

CHAPTER 42

UNIFORM CONSTRUCTION CODE

BOROUGH OF WYALUSING
ORDINANCE NO. 42

AN ORDINANCE CHAPTER 42, PENNSYLVANIA CONSTRUCTION CODE ACT (UNIFORM CONSTRUCTION CODE) ORDINANCE OF THE BOROUGH OF WYALUSING, COUNTY OF BRADFORD, COMMONWEALTH OF PENNSYLVANIA.

The purpose of this Ordinance is to regulate the Uniform Construction Code as authorized under the Borough Code found at 53 P.S. § 46202, Specific powers.

(24) Building, housing, property maintenance, plumbing and other regulations. To enact and enforce ordinances relating to buildings and housing, their construction, alteration, extension, repair and maintenance and all facilities and services in or about such buildings or housing, to require that, before any work of construction, alteration, extension, or repair of any building is begun, approval of the plans and specifications therefor be secured; to provide for the inspection of such work of construction, alteration, extension and repair, including the appointment of one or more building inspectors and/or housing inspectors; to prescribe limits wherein none but buildings of noncombustible material and fireproof roofs shall be erected, or substantially reconstructed, or moved thereinto; to provide for enforcement of such regulations by a reasonable fine, and by instituting appropriate actions or proceedings at law, or in equity, to effect the purposes of this provision and ordinances enacted thereunder.

The Borough of WYALUSING hereby ordains and enacts as follows:

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 (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, 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.
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 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;
 - b. By the retention of one or more construction code officials or third party agencies to act on behalf of the 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 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. A Board of Appeals shall continue as previously established by ordinance of the governing body of this Municipality 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. Said Board of Appeals was established by joint action of the participating municipalities.
- 5.a. All building code ordinances or portions of ordinances which were adopted by this Municipality 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 this Municipality not governed by the Code shall remain in full force and effect.
6. Fees assessable by the Municipality 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 on July 1, 2004. Said Ordinance having been previously adopted.
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.