

**TOWNSHIP OF UPPER BERN
COUNTY OF BERKS
COMMONWEALTH OF PENNSYLVANIA**

ORDINANCE NO.: 171 of 2026

AN ORDINANCE OF THE TOWNSHIP OF UPPER BERN, BERKS COUNTY, PENNSYLVANIA, ADOPTING THE 2021 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 TOWNSHIP OF UPPER BERN; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES THEREFOR; AND REPEALING OR OTHERWISE AMENDING ORDINANCE NO. 31 OF 1992 AND ALL OTHER ORDINANCES INSOFAR AS MAY BE FOUND TO CONFLICT THEREWITH.

WHEREAS, the Board of Supervisors of the Township of Upper Bern is desirous of adopting certain regulations governing the conditions and maintenance of all property, buildings and structures within the Township, and to provide standards for utilities, facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use, and to provide practical safeguards and procedures regulating the condemnation, demolition, occupancy and use of such structures within the Township as well as providing for the issuance of permits and collection of fees therefor; and

WHEREAS, the Board of Supervisors has determined it is in the best interest of the health, safety and general welfare of the Township and its residents to adopt the International Building Code of 2021 for the purposes above-stated, subject to the amendments stated herein, which may be amended by majority vote of the Board, from time to time.

NOW, THEREFORE, BE IT ENACTED AND ORDAINED, that the Board of Supervisors of the Township of Upper Bern does hereby approve and adopt the 2021 edition of the International Building Code, subject to certain amendments, as follows:

Section 1. That a certain document, three (3) copies of which are on file in the Municipal office of the Township Secretary of Upper Bern Township, being marked and designated as the International Building Code, 2021 edition, including Appendix Chapters C-J and Chapters L-N (see International Building Code Section 101.2.1, 2021 edition), as published by the International Code Council, be and is hereby adopted as the Building Code of the Township of Upper Bern, County of Berks and 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 therefor; and each and all of the regulations, provisions, penalties, conditions and terms of said Building Code on file in the office of the Secretary of Upper Bern Township are hereby referred to, adopted, and made a part hereof, as if fully set out in this legislation, with the additions, insertions, deletions and changes, if any, prescribed in Section 2 of this ordinance.

Section 2. The following sections are hereby revised:

Section 101.1. Insert: Upper Bern Township as [NAME OF JURISDICTION]

Section 103.1. Insert: Office of the Building Inspector as [NAME OF DEPARTMENT]

Section 1612.3. is hereby deleted in its entirety and restated as follows:

1612.3. Establishment of Flood Hazard Areas.

To establish *flood hazard areas*, the Board of Supervisors of the Township of Upper Bern hereby adopts the current *National Flood Hazard Layer* (NFHL) together with any and all subsequent amendments; including those amendments to the federally recognized *Flood Insurance Rate Map* (FIRM) and *Flood Boundary and Floodway Maps* (FBFM) as produced, revised and amended by the Federal Emergency Management Agency (FEMA), as the Township's official flood hazard map. The adopted flood hazard map and supporting data are hereby adopted by reference and declared to be part of this section.

Section 3. That Upper Bern Township Ordinance No. 31 of 1992 entitled "AN ORDINANCE ESTABLISHING MINIMUM REGULATIONS GOVERNING THE DESIGN, CONSTRUCTION, ALTERATION, ENLARGEMENT, REPAIR, DEMOLITION, REMOVAL, MAINTENANCE AND USE OF ALL BUILDINGS AND STRUCTURES; PROVIDING FOR THE ISSUANCE OF FEES, MAKING OF INSPECTIONS; AND PROVIDING PENALTIES FOR THE VIOLATION THEREOF BY ADOPTING "THE BOCA NATIONAL BUILDING CODE/1990", TOGETHER WITH CERTAIN AMENDMENTS CONSISTING OF ADDITIONS AND DELETIONS THERETO", and all other ordinances or parts of laws in conflict herewith are hereby repealed.

Section 4. If any section, subsection, sentence, clause or phrase of this legislation is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The Board of Supervisors of Upper Bern Township hereby declares that it would have passed this law, 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. That nothing in this legislation 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 3 of this law; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this legislation.

Section 6. That the Secretary of Upper Bern Township is hereby ordered and directed to cause this legislation to be published.


Section 7. That this law and the rules, regulations, provisions, requirements, orders and matters established and adopted hereby shall take effect and be in full force and effect immediately from and after the date of its final passage and adoption.

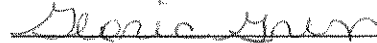
Section 8. That Upper Bern Township acknowledges and agrees that the International Code Council, Inc. ("ICC") owns registered copyrights in the 2021 edition of the ICC International Building Code. ICC makes the 2021 edition of the International Building Code and numerous other International Codes (I-Codes) available to view for free on its website at: codes.iccsafe.org. Without advance written permission from the copyright owner, no part of the 2021 edition of the International Building Code may be reproduced, distributed or transmitted in any form or by any means, including without limitation, electronic, optical or mechanical means (by way of example, and not limitation, photocopying, or recording by or in an information retrieval system).

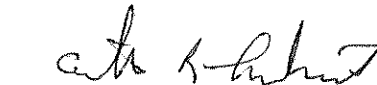
ORDAINED AND ENACTED by the Board of Supervisors of Upper Bern Township, Berks County, Pennsylvania, in lawful session duly assembled, this 14th day of May 2026, by a vote of 3 to 0.

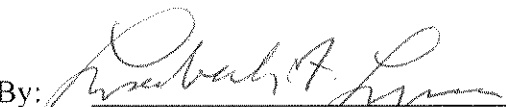
Attest:

**UPPER BERN TOWNSHIP
BOARD OF SUPERVISORS**


Secretary

By: 
Gloria Grim, Chairperson

By: 
Arthur Lambert, Vice Chairperson

By: 
Lisabeth A. Lynn, Supervisor