

Chapter 5

Code Enforcement

Part 1

Uniform Construction Code

- §5-101. Pennsylvania Construction Code Act
- §5-102. Municipal Administration
- §5-103. Administration and Enforcement
- §5-104. Board of Appeals
- §5-105. Saving Clause
- §5-106. Fees
- §5-107. Penalties

Part 1**Uniform Construction Code****§5-101. Pennsylvania Construction Code Act.**

This 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. This Part shall be known as the “Clifton Township Construction Code Ordinance.”

(Ord. 2-2004, 6/5/2004, §1)

§5-102. Municipal Administration.

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 Township.

(Ord. 2-2004, 6/5/2004, §2)

§5-103. Administration and Enforcement.

Administration and enforcement of the code within this Township shall be undertaken in any of the following ways as determined by the Board of Supervisors of this Township from time to time by resolution:

A. By the designation of an employee of the Township to serve as the municipal code official to act on behalf of the Township.

B. By the retention of one or more construction code officials or third-party agencies to act on behalf of the Township.

C. By agreement with one or more other municipalities for the joint administration and enforcement of this Code through an intermunicipal agreement.

D. By entering into a contract with another municipality for the administration and enforcement of this Code on behalf of this 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.

(Ord. 2-2004, 6/5/2004, §3)

§5-104. Board of Appeals.

A board of appeals shall be established by resolution of the Board of Supervisors of this 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.

(Ord. 2-2004, 6/5/2004, §4)

§5-105. Saving Clause.

1. All building code ordinances or portions of ordinances which are were adopted by this 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.

2. All building code ordinances or portions of ordinances which are in effect as of the effective date of this Part and whose requirements are less than the minimum requirements of the code are hereby amended to conform with the comparable provisions of the code.

3. All relevant ordinances, regulations, and policies of this Township not governed by the code shall remain in full force and effect.

(Ord. 2-2004, 6/5/2004, §5)

§5-106. Fees.

Fees assessable by the Township for the administration and enforcement undertaken pursuant to this Part and the code shall be established by the Board of Supervisors by resolution from time to time.

(Ord. 2-2004, 6/5/2004, §6)

§5-107. Penalties.

1. Any person, firm or corporation who shall violate any provision of this Part, upon conviction thereof in an action brought before a magisterial district judge in the manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure, shall be sentenced to pay a fine of not more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 90 days. Each day that a violation of this Part continues or each Section of this Part which shall be found to have been violated shall constitute a separate offense.

2. The imposition of a fine or penalty for any violation of, or noncompliance with, this Part shall not excuse the violation or noncompliance or permit it to continue, and all such persons shall be required to correct or remedy such violations and noncompliances within a reasonable time. Any structure or building constructed, reconstructed, enlarged, altered, or relocated, in noncompliance with this Part may be declared by the Board of Supervisors to be a public nuisance and abatable as such. The Township hereby expressly reserves all remedies at law and in equity, including an action for injunction.

(Ord. 2-2004, 6/5/2004; as added by Ord. 1-2006, 3/9/2006)