing systems 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 Plumbing 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 Plumbing Code*, 2018 Edition, as adopted are hereby deleted, altered or amended as follows:

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

IPC 106.6 Fees. Delete in entirety.

IPC 108.4 Violation Penalties. Any person who fails to correct a violation or institute a remedial action as ordered by the enforcing official or who violates a provision or fails to comply with any requirements of this article or Code or any of the other applicable codes or ordinances shall be guilty of a summary offense, for each violation, punishable by a fine of not less than fifty dollars (\$50.00) or more than one thousand dollars (\$1,000.00) plus costs of prosecution and/or be imprisoned not more than ninety days. Each day that a violation continues shall be deemed a separate offense.

IPC 108.5 Stop Work Orders. (insert) Upon notice from the Code Official, work on any plumbing system that is being performed contrary to the provisions of this code or in a dangerous or unsafe manner shall immediately cease. Such notice shall be in writing and shall be given to the owner of the property, or to the owner's authorized agent, or to the person performing the work. The notice shall state the conditions under which work is authorized to resume. Where an emergency exists, the Code Official shall not be required to give a written notice prior to stopping the work. 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 liable to a fine of not less than Fifty Dollars (\$50.00) or more than One Thousand Dollars (\$1,000.00) plus costs of prosecution. Each day that a violation continues shall be deemed a separate offense.

IPC 301.3 Connections to the sanitary drainage system. All plumbing fixtures, drains, appurtenances and appliances used to receive or discharge liquid wastes or sewage shall be directly connected to the sanitary drainage system of the building or premises, in accordance with the requirements of this code. This section shall not be construed to prevent the indirect waste systems required by Chapter 8.

Connection to the Public Sanitary Sewer System is required if a sewer main exists along the frontage of the property, or within 200 feet of the property and deemed necessary by the Director of Public Works. Connections to the public sanitary sewer system shall be in accordance with regulations set forth by the City of Lebanon Authority.

IPC 301.4 Connections to water supply. Every plumbing fixture, device or appliance requiring or using water for its proper operation shall be directly or indirectly connected to the water supply system in accordance with the provisions of this code.

Connection to the public water system is required if a water main exists along the frontage of the property, or within two hundred (200) feet of the property and deemed necessary by the Director of Public Works. Connections to the public water system shall be in accordance with regulations set forth by the City of Lebanon Authority.

IPC 305.6.1 Sewer Depth. (Insert) 42 inches

IPC 903.1 Roof Extension. (Insert) 24 inches

IPC Appendix A. Delete in entirety

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 Plumbing 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 upon final adoption by Lebanon City Council.

Bill No. 14 was introduced and will be considered for final reading at the City Council meeting of October 27, 2025, on motion of Mrs. Haitos, seconded by Mr. Morales. Yeas-- Mrs. Haitos, Mr. Maguire, Mr. Morales, Mr. Potash, and Mr. Martin, Chairperson—5; nays—none

Mr. Morales introduced Bill No. 15, as follows:

AN ORDINANCE ADOPTING THE 2018 EDITION OF THE *INTERNATIONAL FUEL GAS CODE*, REGULATING AND GOVERNING FUEL GAS SYSTEMS AND GAS-FIRED APPLIANCES 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. 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 Fuel Gas Code*, 2018 Edition, including Appendix Chapters A through D as published by the International Code Council, be and is hereby adopted as the Fuel Gas Code of the City of Lebanon in the Commonwealth of Pennsylvania for regulating and governing fuel gas systems and gas-fired appliances 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 Fuel Gas 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 Fuel Gas Code*, 2018 Edition, as adopted, are hereby deleted, altered or amended as follows:

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

IFGC 106.6.2 Fee Schedule. (delete in entirety)

IFGC 106.6.3 Fee Refunds. (delete in entirety)

IFGC 108.4 Violation Penalties. Any person who fails to correct a violation or institute a remedial action as ordered by the enforcing official or who violates a provision or fails to comply with any requirements of this article or Code or any of the other applicable codes or ordinances shall be guilty of a summary offense, for each violation, punishable by a fine of not less than One Hundred Dollars (\$100.00) or more than one thousand dollars (\$1,000.00) plus costs of prosecution and/or be imprisoned not more than ninety days. Each day that a violation continues shall be deemed a separate offense.

IFGC 108.5 Stop Work Orders. (insert) \$100 and \$1,000.00

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 Fuel Gas 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.

Bill No. 15 was introduced and will be considered for final reading at the City Council meeting of October 27, 2025, on motion of Mr. Morales, seconded by Mr. Maguire. Yeas-- Mrs. Haitos, Mr. Maguire, Mr. Morales, Mr. Potash, and Mr. Martin, Chairperson—5; nays—none

Mr. Martin introduced Bill No. 16, as follows:

AN ORDINANCE ADOPTING THE 2018 EDITION OF THE *INTERNATIONAL ENERGY CONSERVATION CODE*, REGULATING AND GOVERNING ENERGY EFFICIENT BUILDING ENVELOPES AND INSTALLATION OF ENERGY EFFICIENT MECHANICAL, LIGHTING AND POWER SYSTEMS IN THE CITY OF LEBANON; 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 Energy Conservation Code*, 2018 Edition, as published by the International Code Council, be and is hereby adopted as the Energy Conservation Code of the City of Lebanon in the Commonwealth of Pennsylvania regulating the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of electrical systems 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 Energy Conservation 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 Energy Conservation Code*, 2018 Edition, as adopted, are hereby deleted, altered or amended as follows:

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

IECC C104.5 Refunds. Delete in its entirety

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 Energy Conservation 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 upon final adoption by Lebanon City Council.

Bill No. 16 was introduced and will be considered for final reading at the City Council meeting of October 27, 2025, on motion of Mr. Maritn, seconded by Mr. Potash. Yeas--Mrs. Haitos, Mr. Maguire, Mr. Morales, Mr. Potash, and Mr. Martin, Chairperson—5; nays—none

Mrs. Haitos introduced Bill No. 17, as follows:

AN ORDINANCE ADOPTING THE 2018 EDITION OF THE *INTERNATIONAL FIRE CODE*, REGULATING AND GOVERNING THE SAFE-GUARDING OF LIFE AND PROPERTY FROM FIRE AND EXPLOSION HAZARDS ARISING FROM THE STORAGE, HANDLING AND USE OF HAZARDOUS SUBSTANCES, MATERIALS AND DEVICES, AND FROM CONDITIONS HAZARDOUS TO LIFE OR PROPERTY IN THE OCCUPANCY OF BUILDINGS AND PREMISES IN THE CITY OF LEBANON; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES THEREFORE; AND REPEALING ALL ORDINANCES AND PARTS OF THE ORDINANCES IN CONFLICT THEREWITH.

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 Fire Code*, 2018 Edition, including Appendix Chapters B, C, D, F, G, H and I as published by the International Code Council, be and is hereby adopted as the Fire Code of the City of Lebanon in the Commonwealth of Pennsylvania regulating and governing the safeguarding of life and property from fire and explosion hazards arising from the storage, handling and use of hazardous substances, materials and devices, and from conditions hazardous to life or property in the occupancy of buildings and premises 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 Fire 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 Fire Code*, 2018 Edition, as adopted are hereby deleted, altered or amended as follows:

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

IFC 104.6.3 Fire Records. The Fire Chief or his designee shall keep a record of all fires and all facts concerning the same, including investigation findings and statistics and information as to the cause, origin and the extent of such fires and the damage caused thereby.

IFC 104.10 Fire Investigations. The Fire Chief or his designee shall have the authority to investigate the cause, origin and circumstances of any fire, explosion or other hazardous condition. The Fire Chief or his designee shall request the assistance of the State Police Fire Marshall when a fire may be determined to be of a suspicious nature or when there has been a loss of life due to fire or explosion.

IFC 106.2 Schedule of permit fees. A fee for each permit shall be paid as required, in accordance with the following schedule:

Required Operational Permits.

<u>Description</u>	<u>Permit Fee</u>
Aerosol products	\$45.00 per year
Amusement buildings	\$45.00 per year
Carnivals and fairs	\$30.00 per event
Combustible dust-producing operations	\$45.00 per year
Covered mall buildings	\$45.00 per year
Crop ripening or coloring processes	\$45.00 per year
Dry cleaning plants	\$45.00 per year
Exhibits and trade shows	\$30.00 per event
Flammable finishes	\$45.00 per year
Fumigation and thermal insecticidal fogging	\$20.00 per job
High-piled storage	\$45.00 per year
Hot work operations (including torch or flame producing device)	\$30.00 per event or \$45.00 per year
Industrial ovens	\$45.00 per year
Lumber yards and woodworking plants	\$45.00 per year
Magnesium	\$45.00 per year
Miscellaneous combustible storage	\$45.00 per year
Organic coating	\$45.00 per year
Places of assembly and education:	
Class A 1,000 and over	\$90.00 per year
Class B 300 to 999	\$60.00 per year
Class C 50-299	\$30.00 per year
Pyrotechnic special effects material	\$30.00 per event
Service stations and garages	\$60.00 per year
Spraying or dipping	\$45.00 per year
Storage of scrap tires and tire byproducts	\$45.00 per year
Tents, air-supported and other temporary structures	\$25.00 per event
Tire rebuilding plants	\$45.00 per year
Vehicle wrecking yards, junkyards and waste material handling plants	\$60.00 per year
Cutting and welding	\$40.00 per event
Combustible fibers	\$45.00 per year
Compressed gases	\$45.00 per year
Cryogenic liquids	\$45.00 per year

Explosives, ammunition and blasting agents	\$30.00 per day
Flammable and combustible liquids	\$45.00 per year
Hazardous materials and chemicals	\$45.00 per year
Liquefied petroleum gases	\$45.00 per year

Fire Alarm Permit Fees

1. Residential:

a. Single family dwelling	\$ 20.00
b. Multi-family with fifteen or less units	40.00
c. Multi-family with sixteen to thirty units	60.00
d. Multi-family with thirty-one or more units	80.00

2. Non-Residential/Commercial/Manufacturing

a. 3,000 square feet or less	\$ 25.00
b. 3,001 square feet to 9,999 square feet	50.00
c. 10,000 square feet to 99,999 square feet	75.00
d. 100,000 square feet or more	100.00

3. Late Fee. The fee for a calendar year shall be paid within thirty (30) days of the billing.

Invoices will be mailed in April/May of each year. A Twenty-Five Dollars (\$25.00) fee will be assessed for every sixty (60) days the fire alarm permit invoice remains unpaid.

Required Construction Permits.

Description

Automatic fire-extinguishing systems	\$180.00 per job
Battery systems	\$45.00 per job
Compressed gases	\$45.00 per job
Fire alarm and detection systems	\$120.00 per installation
Fire pumps and related equipment	\$150.00 per installation
Flammable and combustible liquids	\$45.00 per job
Hazardous materials and chemicals	\$45.00 per job
Industrial ovens	\$45.00 per job
Liquefied petroleum gases	\$25.00 per installation
Spraying or dipping	\$45.00 per installation
Standpipe system	\$100.00 per installation
Tents, air-supported and other temporary structures	\$25.00 per job
Heating appliances (including baseboard radiation warm air furnaces and ductwork, wood burning stoves, fireplaces, unit heaters, gas and oil fired burners and conversion burners, propane heaters and solar energized systems)	
Up to 30,000 BTUs	\$25.00 per installation
30,000 to 80,000 BTUs	\$50.00 per installation
80,000 to 120,000 BTUs	\$75.00 per installation

120,000 to 300,000 BTUs	\$100.00 per installation
300,001 to 500,000 BTUs	\$150.00 per installation
500,001 to 750,000 BTUs	\$200.00 per installation
Above 750,000 BTUs	\$250.00 plus \$10.00 for each 100,000 BTUs thereafter

The permit shall be posted in a conspicuous place on the premises. The Bureau of Fire shall establish, by written regulation, periods of validity for all permits based upon a classification of hazards associated with the use or occupancy of all establishments. Such periods shall be not less than one (1) year or more than three (3) years; periods of validity shall be of all establishments to be made in accordance with the established classification.

IFC 107.2.3 Annual Fire and Life Safety Inspections

The Fire Chief may require annual fire and life safety inspections of the following occupancy classifications:

Assembly facilities
Child day-care facilities
Residential rental facilities
Mercantile facilities (over 30,000 square feet), Class A
Mercantile facilities (3,001 to 30,000 square feet), Class B
Mercantile facilities (0 to 3,000 square feet), Class C
Educational facilities (over 500 students), Class A
Educational facilities (251 to 500 students), Class B
Educational facilities (0 to 250 students), Class C
Healthcare facilities (over 400 patients), Class A
Healthcare facilities (201 to 400 patients), Class B
Healthcare facilities (0-200 patients), Class C
Business/Commercial facilities
Storage Facilities
Factory and Industrial
High Hazard
Institutional
Utility and Miscellaneous

Private Fire Hydrant Annual Inspections

- a. Pursuant to Section 507 of the 2018 International Fire Code and the National Fire Protection (NFPA) NFPA 24, Installation of Private Fire Service Mains and their Appurtenances, and Chapter 7 of NFPA 25, Inspection and Testing of Private Hydrants, all owners of private fire hydrants located in the City of Lebanon must provide to the City's Fire Department, proof of inspection of the fire hydrant(s) and that said hydrant(s) are in proper working order and will operate as designed for fire suppression.

- b. Proof of inspection and that the fire hydrant is operable, as designed for fire suppression, must be submitted to the Lebanon City Fire Department yearly.
- c. Failure to provide proof of the yearly inspection report or repair any deficiencies shall be subject to penalties as follows:
 - (1) Upon the issuance of a summary citation or the commencement of a summary proceeding by the City Fire Code Enforcement Officer, the owner of the fire hydrant(s) shall be subject to a fine of not less than Three Hundred Dollars (\$300.00) and not more than One Thousand Dollars (\$1,000.00) for each day the report and/or repairs are not provided/repaired as required.
 - (2) No penalty contained herein shall prevent the City from enforcing this Part by equitable, injunctive, or other legal remedies.

IFC 107.2.4 Fire Inspection Fees

Use Groups B, F, H, I, M, R-1, R-2, S and U

1-3,000 sq. ft.	No charge
3,001-5,000 sq. ft.	No charge
5,001-9,999 sq. ft.	No charge
10,000 sq. ft.	No charge

Private Fire Hydrant

No charge (must provide proof of inspection by third party)

Service fees

Lockouts	\$50.00 per job
Plumbing calls: broken pipes/sewage	\$50.00 per job
Basement pumping	\$150.00 per job
State-mandated fire drills at personal care homes, day cares, etc. and required letters	\$100.00 per drill
Fire Watch	
• Two firefighters	\$100.00 per hour (minimum two hours)
• Fire engine	\$150 per hour (minimum two hours)
• Fire ladder truck	\$180 per hour (minimum two hours)
• Other/Miscellaneous (as determined by Fire Chief)	\$75 per hour

False Alarm Fee. No alarm user shall fail to pay when due the false alarm fee for each occurrence of a false alarm in a given year. A false alarm year shall be a calendar year. The following rates shall apply:

- a. No cost for the first alarm; a warning shall be issued.
- b. One Hundred Dollars (\$100.00) for the second false alarm.
- c. Two Hundred Fifty dollars (\$250.00) for the third through sixth alarm.

- d. Five Hundred Dollars (\$500.00) for the seventh and all subsequent false alarms.

Tenant or resident false alarms and improper smoke detector/alarm system maintenance fees are as follows:

- a. No cost for the first alarm; a warning shall be issued for improper maintenance, failure to maintain battery in smoke detector, or failure to keep smoke detector connected to an electrical source.
- b. Fifty Dollars (\$50.00) for the second offense.
- c. Seventy-five Dollars (\$75.00) for the third through sixth offense.
- d. One Hundred Dollars (\$100.00) for the seventh and all subsequent offenses.

IFC 107.2.5 Annual Fire and Life Safety Re-Inspection Fee

Upon failure of an Annual Fire and Life Safety Inspection, the following reinspection fees shall be charged:

- a. First re-inspection. A re-inspection fee of One Hundred Dollars (\$100.00) shall be paid for the first re-inspection for noncompliance of code.
- b. Second re-inspection. A re-inspection fee of Two Hundred Dollars (\$200.00) shall be paid for the second re-inspection for noncompliance of code.
- c. Third re-inspection. A re-inspection fee of Three Hundred Dollars (\$300.00) shall be paid for the third re-inspection for noncompliance of code.

IFC 109.1 Board of Appeals Established. In order to hear and decide appeals of orders, decisions or determinations made by the Fire Code Official relative to the application and interpretation of this code, there shall be and is hereby created a Board of Appeals. The Board of Appeals shall consist of three members and one alternate member who shall be appointed by the Mayor by reason of education, experience and knowledge, who are deemed to be competent to sit in judgment on matters concerning the Fire Prevention Code and its enforcement. The members shall serve terms of three years or until their successor is appointed and confirmed. The Board shall adopt reasonable rules and regulations for conducting its hearings. An application for appeal must be submitted to the Board of Appeals within ten (10) days of the date of notice or order of the Fire Code Official. The applicant shall submit a fee of Six Hundred Dollars (\$600.00) for the filing of an appeal.

IFC 110.4 Violation penalties. Any person who fails to correct a violation or institute a remedial action as ordered by the enforcing official or who violates a provision or fails to comply with any requirements of this article or code or any of the other applicable codes or ordinances shall be guilty of a summary offense, for each violation, punishable by a fine of not less than Five Hundred Dollars (\$500.00) or more than One Thousand Dollars (\$1,000.00) plus costs of prosecution and/or be imprisoned not more than ninety (90) days. Each day that a violation continues shall be deemed a separate offense.

IFC 112.4 Failure to comply. Any person who shall continue any work 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 liable to a fine of not less than Five Hundred Dollars (\$500.00) or more than one thousand dollars (\$1,000.00).

IFC 302.1 Definitions (addition)

BURN CONTAINER: Any noncombustible container or enclosure used to dispose of materials through burning which does not contain holes greater than one inch and which is covered by a wire mesh or other noncombustible cover to prevent fly ash from escaping into the atmosphere.

IFC 307.1 General. A person shall not kindle or maintain or authorize to be kindled or maintained any open burning.

IFC 307.1.1 Prohibited Open Burning. The burning of garbage, rubbish, rags, bones, leaves, paper and other trash in cans, barrels, drums or metal containers, incinerators or in the open or where burning of any item is offensive or objectionable because of smoke emissions or when atmospheric conditions or local circumstances make any fires hazardous are prohibited and such acts pertaining thereto are declared nuisances. Further all open burning of any product within the City is prohibited.

Exception: Bonfire for school activity as approved by the Fire Chief. A written request shall be submitted no less than thirty (30) days prior to the event. See §307.4.1

IFC 307.2.1 Authorization. Delete in entirety

IFC 307.2.2 Public Demonstrations (addition)

- a. Any person desiring to conduct a public demonstration involving the burning of flags or other items in the City of Lebanon shall make application to the City Clerk for a permit therefor on a form made available by the City for such purpose. No fee shall be charged to make such application.
- b. The City shall decide any application for issuance of a permit for any demonstration involving the burning of a flag or other item for the proposed date if application is made therefor at least two business days immediately preceding the date of the proposed demonstration.
- c. Any permit as issued shall be issued to the following terms:
 1. The permittee must ensure that an operable fire extinguisher will be present at the proposed demonstration at all times.
 2. No permittee shall burn a flag or other item exceeding four feet by six feet in area.
 3. No permittee shall burn any item except directly in a burn container.
 4. The metal or other fire-resistant container and any remnants of the burn must be immediately removed by the applicant after the demonstration is over.
 5. If there is damage to property caused by the burn, the applicant is responsible for the damage.
 6. The container must be fifteen (15) feet from any building or combustible material.

7. No permittee shall leave the scene of a demonstration without ensuring that any fire started as part of the demonstration has been fully extinguished.
- d. Penalties. Any person who violates any provision of this subsection shall be sentenced:
 1. Upon the conviction of a first violation, to pay a fine of not less than One Hundred Dollars (\$100.00) nor more than Five Hundred Dollars (\$500.00) and costs of prosecution, and in default of payment of such fines and costs, to imprisonment for not more than thirty (30) days.
 2. Upon conviction for second or subsequent violation, to pay a fine of not less than Five Hundred Dollars (\$500.00) nor more than One Thousand Dollars (\$1,000.00) and costs of prosecution, and in default of payment of such fines and costs, to imprisonment for not more than ninety (90) days.
 3. Each day that a violation continues after notice of the violation has been served shall be deemed to be a separate offense.
- e. Enforcement. The provisions of this subsection shall be enforced by the Fire Chief or by civil action, or both, as the City may elect.

IFC 307.4 Location. Delete in entirety

IFC 307.4.1. Approved Bonfire for School Activity. Bonfires are permitted solely for school activities.

IFC 307.4.2 Recreational Fires. Recreational fires are not permitted unless in a portable or permanent outdoor fireplace.

IFC 307.4.3 Portable outdoor fireplaces. Portable outdoor fireplaces shall be used in accordance with the manufacturer's instructions and shall not be operated within 15 feet (3,048 mm) of a structure or combustible material.

Exception: Portable outdoor fireplaces used at one-and two-family dwellings shall not be operated within 36 inches of a structure or combustible material and if used on a combustible surface must use a heat and spark resistant mat.

IFC 307.5 Attendance. Approved bonfires, public demonstrations, recreational fires and use of portable outdoor fireplaces shall be constantly attended until the fire is extinguished. A minimum of one portable fire extinguisher complying with Section 906 with a minimum 4-A rating or other approved on-site fire extinguishing equipment, such as dirt, sand, water barrel, garden hose or water truck, shall be available for immediate utilization.

IFC 308.1.4 Open-flame cooking devices. Charcoal burners and other open-flame cooking devices shall not be operated on combustible balconies, public sidewalks, or within 10 feet (3,048 mm) of combustible construction or public sidewalks.

IFC 506.1 Key Box. It is mandatory for the owner or person in control of the following types of buildings to install and maintain a key box as approved by the Fire Chief:

- a. Any apartment building or other rental building containing five (5) or more residential units which has an automatic fire alarm or in which access to the building or to common areas or mechanical or electrical rooms within the building is denied through locked doors.
- b. Any non-residential building where a fire detection or suppression system is monitored by an alarm company or has an external audible alarm.
- c. Any building or facility containing a quantity of hazardous materials which would require compliance with Title III of SARA (Superfund Amendment Reauthorization Act).

IFC 603.8.1 Residential Incinerators. Delete in entirety

IFC 907.2, 907.9 and 1103.7 Installation of Equipment Required.

It shall be mandatory for the builders, owner or owners of hospitals, hotels, motels, schools, convalescent homes, group and personal care homes of five (5) or more residents, rooming and boarding homes of five (5) or more residents, and any apartment building containing five (5) or more apartment units, situated in the City limits to install a supervised automatic fire alarm system which shall be monitored twenty-four (24) hours by an authorized monitoring company.

No person, company, business or organization shall use a supervised automatic alarm system without having applied for and been issued a current and valid alarm user permit. An annual permit fee shall be due and payable by April 1 of each year. There shall be no prorating of the initial fee though the permit has been applied for after April 1. Under no circumstances will fees be refunded. An alarm user permit shall be kept on the premises where the alarm system is located and shall be produced and displayed to any Bureau of Fire officer.

IFC 907.2.10.6 Power Source.

In new, renovated or existing multi-family residential occupancy of three or four units, smoke detectors shall be wired directly (hard wired) to the building's power, with a battery backup. In renovated or existing multi-family residential occupancy of five or more units, smoke detectors shall either be wired directly (hard wired) to the building's power supply or have wireless transmitting smoke detectors, with battery backup. In single or two-family residential occupancies, single station battery-operated detectors may be installed in lieu of hard-wired detectors.

In new construction, required smoke alarms shall receive their primary power from the building wiring where such wiring is served from a commercial source and shall be equipped with battery backup. Wiring shall be permanent and without a disconnecting switch other than as required for over current protection. Smoke alarms shall emit a signal when the batteries are low.

It shall be the responsibility of the tenants or residents to maintain the smoke detectors, to include keeping the units connected to the electrical source or replacement of batteries. The

removal or destruction of any smoke detector by any person except the owner for the purposes of immediate replacement is strictly prohibited.

IFC 907.8.5 Annual Inspection, testing and maintenance.

The building owner shall be responsible to maintain the fire and life safety systems in an operable condition at all times. Service personnel shall meet the qualification requirements of NFPA 72 for inspection, testing and maintenance of such systems and be done annually. Records of inspection, testing and maintenance shall be maintained and turned into the Fire Code Official when renewing annual Fire Alarm Permit.

A fire alarm system shall not be removed or disabled unless prior written approval is obtained by the Fire Chief.

- a. Failure to provide proof of the yearly inspection report or repair of any deficiencies shall be subject to penalties as follows:
 - (1) Upon the issuance of a summary citation or the commencement of a summary proceeding by the City Fire Code Enforcement Officer, the property owner shall be subject to a fine not less than Three Hundred Dollars (\$300.00) and not more than One Thousand Dollars (\$1,000) for each day the report and/or repairs are not provided/repared as required.
 - (2) No penalty contained herein shall prevent the City from enforcing this Part by equitable, injunctive, or other legal remedies.

IFC 1103.7.6 Group R-2. A fire alarm system shall be installed in existing Group R-2 occupancies more than three stories in height or with more than 5 dwelling units or sleeping units.

Exceptions:

1. A separate fire alarm system is not required in buildings that are equipped throughout with an approved supervised automatic sprinkler system installed in accordance with Section 903.3.1.1 or 903.3.1.2 and having a local alarm to notify all occupants.
2. A fire alarm system is not required in buildings that do not have interior corridors serving dwelling units and are protected by an approved automatic sprinkler system installed in accordance with Section 903.3.1.1. or 903.3.1.2, provided that dwelling units either have a means of egress door opening directly to an exterior exit access that leads directly to the exits or are served by open-ended corridors designed in accordance with Section 1027.6, Exception 3.

IFC 5601.1.3. Fireworks. The possession, manufacture, storage, sale, handling and use of fireworks are prohibited. No permission is granted by the City to any person to ignite or discharge consumer fireworks on the streets of the City of Lebanon, the sidewalks of the City of

Lebanon or any property owned by the City of Lebanon, including, without limitation, all of the City's parks and buildings.

Exceptions (any exception must also adhere to NFPA 1124):

1. Storage and handling of fireworks as permitted in Section 5604.
2. Manufacture, assembly and testing of fireworks as permitted in Section 5605.
3. The use of fireworks for display as permitted in Section 5608.
4. The possession, storage, sale, handling and use of specific types of Division 1.4G fireworks where allowed by applicable local or state laws, ordinances and regulations provided such fireworks comply with CPSC 16 CFR, Parts 1500 and 1507, and DOTn 49 CFR, Parts 100-178, for consumer fireworks.

However, with the special consent of the Mayor, evidenced by written approval, fireworks displays may be conducted at such times and places within the City as the Mayor may designate.

Violations and penalties. Any person using consumer fireworks in violation of the provisions of IFC 5601.1.3, shall be cited as follows:

- a. First Offense: The first offense shall be a summary offense and upon conviction shall, in addition or any other penalty authorized by law, be punishable by a fine of not more than Five Hundred Dollars (\$500.00).
- b. Subsequent Offense: If committed within three (3) years of a prior conviction, the offense shall be a summary offense, and upon conviction shall, in addition to any other penalty authorized bylaw, be punishable of a fine of not more than One Thousand Dollars (\$1,000.00).

IFC 5601.2.2.1 Sales and Storage. Sales and storage associated with sales shall conform to this section.

Exceptions:

1. Where approved by the Fire Chief; and.
2. Less than twenty-five (25) pounds total weight of small novelties and caps, such as party poppers, paper caps for cap guns, bangsite cannon chemical, and similar low hazard products.

IFC 5601.2.2.2 Tent, Canopy and Outside Sales.

a. Legal fireworks may be displayed and sold in tents, canopies, or other temporary structures that are erected in compliance with the City Fire and Building Code. All fireworks must comply with APA Standard 87-1 for "toy caps", "novelties", or "ground and hand-held sparkling devices.

b. The distance from the edge of the tent or canopy to any building shall be a minimum of fifty (50) feet.

c. The distance from the edge of any tent to a public way, lot line or other hazard shall be a minimum of twenty (20) feet.

d. Fireworks must be monitored at all times during sale hours.

e. Fireworks must be safely secured at all other times.

f. No sales are permitted to persons under the age of eighteen (18) unless accompanied by an adult.

IFC 5601.2.2.3 All Stores (not to include tents and canopies)

a. All displays, stock and storage must be kept inaccessible to the public.

b. No storage permitted in a basement.

c. All fireworks must comply with APA Standard 87-1 for “toy caps”, novelties”, or “ground and hand-held sparkling devices.

d. Fireworks shall not be located in any manner that is a fire hazard or restrict egress from the occupancy.

e. No sales are permitted to persons under the age of eighteen (18) unless accompanied by an adult.

IFC 5601.2.2.4 Stores Larger than 5,000 Square Feet

Sales and storage is restricted to five hundred (500) pounds of total package and product weight unless controlled areas are constructed in compliance with the International Building Code. This amount may be doubled if the building is equipped with an approved fire sprinkler system meeting Ordinary Hazard Group 2 density.

IFC 5601.2.2.5 Stores Smaller than 5,000 Square Feet

Sales and storage is restricted to one hundred (100) pounds of total package and product weight of fifty (50) cubic feet.

IFC 5608.1.1 Displays. All private displays of consumer-type fireworks, devices known as “ground and handheld sparkling devices” or “novelties”, shall comply with this section.

Exceptions:

1. Where approved by the Fire Chief.

2. Small novelties and caps that are by nature of minimal consequence such as party poppers, cap guns and similar products.

a. No pyrotechnic device shall be ignited or used on any public street, thoroughfare, alley, parking lot, public sidewalk or walkway, city parks, public way or similar area.

b. No pyrotechnic device shall be ignited or used on private property without the owner's permission.

c. No pyrotechnic device shall be ignited or used beneath overhead objects, structures, or combustible materials.

d. No pyrotechnic device shall be ignited or used within fifteen (15) feet of any structure or vehicle.

e. No pyrotechnic device shall be ignited or used in areas deemed a fire hazard such as dry grasses, fields, storage areas, and similar hazard sites.

f. No pyrotechnic device shall be ignited or used in a manner in which the sparks or discharge are a hazard to any combustible material.

g. No pyrotechnic device shall be used inside an enclosed area including but not limited to structures, buildings, porches and vehicles.

h. All pyrotechnic devices must be used in accordance with the directions on the device.

IFC 5704.3.4.2(7) Occupancy quantity limits. Quantities in Group R occupancies shall not exceed that necessary for maintenance purposes and operation of equipment, and shall not exceed quantities as set forth in Table 50031.1(1) and below.

(1) One gallon in any single-family residential building

(2) Five gallons in any accessory structure on a residential premises. For the purpose of this section flammable liquids shall be stored in approved type containers.

Appendix A – Board of Appeals. Delete in its entirety

SECTION 3. The geographic limits referred to in certain sections of the 2018 *International Fire Code* are hereby established as follows:

IFC 5704.2.9.6.1 Locations of tanks where above-ground tanks are prohibited. Storage of Class I and II liquids in above-ground tanks outside of buildings is prohibited in all zoning districts except for ML-Manufacturing Light and MH-Manufacturing Heavy.

IFC 5706.2.4.4 The storage of Class I and II liquids in above-ground tanks is prohibited in all zoning districts except for ML-Manufacturing Light and MH-Manufacturing Heavy.

IFC 5806.2 Limitations. Storage of flammable cryogenic fluids in stationary containers outside of buildings is prohibited in all zoning districts except of MH-Manufacturing Heavy.

IFC 6104.2 Maximum capacity within established limits. Within the limits established by law restricting the storage of liquefied petroleum gas for the protection of heavily populated or congested areas the aggregate capacity of any one installation shall not exceed a water capacity of 2,000 gallons (7570L) in all zoning districts except ML-manufacturing light and MH-manufacturing heavy.

SECTION 4. 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 5. 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 6. Nothing in this ordinance or in the Fire 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 7. This ordinance and the rules, regulations, provision, requirements, orders and matters established and adopted hereby shall take effect upon final adoption by Lebanon City Council.

Mayor Capello reported that in response to a question at the Pre-Council meeting regarding the miscellaneous and utility inspection, it is an accessory character (i.e., barn, fences higher than six feet, etc.).

Bill No. 17 was introduced and will be considered for final reading at the City Council meeting of October 27, 2025, on motion of Mrs. Haitos, seconded by Mr. Morales. Yeas--Mrs. Haitos, Mr. Maguire, Mr. Morales, Mr. Potash, and Mr. Martin, Chairperson—5; nays—none

Mr. Maguire introduced Bill No. 18, as follows:

ADOPTING THE 2018 EDITION OF THE *INTERNATIONAL PROPERTY MAINTENANCE CODE*, REGULATING AND GOVERNING THE CONDITIONS AND MAINTENANCE OF ALL PROPERTY, BUILDING 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 EXISTING STRUCTURES IN THE CITY OF LEBANON; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES THEREFORE; AND REPEALING BILL NO. 8, SESSIONS 2010-2011, THE SAME BEING ARTICLE 1901 OF THE CODIFIED ORDINANCES OF THE CITY OF LEBANON, PA., AND ALL OTHER ORDINANCES AND PARTS OF ORDINANCES THAT 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. 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 Property Maintenance Code*, 2018 Edition, as published by the International Code Council, be and is hereby adopted as the Property Maintenance 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 existing 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 Property Maintenance 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. ADDITIONS, INSERTIONS AND CHANGES. The *International Property Maintenance Code*, 2018 Edition, is hereby amended and revised in the following respects:

Section 101.1 Title. These regulations shall be known as the *Property Maintenance Code* of the City of Lebanon, hereinafter referred to as “This Code”.

Section 102.6.1 Historic building demolition. Article 1308, Historic Building Demolition Approval Process and Incentives, which is part of the City of Lebanon Zoning Ordinance, applies to principal buildings located within the Historic Overlay District and built before 1940. If applicable, compliance with Article 1308 shall be required.

Section 103.5 Fees.

a. In the event of a re-occurrence of the violation within a twelve (12) month period the following service charges shall be set forth:

- (1) First re-occurrence \$75
- (2) Second re-occurrence \$150
- (3) Third through sixth re-occurrence \$200

(4) All subsequent re-occurrences \$300

Repeat offender service fees shall be payable to the municipality within fifteen (15) days of receipt of invoice. Failure to pay said fee will result in the municipality instituting appropriate action against said offender to recover service and administrative fees.

b. Administrative fee for processing of work performed by the department or contracted service shall be Seventy Dollars (\$70.00).

c. Complaint Inspection. If a complaint is found to be valid, a fee of Seventy-Five Dollars (\$75.00) shall be assessed.

d. Compliance inspection fees. For inspection of property maintenance code violations, the following fees shall be assessed.

(1) First inspection \$0

(2) Second inspection \$50

(3) Subsequent inspections \$75

Section 104.2 Inspections. The Code Official shall make all of the required inspections, or shall accept reports of inspection by approved agencies or individuals. Reports of such inspections shall be in writing and be certified by a responsible officer of such approved agency or by the responsible individual. The Code Official is authorized to require the owner to engage expert opinion or the Code Official is authorized to engage expert opinion and pass the cost of the expert onto the owner as deemed necessary to report on unusual technical or specialized issues that arise.

Section 104.3.1 Warrant. In the absence of permission from the owner, occupant, or operator of any structure or premises, or the person in charge thereof, the Code Official shall enter such structure or premises only after securing and properly presenting a duly authorized administrative search warrant issued upon probable cause of same.

Section 106.2 Notice of violation. The Code Official shall serve a notice of violation, order or violation ticket in accordance with section 107.

Section 106.4. Prosecution of violation and violation penalties.

a. Any person failing to comply with a notice of violation or order served in accordance with Section 107 shall be deemed guilty of a criminal or civil infraction as set forth hereinafter and as determined in accordance with applicable law, and the violation shall be deemed a strict liability offense. If the notice of violation is not complied with, the Code Official may institute the appropriate proceeding at law or in equity to restrain, correct or abate such violation, or to require the removal or termination of the unlawful occupancy of the structure in violation of the provision of this code or of the order or direction made pursuant thereto, including, without limitation, having the unlawful occupancy cured by the staff of the City itself. In the instance that the City performs any services to remedy an unlawful occupancy of a structure pursuant hereto, the City may take any and all action available at law and in equity to recover its costs for

performing the same, including imposing a lien on the subject real estate for the costs thereof in accordance with applicable law.

- (1) In addition to any other section or remedial procedure provided, whoever violates any provision of this code shall, upon conviction thereof in a summary proceeding, be fined not less than \$100 and not more than \$1,000 for the first offense, not less than \$200 and not more than \$1,000 for the second offense, and not less than \$300 and not more than \$1,000 for the third and all succeeding offenses and costs of prosecution for each offense, to be collected as other fines and costs are by law collectible, and in default of payment thereof shall be imprisoned for not more than 90 days.
- (2) For violation of code 108.5, Prohibited occupancy, upon conviction thereof, a fine of \$1,000 shall apply.

(3) In the case of a continual and uncorrected violation of the same subsection(s) of this code, a fine, not exceeding one per month on a single property and not less than \$300 nor more than \$2,000 shall be imposed for the first two continual and uncorrected violations and not less than \$2,000 nor more than \$5,000 for the third and any subsequent continual and uncorrected violations of the same subsection of this code on the same property, unless the violation is found to pose a threat to the public's health, safety or property, then, upon conviction thereof, penalties of fines shall be imposed as follows:

(a) Not exceeding one citation per five calendar days for a continual and uncorrected violation of the same subsection(s) of this code on the same property;

(b) Limited to not less than \$600 and not more than \$2,000 for the first two continual and uncorrected violations of the same subsection(s) of this code on the same property and not less than \$1,000 and not more than \$10,000 for the third and any subsequent continual and uncorrected violations of the same subsection(s) of this code on the same property, or imprisonment for not more than 90 days, or both.

b. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

c. The Code Official may issue citations to the owners or persons responsible for a structure or property for failure to comply with a notice of violation following the expiration of the time established for filing an appeal or following the hearing of an appeal by the Board of Housing Appeals.

d. The Department of Public Safety may post a sign not to exceed 3' x 3' in size stating the property owner's name and address and that the property is in violation of this code. The sign may remain at the property until the violations are corrected.

e. Any person who has been issued a Health/Housing code violation ticket may discharge such obligation upon either appearing at the Public Safety Office and voluntarily

entering a plea of guilty by paying either the fifty-dollar (\$50.00) fine or seventy-five-dollar (\$75.00) fine within fifteen (15) calendar days from the time of issuance of the violation ticket, or by placing an envelope with the proper fine amount in the City of Lebanon Fine-O-Meter box. Non-payment will result in a violation citation being filed with the Magisterial District Court.

Section 107.2.1 Violation ticket. If the Code Official determines that a violation of this code has an immediate effect on public safety, health and general welfare, such as, but not limited to, weeds, garbage, rubbish, feces and snow removal, an instant Health/ Housing code violation ticket may be issued without prior notice.

Section 107.3 Method of Service.

Such notice shall be deemed to be properly served if a copy thereof is:

- (a) Delivered to the owner personally;
- (b) Sent by first-class mail addressed to the owner at the last known address. If the first-class mail is returned showing that the letter was not delivered, a copy of the notice shall be posted in a conspicuous place on or about the structure affected by such notice. Service of such notice in the foregoing manner upon the owner's agent or upon the person responsible for the structure shall constitute service of notice upon the owner;
- (c) Issued a Health/Housing Code violation ticket.

Section 107.6 Transfer of ownership.

(a) It shall be unlawful for the owner of any dwelling unit or structure who has received a compliance order or upon whom a notice of violation has been served to sell, transfer, mortgage, lease or otherwise dispose of such dwelling unit or structure to another until the provisions of the compliance order or notice of violation have been complied with, or until such owner or the owner's authorized agent shall first furnish the grantee, transferee, mortgagee or lessee a Buyer Notification Certificate issued by the City of Lebanon which will include a true copy of any compliance order or notice of violation issued by the Code Official.

- (1) In addition to obtaining the Buyer Notification Certificate, the owner shall furnish to the Code Official a signed and notarized statement from the grantee, transferee, mortgagee or lessee, acknowledging the receipt of such compliance order or notice of violation and fully accepting the responsibility without condition for making the corrections or repairs required by such compliance order or notice of violation.
- (2) Acceptance of a Buyer Notification Certificate by the grantee, transferee, mortgagor, or lessees with or without a signed notarized statement, acknowledges responsibility to fully accept, without condition, for making the corrections or repairs required by such compliance order or notice of violation.

Section 108.4 Placarding. Whenever the Code Official has condemned a structure or equipment under the provisions of this section, the Code Official shall post on the premises or on defective equipment a placard bearing the word "Condemned" and a statement of the penalties provided for occupying the premises, operating the equipment or removing the placard.

Section 108.4.1 Lifting of condemnation status and placard removal.

- (a) An inspection by the Code Official shall be required to remove the condemnation status and placard. A fee of two hundred fifty dollars (\$250) will be imposed upon any person requesting an inspection for the purpose of removing a condemnation placard. The condemnation status and placard shall be removed by the Code Official whenever the defect or defects upon which the condemnation and placarding action were based have been eliminated. The fee for inspection to remove the placard notice shall be payable in full in advance. If upon inspection the defect or defects in the property upon which the condemnation action was based remain, the placard shall not be removed.
- (b) A fee of two hundred fifty dollars (\$250) will be imposed on any person requesting a subsequent inspection(s) for the purpose of lifting the condemnation status and removing the placard.
- (c) Any person who defaces or removes a condemnation placard without the approval of the Code Official shall be subject to the penalties provided by the code.

Section 108.6 Abatement methods. The owner, owner's authorized agent, operator or occupant of a building, premises or equipment deemed unsafe, unfit for human occupancy and/or unlawful by the Code Official shall abate or cause to be abated or corrected such unsafe, unfit for human occupancy or unlawful conditions either by repair, rehabilitation, demolition or other approved corrective action.

Section 110.1.1 Blighted Property. When the property has been declared a public nuisance by the Board of Health and meets the criteria set forth for blighted properties, the Code Official shall order the owner of the property to demolish and remove such structure.

Section 111.1 Application for Appeal. Any person affected by decision of the Code Official or of notice or order issued under this code shall have the right to appeal to the Board of Appeals, provided that a written application for appeal is filed within ten (10) days after the day of the decision, notice or order was served. Any application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply, or the requirements of this code are adequately satisfied by other means. An application fee of six hundred dollars (\$600.00) shall be paid upon filing an appeal. In cases where there are more than twenty (20) pages of transcript, the appellant will be billed for the costs thereof.

Section 111.2 Membership of the Board. The Board of Appeals shall consist of five (5) members who are not employees of the City of Lebanon. The Code Official shall be an ex-officio member but shall have no vote on any matter before the Board. The Board shall be appointed by the Mayor for a five-year term.

Section 111.3 Notice of meeting. The board shall meet upon notice from the chairman, within 30 days of the filing of an appeal, or at stated periodic meetings.

Section 111.5 Postponed Hearing. When three members are not present to hear an appeal, either the appellant or the appellant's representative shall have the right to request a postponement of the hearing.

Section 112.4 Failure to Comply. Any person who shall continue any work 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 liable to a fine of not less than two hundred dollars (\$200.00) or more than one thousand dollars (\$1,000.00) each day the property is found to be in violation.

Section 202 General Definitions. Add the following definitions:

BLIGHTED PROPERTY/PUBLIC NUISANCE.

- (a) Any premises which because of physical condition or use is regarded as a public nuisance and has been declared a public nuisance in accordance with the local housing, building, plumbing, fire and related codes.
- (b) Any premises which because of physical condition, use or occupancy is considered an attractive nuisance to children, including but not limited to abandoned wells, shafts, basements, excavations, and unsafe fences or structures.
- (c) Any dwelling which because it is dilapidated, unsanitary, unsafe, insect or vermin infested or lacking in the facilities and equipment required by this code, and has been designated by the Board of Health of the City of Lebanon as unfit for human habitation or occupancy.
- (d) Any structure which is a fire hazard, or is otherwise dangerous to the safety of person or property.
- (e) Any structure from which the utility, plumbing, heating, sewage or other facilities have been disconnected, destroyed, removed, or rendered ineffective so that the property is unfit for its intended use.
- (f) Any vacant or unimproved lot or parcel of ground in a predominately building up neighborhood, which by reason of neglect or lack of maintenance, has become a place for accumulation of trash and debris, or a haven for rodents and other vermin.
- (g) Any unoccupied property which has been tax delinquent for a period of two (2) years prior to the effective date of this ordinance, and those in the future having a two (2) year tax delinquency.
- (h) Any property which is vacant but is not tax delinquent, which has not been rehabilitated within one (1) year of the receipt of notice to rehabilitate from the Department of Public Safety.

FEED or FEEDING. The placing of cat food, or similar food products or consumable materials attractive to cats, which may result in cats congregating thereon on a regular basis, placed on the ground, in an obviously intended feeder, or in a feeder at a height accessible to cats.

FERAL CAT. Any homeless, wild or untamed cat.

STRAY CAT. Any domestic cat whose owner or keeper from time to time allows the cat to run free off of the property of its owner or keeper.

Section 302.4 Weeds. All premises and exterior property shall be maintained free from weeds or plant growth in excess of twelve inches (12”). All noxious weeds shall be prohibited. Weeds shall be defined as all grasses, annual plants and vegetation, other than trees or shrubs located anywhere on the property including the area between the curb and the sidewalk; provided, however, this term shall not include cultivated flowers and gardens.

Upon failure of the owner or agent having charge of a property to cut and destroy weeds after service of a notice violation, they shall be subject to prosecution in accordance with Section 106.3 and as prescribed by the authority having jurisdiction. Upon failure to comply with the notice of violation, any duly authorized employee of the jurisdiction or contractor hired by the jurisdiction shall be authorized to enter upon the property in violation and cut and destroy the weeds growing thereon, and the costs of such removal shall be paid by the owner or agent responsible for the property.

Section 302.8 Motor Vehicles and Trailers. Except as provided for in other regulations, no inoperative, unlicensed, or uninspected motor vehicle or trailer shall be parked, kept or stored on any premises for more than five (5) days. No vehicle shall at any time be in a state of major disassembly, disrepair, or in the process of being stripped or dismantled. Painting of vehicles is prohibited unless conducted inside an approved spray booth.

Exception: A vehicle of any type is permitted to undergo major overhaul, including body work, provided that such work is performed inside a structure or similarly enclosed area designed and approved for such purposes.

Section 302.8.1. No off-street parking of any motor vehicle or recreational vehicle shall be permitted on an unimproved yard surface as determined by the City of Lebanon Zoning Officer.

Section 302.10. Use and storage of furniture. Other than furniture contained within a structure, use or storage of furniture which is not designed or constructed for exterior use is prohibited in property exterior areas.

Section 304.8.1. Removal of Exterior Architectural Features. The removal of architectural features shall be in compliance with Article 1308, “Historic Building Demolition Process and Incentives” of the Codified Ordinances of the City of Lebanon, Pennsylvania.

Section 304.12.1. Guards shall be compliant with section R312 of the International Residential Code.

Section 304.14 Insect screens. Screens are required to be in place and/or available at all times for every door, window and other outside opening required for ventilation of habitable rooms, food preparation areas, food service areas or any other 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 than 16 mesh per inch

(16 mesh per 25mm), and every screen door used for insect control shall have a self-closing device in good working condition.

Exception: Screens shall not be required where other approved means, such as air curtains or insect repellent fans, are employed.

Section 309.4.1 Use of pesticide. The use of pesticide shall be compliant with laws and regulations of the Commonwealth of Pennsylvania.

Section 310.1 Responsibilities of cat owners regarding stray cats

It shall be unlawful for any owner of any cat to permit such cat to run free outside the residence of its owner or keeper unless said cat has been:

- a. Neutered or spayed to prevent it from procreating;
- b. Immunized against rabies in compliance with Pennsylvania law; and
- c. Appropriately “tipped” on the left ear to signify that it has been neutered/spayed and immunized.

Section 310.2 Feeding of stray or feral cats

- a. It shall be unlawful for any person to continue to feed feral cats, if such feeding causes a nuisance to neighbors or creates a condition contrary to the health, safety and welfare of the community, unless such person participates in a trap, neuter and return program managed by the City of Lebanon or sponsor of the City of Lebanon.
- b. Any person feeding stray or feral cats may be required to cooperate with any humane program sponsored by the City, or operating under the City’s auspices, that traps stray and feral cats for the purpose of spaying/neutering the cats, immunizing the cats from rabies, “tipping” the cat’s left ear and then returning the cat to its environment in the general vicinity in which it was trapped.

Section 310.3 Violations and Penalties.

Any person failing to comply with any of the provisions of this article shall, upon summary conviction before a Magisterial District Judge, be subject to a fine of not less than One Hundred Dollars (\$100.00) and not more than Five Hundred Dollars (\$500.00), and to imprisonment for not more than thirty (30) days for each offense, together with the costs of prosecution.

Section 602.3 Heat Supply. Every owner and operator of any building who rents, leases or lets one (1) or more dwelling units, on terms, either expressed or implied, to furnish heat to the occupant thereof shall supply sufficient heat to maintain the room temperature of not less than 68° F (20° C) in all habitable rooms, bathrooms and toilet rooms.

Section 602.4 Occupiable Work Spaces. Indoor work spaces shall be supplied with sufficient heat to maintain a temperature of not less than sixty-five (65) degrees F (18 degrees C) during the period the spaces are occupied.

Exceptions:

1. Processing, storage and operation areas that require cooling or special temperature conditions.
2. Areas in which persons are primarily engaged in vigorous physical activities.

Section 605.2 Receptacles. Every habitable space in a dwelling shall contain not less than two separate and remote receptacle outlets. Every laundry area shall contain not less than one grounding-type receptacle or a receptacle with a ground fault circuit interrupter. Every bathroom shall contain not less than one receptacle. All bathroom receptacle outlets shall have ground fault circuit interrupter protection. All bathroom receptacle outlets shall have the appropriate faceplate cover for the location.

Section 605.4.1 Power Consumption. For equipment that uses a large or higher watts per hour (i.e., air conditioner, refrigerator, space heaters), the power source must be directly connected into the outlet.

Section 704.6.1 Where Required. Groups R-2, R-3, R-4 and I-1. Single or multiple-station smoke alarms shall be installed and maintained in Groups R-2, R-3, R-4 and I-1 regardless of occupant load at all of the following locations:

1. One in each sleeping room.
2. One outside each sleeping area in the immediate vicinity of the bedrooms.
3. One on each story of the dwelling, including basements and habitable attics.

Section 704.6.1.5 Installation of Equipment Required. It shall be mandatory for the owner or owners of Group E, I and R occupancies; hospitals, hotels, motels, schools, convalescent homes, group and personal care homes of five (5) or more residents, rooming and boarding homes of five (5) or more residents, and any apartment building containing five (5) or more apartment units; new, renovated or existing situated in the City limits to install a supervised automatic fire alarm system which shall be monitored twenty-four (24) hours from an outside source.

Section 704.6.2. Interconnection. Where more than one smoke alarm is required to be installed within an individual dwelling unit in Group R-2, R-3, R-4 and in dwellings not regulated as Group R occupancies, the smoke alarms shall be interconnected in such a manner that the activation of one alarm will activate all of the alarms in the individual unit. The alarm shall be clearly audible in all bedrooms over background noise levels with all intervening doors closed.

Section 704.6.2.1 Installation. In new, renovated or existing multi-family residential occupancy of three or four units, smoke detectors shall be wired directly (hard wired) to the building's power, with a battery backup. In renovated or existing multi-family residential

occupancy of five or more units, smoke detectors shall either be wired directly (hard wired) to the building's power supply or have wireless transmitting smoke detectors, with battery backup. In single or two-family residential occupancies, single station battery-operated detectors may be installed in lieu of hard-wired detectors.

In new construction, required smoke alarms shall receive their primary power from the building wiring where such wiring is served from a commercial source and shall be equipped with battery backup. Wiring shall be permanent and without a disconnecting switch other than as required for over current protection. Smoke alarms shall emit a signal when the batteries are low.

It shall be the responsibility of the tenants or residents to maintain the smoke detectors, to include keeping the units connected to the electrical source or replacement of batteries. The removal or destruction of any smoke detector by any person except the owner for the purposes of immediate replacement is strictly prohibited

Section 704.6.3 Power Source. Single-station smoke alarms shall receive their primary power from the building wiring provided that such wiring is served from a commercial source and shall be equipped with a battery backup. Smoke alarms with integral strobes that are not equipped with battery backup shall be connected to an emergency electrical system. Smoke alarms shall emit a signal when the batteries are low. Wiring shall be permanent and without a disconnecting switch other than as required for over-current protection.

Exceptions:

1. Single-station smoke alarms may receive their primary power from the building wiring provided such wiring is served from a commercial source and shall be equipped with a battery backup.
2. Single-Station smoke alarms may be solely battery operated if equipped with a ten-year sealed lithium tamper-resistant battery

Section 705.1 Location. A minimum of one carbon monoxide alarm shall be installed and maintained outside the immediate vicinity of sleeping rooms and one carbon monoxide alarm shall be installed on each story of a dwelling, including basements and habitable attics.

Section 705.3 Power Source. Carbon monoxide alarms shall be hardwired with battery backup or equipped with a ten-year sealed lithium tamper-resistant battery.

SECTION 3. Bill No. 11, Sessions 2010-2011, File of the Council of the City of Lebanon, Pa., entitled "The BOCA Basic Property Maintenance Code, 2009 Edition", and all other ordinances or parts of ordinances conflicting with the provisions of this ordinance are hereby repealed.

SECTION 4. If any section, subsection, sentence, clause or phrase of this ordinance, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. 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 Property Maintenance 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 list, impaired or affected by this ordinance.

Bill No. 18 was introduced and will be considered for final reading at the City Council meeting of October 27, 2025, on motion of Mr. Maguire, seconded by Mrs. Haitos. Yeas--Mrs. Haitos, Mr. Maguire, Mr. Morales, Mr. Potash, and Mr. Martin, Chairperson—5; nays—none

Mr. Martin introduced Bill No. 19, as follows:

AMENDING ARTICLE 1519, “CARBON MONOXIDE ALARMS”, OF THE CODIFIED ORDINANCES OF THE CITY OF LEBANON, PENNSYLVANIA, TO AMEND SUBSECTIONS REGARDING CARBON MONOXIDE ALARM REQUIREMENTS AND CARBON MONOXIDE ALARM REQUIREMENTS IN REGULATED RENTAL UNIT PROPERTIES.

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. Subsection 1519.02, “Carbon Monoxide Alarm Requirements” of Article 1519, “Carbon Monoxide Alarms”, of the Codified Ordinances of the City of Lebanon, Pennsylvania, is hereby repealed, rescinded and deleted in its entirety and replaced with the following new subsection:

§1519.02 Carbon Monoxide Alarm Requirements.

- (a) Dwellings. Upon the sale of a dwelling building, including a detached single-family home, the seller shall disclose information regarding the installation of carbon monoxide detectors on the property disclosure statement requirement by 68 Pa. C.S.A. Ch. 73 (relating to seller disclosures)
- (b) Dwellings, group homes, hotels, motels, multi-unit buildings, rooming houses, and boarding houses. Each unit in a dwelling, group home, hotel, motel, multi-unit building, rooming house, and boarding house that uses or is served by a fossil-fuel-burning heater or appliance, fireplace or an attached garage must have an operational and approved carbon monoxide alarm installed in accordance with the installation instructions of the manufacturer and in accordance with the installation instructions of the manufacturer and in accordance with NFPA 720. This requirement shall not apply to detached single-family homes.

SECTION 2. Subsection 1519.03, “Carbon Monoxide Alarm Requirements in Regulated Rental Unit Properties” of Article 1519, “Carbon Monoxide Alarms”, of the Codified Ordinances

of the City of Lebanon, Pennsylvania, is hereby repealed, rescinded and deleted in its entirety and replaced with the following new subsection:

§ 1519.03 Carbon Monoxide Alarm Requirements in Regulated Rental Unit Properties.

- (a) Owner responsibilities. The owner of a dwelling, multi-unit building, group home, hotel, motel, rooming house, and boarding house that uses or is served by a fossil-fuel-burning heater or appliance, fireplace, or an attached garage used for rental purposes and required to be equipped with one or more approved carbon monoxide alarms shall:
- (1) Provide and install an operational and approved carbon monoxide alarm installed in accordance with the installation instructions of the manufacturer and in accordance with NFPA 720:
 - Outside of each separate dwelling unit sleeping area in the immediate vicinity of the bedrooms
 - On every occupiable level of a dwelling unit, including basements, excluding attics and crawl spaces
 - Other locations where required by applicable laws, code or standards
- (b) Maintenance, repair, or replacement. Except as provided in Subsection (a), the owner of a dwelling, group home, multi-unity building, rooming house, or boarding house used for rental purposes is not responsible for the maintenance, repair or replacement of an approved carbon monoxide alarm or the care and replacement of batteries while the building is occupied. Responsibility for the maintenance and repair of carbon monoxide alarms shall revert to the owner of the building upon vacancy of the rental property.
- (c) Occupant Responsibilities. The occupant of each dwelling and multi-unity building used for rental purposes in which an operational and approved carbon monoxide alarm has been provided must:
- (1) Keep and maintain the device in good repair.
 - (2) Test the device.
 - (3) Replace batteries as needed.
 - (4) Replace any device that is stolen, removed, missing or rendered inoperable during the occupancy of the building.
 - (5) Notify the owner or authorized agent of the owner in writing of any deficiencies pertaining to the approved carbon monoxide alarm.

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.

Mayor Capello explained that this is separate from the International Code Council; however, because the Fire Code is being amended, this ordinance was also amended to remove language that alarms must be centrally located and added language to comply with the NFPA regulations.

Craig Gates, 47 Berwyn Park, Lebanon, asked if landlords will be notified of changes regarding the requirements of carbon monoxide alarms. Mayor Capello responded that the

codified ordinances are available online. She added that in the past the City also did an educational piece and sent notification with the annual renewal for the rental licenses.

Bill No. 19 was introduced and will be considered for final reading at the City Council meeting of October 27, 2025, on motion of Mr. Martin, seconded by Mr. Potash. Yeas--Mrs. Haitos, Mr. Maguire, Mr. Morales, Mr. Potash, and Mr. Martin, Chairperson—5; nays—none

Mayor Capello announced that the Lebanon Fire Department is hosting an Open House at Fire Station 1, Eighth and Orange Streets, Lebanon, on October 6, 2025, from 6:00 p.m.-7:30 p.m. The theme for this year's fire prevention program is "Charge into Fire Safety" and focuses on lithium-ion batteries in your home. Mayor Capello stated there will be information available and she invited the public to join officials and firefighters at the event.

Cornell Wilson, 27 South Sixth Street, Lebanon, announced that more than 1,000 people attended the Latino Festival at Coleman Memorial Park. The festival was sponsored by Friends of Coleman Memorial Park and raised funds to support improvements at Coleman Memorial Park. Mr. Wilson announced that Friends of Coleman Memorial Park will be sponsoring the Harvest Festival on October 11, 2025, from 11:00 a.m.-2:00 p.m.

Mr. Wilson also reminded the public that Trunk-or-Treat at the Lebanon Valley YMCA will be held on October 21.

Mr. Wilson asked if the third floor of City Hall has been officially vacated by Harrisburg Area Community College to which Mayor Capello replied that is correct. She added that HACC was responsible for paying 40 percent of the cost of utilities for the building.

Mr. Wilson reported that there is a home on East Lehman Street between Sixth and Seventh Avenues that has junk piled in the front yard and driveway. Mayor Capello responded that the City was involved in a county court case with the property owner and the judge set a deadline of October 6 for the property owner to remove the items. Until then, the City is unable to cite the property owners or contract for the removal of the items.

Jerry Kalinoski, 412 Weidman Street, Lebanon, complained of parking issues in his neighborhood as well as neighbors parking at the garages on Cherry Street, making it very difficult for other vehicles to pass by. He added that he does not have evidence of illegal activity at the Cherry Street property; however, he feels it is suspicious. He stated that he has reported the activities but nothing seems to happen. He asked if the City could investigate to which Mayor Capello responded the police department will investigate his complaints.

Becky Hammer, 439 Chestnut Street, Lebanon, announced several upcoming community events:

- September 26 – Recovery Day
- September 27 – Suicide Prevention Day
- September 28 – Heart Walk
- October 6 – Better Together Summit

- October 9 – Aging Festival

Councilmember Potash asked if there is information about these events available online to which Ms. Hammer responded that information is available on the Lebanon Community Health website as well as Facebook.

Richard Evans, 330 Beech Street, Lebanon, thanked the City for adjusting the street sweeping schedule at Henry Houck Elementary School. He also inquired about the cleanup of the property in the 600 block of East Lehman Street and he reported that there are items at the rear of the property at 402 East Lehman Street.

Cornell Wison asked if a church can request to have “no parking” signs erected in front the church or to have additional handicapped parking spaces on the street. Mayor Capello responded that she believes 20 signs were issued to the church in error. She explained that there is an ordinance in place to charge a fee for temporary signs; however, churches may request signs for two spaces for Sunday services for free. However, if an ongoing request is to be made, then the church would need to consider purchasing a movable sign on a post.

The meeting was adjourned at 7:09 p.m.

CHERYL J. GIBSON, Clerk