

ORDINANCE NO. _____

AN ORDINANCE TO AMEND THE CODE OF THE (name of municipality) TO ADD A NEW CHAPTER ____, “CONSTRUCTION CODES, UNIFORM,” TO PROVIDE FOR LOCAL ENFORCEMENT OF THE PENNSYLVANIA UNIFORM CONSTRUCTION CODE

WHEREAS, the purpose of this ordinance is to promote the general health, safety and welfare of the citizens of the (name of municipality) and to conform to the requirements of the Pennsylvania Construction Code Act and the regulations to the Act promulgated by the Pennsylvania Department of Labor and Industry (hereinafter sometimes collectively referred to as the “Uniform Code” or “UCC”); and

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

WHEREAS, it is necessary to amend the Code of the (name of municipality) to add this ordinance to the Code and to repeal provisions that are in conflict therewith;

NOW, THEREFORE, it is hereby enacted and ordained as follows:

SECTION 1. The Code of the (name of municipality) is hereby amended to add the following new chapter, to be entitled “Construction Codes, Uniform,” which will be designated as Chapter _____ of the Code.

§ -1. Local enforcement option.

The (name of municipality) hereby elects to administer and enforce the provisions of the Pennsylvania Construction Code Act, Act 45 of 1999 (35 P.S. §§ 7210.101 to 7210.1103), as amended from time to time, and its regulations.

§ -2. Adoption of standards.

The Uniform Construction Code, contained in 34 PaCode, Chapters 401 to 405, as amended from time to time, is hereby adopted and incorporated herein by reference as the municipal building code of the (name of municipality).

Pennsylvania - Sample Uniform Construction Code Ordinance

§ -3. Administration and enforcement.

Administration and enforcement of the Uniform Code within the (type of municipality) shall be undertaken in any of the following ways as determined from time to time by resolution of the (governing body):

- A. By the designation of an employee of the (type of municipality) to serve as the municipal code official to act on behalf of the (type of municipality).
- B. By the retention of one or more construction code officials or third-party agencies to act on behalf of the (type of municipality).
- C. By agreement with one or more other municipalities for the joint administration and enforcement of this Act through an intermunicipal agreement.
- D. By entering into a contract with another municipality for the administration and enforcement of this Act on behalf of this (type of municipality).
- 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.

§ -4. Board of Appeals.

A Board of Appeals shall be established by resolution of the (governing body) in conformity with the requirements of the relevant provisions of the Code, as amended from time to time, and for the purposes set forth therein. If at any time enforcement and administration is undertaken jointly with one or more other municipalities, said Board of Appeals shall be established by joint action of the participating municipalities.

§ -5. Effect on prior provisions.

- A. All building code ordinances or portions of ordinances, (including but not limited to Chapter 76, Building Construction; Chapter 96, Fire Prevention; Chapter 132, Mechanical Standards; and Chapter 154, Plumbing,) which equal or exceed the requirements of the Code shall continue in full force and effect until such time as

Pennsylvania - Sample Uniform Construction Code Ordinance

such provisions are repealed or such provisions fail to equal or exceed the minimum requirements of the Code, as amended from time to time.

- B. All building code ordinances or portions of ordinances which are in effect as of the effective date of this chapter, (including but not limited to Chapter 76, Building Construction; Chapter 96, Fire Prevention; Chapter 132, Mechanical Standards; and Chapter 154, Plumbing,) and whose requirements are less than the minimum requirements of the Code are hereby repealed.
- C. All relevant ordinances, regulations and policies of the (type of municipality) not governed by the Code shall remain in full force and effect.

§ -6. Fees.

Fees assessable by the (type of municipality) for the administration and enforcement undertaken pursuant to this chapter and the Code shall be established from time to time by resolution of the (governing body).

SECTION 2. Effective date.

This ordinance shall be effective _____.

SECTION 3. 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.

ADOPTED this _____ day of _____, 2004