

FRANKLIN TOWNSHIP

Erie County, Pennsylvania

ELECTION TO ADMINISTER AND ENFORCE STATE UNIFORM CONSTRUCTION CODE

ORDINANCE NO. 2 OF 2004

AN ORDINANCE TO PROMOTE THE GENERAL HEALTH, SAFETY AND WELFARE OF THE CITIZENS OF FRANKLIN TOWNSHIP 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.

WHEREAS, the Pennsylvania Construction Code Act (hereinafter sometimes collectively referred to as the "Code") 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, 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 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 be established by resolution 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. 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. 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 April 9, 2004.

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.

**APPROVAL PAGE
FRANKLIN TOWNSHIP ORDINANCE NO. 2 OF 2004**

FRANKLIN TOWNSHIP
BOARD OF SUPERVISORS

JOHN J. SACHAR
Chairman

C. JARRETT MILLER
Vice Chairman

DAVID G. HENDERSON
Supervisor

Attest:

BONNIE J. BERNHARDT
Secretary/Treasurer

I hereby certify that the foregoing Ordinance was advertised in the Albion News on the _____ day of _____, 20____, a newspaper of general circulation in the municipality and was duly enacted and approved as set forth at the regular meeting of the Franklin Township Board of Supervisors held on the _____ of _____, 20____.

BONNIE J. BERNHARDT
Secretary/Treasurer