

WYSOX TOWNSHIP
ORDINANCE NO. 2012-01 B

AN ORDINANCE OF WYSOX TOWNSHIP, BRADFORD COUNTY, COMMONWEALTH OF PENNSYLVANIA, REAFFIRMING ADOPTING THE UNIFORM CONSTRUCTION CODE AND RESCINDING PARTICIPATION IN THE COUNCIL OF GOVERNMENT'S OR INTERMUNICIPAL AGREEMENTS THAT WOULD REQUIRE THE USE OF CODE INSPECTIONS, INC FOR ENFORCEMENT. BE IT ORDAINED AND ENACTED BY WYSOX TOWNSHIP, BRADFORD COUNTY 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; and

WHEREAS, Wysox Township previously passed one or more ordinances adopting the Uniform Construction Code, contained in 34 Pa. Code, Chapters 401-405, as amended from time to time as the municipal building code of Wysox Township including ordinance 2000-03; and

WHEREAS, Wysox Township previously passed one or more ordinances and/or one or more resolutions permitting Wysox Township to enter into an intergovernmental cooperation agreement with other Eastern and/or Western Bradford County Councils Of Government Municipalities to enforce the Pennsylvania Uniform Construction Code including ordinance 2000-04; and

WHEREAS, Code Inspections, Inc. was hired by the relevant Bradford County Council of Government as its exclusive agent to enforce the Uniform Construction Code; and

WHEREAS, Wysox Township desires to have someone other than Code Inspections, Inc. enforce the Uniform Construction Code

within Wysox Township;

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

1. This Municipality hereby continues to elect 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 once again hereby adopted and incorporated 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, or other qualified individuals 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; or

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. Effect on other ordinances or resolutions of Wysox Township:

a. Any and All building code ordinances or portions of ordinances setting building standards that 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; and

d. This ordinance expressly repeals, revokes, rescinds, replaces and supersedes all prior ordinances, resolutions or intergovernmental cooperation agreements that either permit or require Wysox Township to enforce the Pennsylvania Uniform Construction Code through any Councils of Government, intermunicipal agreements or to exclusively use Code Inspections, Inc. including ordinance 2000-04, but this ordinance shall not prohibit Wysox Township from joining any appropriate Councils of Government, entering appropriate intermunicipal agreements or hiring Code Inspections, Inc. to enforce the Pennsylvania Uniform Construction Code should the township decide to do so in the future and also expressly repeals, revokes, rescinds, replaces and supersedes all prior resolutions or ordinances of Wysox Township that are inconsistent herewith.

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.

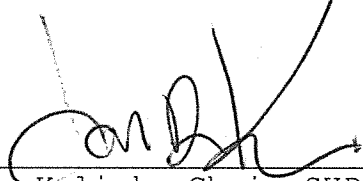
7. This ordinance shall be effective immediately upon the date of passage of this ordinance.

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.

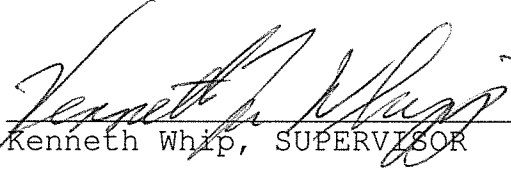
DULY ENACTED AND ORDAINED in public session as an ordinance of Wysox Township, Pennsylvania, this 11th day of December, 2012.

TOWNSHIP OF WYSOX SUPERVISORS

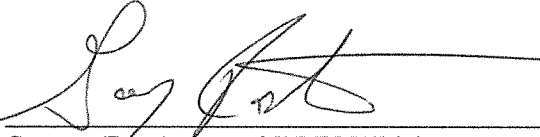
DATE: 12/11/12


Jon Kulick, Chair SUPERVISOR

DATE: 12/11/12


Kenneth Whip, SUPERVISOR

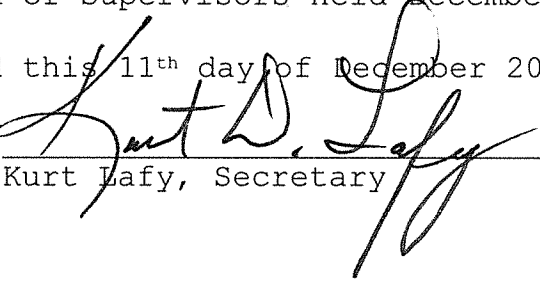
DATE: 12/11/12


Gary Foster, SUPERVISOR

I, the undersigned being the Secretary of the TOWNSHIP OF WYSOX, Pennsylvania, do hereby certify that the foregoing is a true and correct copy of the Township's Ordinance regarding enforcement and administration and enforcement of Pennsylvania's uniform Construction Code duly adopted at a regular and lawful meeting of the Board of Supervisors held December 11, 2012.

WITNESS my hand this 11th day of December 2012.

(Seal of the
TOWNSHIP OF WYSOX)


Kurt Lafy, Secretary

