

## ORDINANCE NO. - 1-2016

### **AN ORDINANCE OF LIBERTY TOWNSHIP, ADAMS COUNTY, PENNSYLVANIA, ADOPTING THE PENNSYLVANIA UNIFIED CONSTRUCTION CODE (UCC).**

**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 or UCC); 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**, notice of the intent of Liberty Township to adopt the UCC (i.e. to “opt in”) was provided in writing to the Pennsylvania Department of Labor & Industry on February 10, 2016, more than 180 days prior to the effective date herein.

**NOW, THEREFORE**, be it enacted and ordained by Liberty Township, and it is hereby enacted and ordained as follows:


1. Liberty 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 Liberty Township.
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 Liberty Township 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 Liberty Township;
  - b. By the retention of one or more construction code officials or third-party agencies to act on behalf of Liberty Township;
  - c. By agreement with one or more other municipalities for the joint administration and enforcement of this act through an inter-municipal agreement;



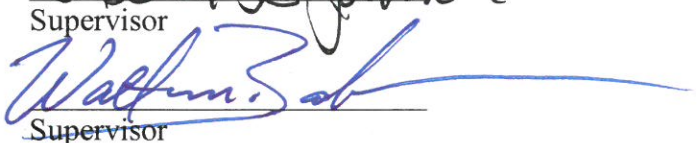
- d. By entering into a contract with another municipality for the administration and enforcement of this Act on behalf of Liberty Township;
  - e. By entering into an agreement with the Pennsylvania Department of Labor and Industry for plan review, inspections and enforcement of structures other than 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 governing body of Liberty 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. All relevant ordinances, regulations and policies of Liberty Township not governed by the Code shall remain in full force and effect.
  6. Fees assessable by Liberty 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 September 1, 2016.
  8. If any section, subsection sentence or clause of the 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 5 day of July, 2016.

Attest:

LIBERTY TOWNSHIP:

  
Its Secretary

  
Chair  
  
Supervisor  
  
Supervisor