

WEST CALN TOWNSHIP

ORDINANCE NO. 48

WHEREAS, the purpose of this Ordinance is to promote the general health, safety and welfare of the citizens of West Caln Township and to conform to the requirements of the Pennsylvania Construction Code Act ("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 West Caln Township electing to administer and enforce the building code provisions of the "Code".


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

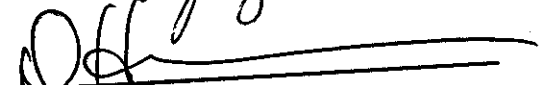
1. West Caln Township hereby elects to administer and enforce the provisions of the Pennsylvania Construction Code Act, Act 45 of 1999, 35 P.S. § 7210.101-7210.1103, as amended from time-to-time, and its regulations.
2. The Uniform Construction Code, contained in 34 PA Code, Chapters 401-405, as amended from time-to-time, is hereby adopted and incorporated herein by reference as the Municipal Building Code of West Caln Township.
3. Administration and enforcement of the "Code" within West Caln Township shall be undertaken in any of the following ways as determined by the governing body of West Caln Township from time-to-time by resolution:
 - a. By the designation of an employee of West Caln Township to serve as the Municipal Code Official to act on behalf of West Caln Township;
 - b. By the retention of one or more Construction Code Officials or third-party agencies to act on behalf of West Caln Township;
 - c. By agreement with one or more other municipalities for the joint administration and enforcement of this Act through and inter-municipal agreement;
 - d. By entering into a contract with another municipality for the administration and enforcement of the Act on behalf of West Caln Township;

- e. entering into an agreement with the Pennsylvania Department of Labor and Industry for plan review, inspections and enforcement of the Act in connection with structures other than one-family or two-family dwelling units and utility and miscellaneous use structures.
4. A Board of Appeals shall be established by resolution of the governing body of West Cain Township 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. a. All Building Code Ordinances or portions of ordinances which were adopted by West Cain 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 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".
- c. All relevant Ordinances, regulations and policies of West Cain Township not governed by the "Code" shall remain in full force and effect.
6. Fees assessable by West Cain Township for the administration and enforcement undertaken pursuant to this Ordinance and the "Code" shall be established by the governing body by resolution from time-to-time.
7. This Ordinance shall be effective five (5) days after the date of passage of this Ordinance.
8. 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.

DULY ENACTED AND ORDAINED this 28th day of June, 2004 by the Board of Supervisors in public session duly assembled.

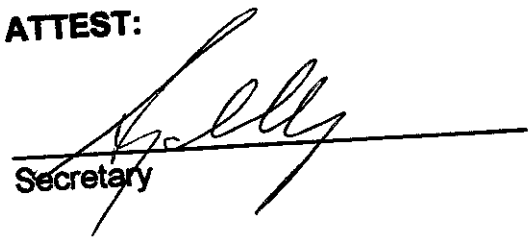
WEST CALN TOWNSHIP

By: 
Chairman


Vice-Chairman


Member

ATTEST:


Secretary

Seal