

ORDINANCE NO. 2004-2

**AN ORDINANCE OF PENN TOWNSHIP, SNYDER COUNTY, PENNSYLVANIA, ELECTING TO ADMINISTER THE PROVISIONS OF THE PENNSYLVANIA CONSTRUCTION CODE, PROVIDING FOR THE ADMINISTRATION AND ENFORCEMENT OF SUCH CODE, ESTABLISHING A BOARD OF APPEALS, REPEALING INCONSISTENT ORDINANCES, AND PROVIDING FOR THE ESTABLISHMENT OF FEES AND ENFORCEMENT COSTS.**

**WHEREAS**, the purpose of this Ordinance is to promote the general health, safety and welfare of the citizens of Penn Township and to conform to the requirements of the Pennsylvania Construction Code Act, Act 45 of 1999, (hereinafter called the "Act"), and the regulations pursuant to the Act promulgated by the Pennsylvania Department of Labor and Industry (hereinafter sometimes collectively referred to as the "Code"); and

**WHEREAS**, the Act requires the enactment of an appropriate ordinance by municipalities electing to administer and enforce the building code provisions of the Code.

**NOW THEREFORE**, the Board of Supervisors of Penn Township does **ORDAIN AND ENACT** as follows:

**Section 1. ELECTION.** Penn Township, of Snyder County, Pennsylvania, (hereinafter called the "Township") hereby elects to administer and enforce the provisions of the Pennsylvania Construction Code Act, Act 45 of 1999, as amended from time to time, and the its regulations.

**Section 2. CODE ADOPTION.** The Uniform Construction Code, contained in 34 Pa Code, Chapters 401-405, as amended from time to time, is hereby adopted and incorporated herein by reference as the municipal building code of this Township.

**Section 3. ADMINISTRATION AND ENFORCEMENT.** Administration and enforcement of the Code within the Township shall be undertaken in any of the following ways as determined from time to time by Resolution of the governing body of the Township:

- a. By the designation of an employee of the Township to serve as the Township Code Official to act on behalf of the Township.

- b. By the retention of one or more construction code officials or third-party agencies to act on behalf of the Township;
- c. By agreement with one or more other municipalities for the joint administration and enforcement of the Act through an inter-municipal agreement.
- d. By entering into a contract with another municipality for the administration and enforcement of the Act on behalf of this Township;
- e. By entering into an agreement with the Pennsylvania Department of Labor and Industry for plan review, inspections and enforcement of structures other than one-family or two-family dwelling units and utility and miscellaneous use structures.

**Section 4. BOARD OF APPEALS.** A Board of Appeals shall be established by resolution of the governing body of this Township in conformity with the requirements of the relevant provisions of the Code, as amended from time to time, and the purposes set forth therein. If at any time enforcement and administration is undertaken jointly with one or more other municipalities, the Board of Appeals shall be established by joint action of the participating municipalities.

**Section 5. EXISTING CODES.**

- a. All building code ordinances or portions of ordinances which were adopted by this Township on or before July 1, 1999, and which equal or exceed the requirements of the Code shall continue in full force and effect until such time as such provisions fail to equal or exceed the minimum requirements of the Code, as amended from time to time.
- b. All building coded ordinances or portions which are in effect as of the effective date of this ordinance and whose requirements are less than the minimum requirements of the Code are hereby amended to conform with the comparable provisions of the Code.
- c. All relevant ordinances, regulations and policies of the Township not governed by the Code shall remain in full force and effect.

**Section 6. FEES.** Fees assessable by the Township for the administration and enforcement undertaken pursuant to this ordinance and the Code shall be established from time to time by resolution of the governing body.

Section 7. **EFFECTIVE DATE.** This ordinance shall be effective five (5) days after the date of enactment.

This ordinance shall be effective five (5) days after the date of enactment.

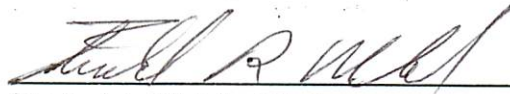
Section 8. **SEVERABILITY.** If any section, subsection, sentence or clause of this ordinance is held, for any reason, to be invalid, such decision or decisions shall not affect the validity of the remaining portions of this ordinance.


ENACTED AND ORDAINED this 6<sup>th</sup> day of April, 2004.

**PENN TOWNSHIP  
BOARD OF SUPERVISORS**

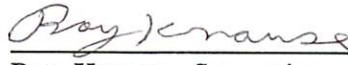
**ATTEST:**

  
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Robin Bieber, Secretary

  
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Frederick Ulrich, Chairman

  
\_\_\_\_\_  
Jon Payne, Supervisor

(Township Seal)

  
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Roy Knause, Supervisor



**CERTIFICATION**

I hereby certify that the foregoing is a true and correct copy of Ordinance No. 2004 - 02 adopted by unanimous vote of the Board of Supervisors of Penn Township at regular meeting held on April 6, 2004, after due advertised, with quorum present.

dated:

  
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Robin Bieber, Township Secretary

(Township Seal)

