

ORDINANCE NO. 612

AN ORDINANCE OF THE TOWNSHIP OF PENN, YORK COUNTY, PENNSYLVANIA, ADOPTING THE PENNSYLVANIA UNIFORM CONSTRUCTION CODE AND CONFORMING TO THE REQUIREMENTS OF THE PENNSYLVANIA CONSTRUCTION CODE ACT AND REGULATIONS PROMULGATED BY THE PENNSYLVANIA DEPARTMENT OF LABOR AND INDUSTRY.

BE IT ENACTED AND ORDAINED, by the Penn Township Board of Commissioners, York County, Pennsylvania, and it is hereby ordained by the authority of the same as follows:

WHEREAS, the Township of Penn is a municipality, being a first class township in the Commonwealth of Pennsylvania; and

WHEREAS, the Commonwealth of Pennsylvania has adopted the Pennsylvania Construction Code Act, Act 45 of 1999, creating the Uniform Construction Code, and, pursuant to that Act, the Pennsylvania Department of Labor and Industry has promulgated regulations contained in 34 Pa. Code, Chapters 401-405, as amended from time to time, (collectively referred to as the "Code"); and

WHEREAS, the purpose of this ordinance is to promote the general health, safety and welfare of the citizens of this Municipality 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: 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; and

WHEREAS, the Municipality wishes to bring its ordinances into compliance with the Code.

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

1. This Municipality 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 its regulations, 34 Pa. Code, Chapters 401-405.
2. The Code, is hereby adopted and incorporated herein by reference as the municipal building code of this Municipality.
3. Administration and enforcement of the Code within this Municipality shall be undertaken in any of the following ways as determined by the governing body of this Municipality from time to time by resolution:
  - a. By the designation of an employee of the Municipality to serve as the municipal code official to act on behalf of the Municipality for administration and enforcement of the Code;

other. It shall be the responsibility of the applicant to request such inspections or permits from both the Municipality's Building Code Official and Zoning Enforcement Officer, who shall be responsible between them for coordinating the inspections and the issuance of the required permits within the time set by the Code and the Township's Zoning Ordinance.

13. Any owner or person, as those terms are defined in the Code, who or which violates or permits the violation of any provision of this Ordinance or the Code shall commit a summary criminal offense, and, upon conviction by a District Justice, shall be subject to a fine of up to one thousand dollars (\$1,000.00) plus costs, and imprisonment to extent allowed by law for summary offenses for each violation. Each day of a violation, and each separate violation of this Ordinance or the Code, shall be considered a separate violation.
14. This ordinance shall become effective thirty-five (35) days after enactment.
15. 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 21<sup>st</sup> day of June, 2004.

Board of Commissioners of Penn Township

By: Michael T. Rishel  
Michael T. Rishel, President

Attest:

Kristen Rodriguez  
Secretary