

ORDINANCE NO. 114

AN ORDINANCE OF THE TOWNSHIP OF DAUGHERTY, BEAVER COUNTY, PENNSYLVANIA ELECTING TO ADMINISTER AND ENFORCE THE PA CONSTRUCTION CODE ACT AND ADOPTING THE PA UNIFORM CONSTRUCTION CODE.

WHEREAS, the purpose of this ordinance is to promote the general health safety and welfare of the citizens of Daugherty 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 (hereinafter sometimes collectively referred to 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 ENACTED AND ORDAINED by the Board of Supervisors of the Township of Daugherty, County of Beaver and Commonwealth of Pennsylvania, as follows:

1. Daugherty Township hereby elects to administer and enforce the provisions of the Pennsylvania Construction Code Act, Act 45 of 1999, (35 Pa C.S.A sec. 7210.101 to 7210.1103 inclusive), 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 Daugherty Township.
3. Administration and enforcement of the Code within Daugherty Township shall be undertaken in any of the following ways as determined by the Supervisors of Daugherty Township from time to time by resolution:
 - a. By the designation of an employee of Daugherty Township to serve as the municipal code official to act on behalf of Daugherty Township.
 - b. By the retention of one or more construction code officials or third-party agencies to act on behalf of Daugherty Township.
 - c. By agreement with one or more other municipalities for the joint administration and enforcement of this Act on behalf of Daugherty

Township.

- d. By entering into a contract with another municipality for the administration and enforcement of this Act on behalf of Daugherty Township.
 - 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 Supervisors of Daugherty 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, the 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 Daugherty 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 or 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 Daugherty Township not governed by the Code shall remain in full force and effect.
 6. Fees assessable by Daugherty Township for the administration and enforcement undertaken pursuant to this ordinance and the Code shall be established by the Supervisors by resolution from time to time.
 7. This ordinance shall be effective on and after April 10, 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.

ENACTED AND ORDAINED this 10 day of March, 2004.

TOWNSHIP OF DAUGHERTY

George J. Rosack
Chairman Board of Supervisors

Attest:

David M. Johnson
Secretary

Dated: 3/10/04