

ORDINANCE NO. 2 - 2004

**AN ORDINANCE OF THE TOWNSHIP OF SCHUYLKILL
ADOPTING THE UNIFORM CONSTRUCTION CODE
PURSUANT TO THE PENNSYLVANIA CONSTRUCTION CODE ACT**

WHEREAS, the purpose of this ordinance is to promote the general health safety and welfare of the residents of the Township of Schuylkill and to conform to the requirements of the Pennsylvania Construction Code Act and regulations to the Act promulgated by the Pennsylvania Department of Labor and Industry (hereinafter sometimes collectively referred to as the "Code"); 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.

NOW THEREFORE, BE IT ORDAINED AND ENACTED by the Supervisors of the Township of Schuylkill, and it is hereby ordained and enacted by the authority of the same as follows:

I ELECTION

The Township of Schuylkill hereby elects to administer and enforce the provisions of the Pennsylvania Construction Code Act, Act 45 of 1999, as amended from time to time as well as the regulations promulgated thereunder.

II ADOPTION OF UNIFORM CONSTRUCTION CODE

The Uniform Construction Code, contained in 34 Pennsylvania Code, Chapters 401-405, as amended from time to time is hereby adopted and incorporated herein by reference as the municipal building code of the Township of Schuylkill.

III ADMINISTRATION AND ENFORCEMENT

Administration and enforcement of the Code within the Township of Schuylkill shall be undertaken in any of the following manners as determined by the Supervisors of the Township of Schuylkill from time to time by resolution:

1. By the designation of an employee of the Township of Schuylkill to serve as the Township Code Official to act on behalf of the Township of Schuylkill;
2. By the retention of one or more construction code officials or third-party agencies to act on behalf of the Township of Schuylkill;
3. By agreement with one or more other municipalities for the joint administration and enforcement of the Code through an intermunicipal agreement;
4. 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.

IV BOARD OF APPEALS

A Board of Appeals shall be established by resolution of the Supervisors of the Township of Schuylkill 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, the Board of Appeals shall be established by joint action of the participating municipal bodies.

V SAVINGS CLAUSE

1. All building code ordinances or portions of ordinances which were adopted by the Township of Schuylkill 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 the provisions fail to equal or exceed the minimum requirements of the Code, as amended from time to time.
2. All building code ordinances or portions of ordinances 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.
3. All relevant ordinances, regulations and policies of the Township of Schuylkill not governed by the Code shall remain in full force and effect.
4. 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.

VI FEES

Fees assessable by the Township of Schuylkill for the administration and enforcement undertaken pursuant to this ordinance and the Code shall be established by the Supervisors of the Township of Schuylkill from time to time by resolution.

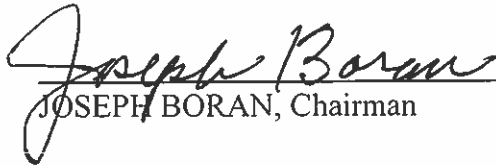
VII EFFECTIVE DATE

This Ordinance shall be effective five (5) days after passage, and approved in the manner prescribed by law.

ENACTED AND ORDAINED this 3rd day of March, 2004

*April 30,
2004*
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**BOARD OF SUPERVISORS
SCHUYLKILL TOWNSHIP**



JOSEPH BORAN, Chairman

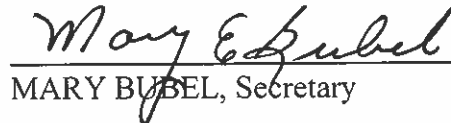


FRANK THOMPSON, Supervisor



MAUREEN VANEK, Vice-Chairman

ATTEST:



MARY BUBEL, Secretary