

Chapter 95

CONSTRUCTION CODES, UNIFORM

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| § 95-1. Administration and enforcement. | § 95-4. Board of Appeals. |
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[HISTORY: Adopted by the Board of Supervisors of the Township of North Middleton 6-17-2004 by Ord. No. 2004-5. Amendments noted where applicable.]

GENERAL REFERENCES

Building construction — See Ch. 80.

Subdivision and land development — See Ch. 180.

Floodplain management — See Ch. 112.

Zoning — See Ch. 204.

§ 95-1. Administration and enforcement.

North Middleton Township hereby elects to administer and enforce the provisions of the Pennsylvania Construction Code Act, Act 45 of 1999, 35 P.S. §§ 7210.101 through 7210.1103, as amended from time to time, and its regulations.

§ 95-2. Adoption of standards.

The Uniform Construction Code, contained in 34 Pa. Code, Chapters 401 through 405, as amended from time to time, is hereby adopted and incorporated herein by reference as the municipal building code of North Middleton Township.

§ 95-3. Process for administration and enforcement.

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

- A. By the designation of an employee of North Middleton Township to serve as the Municipal Code Official to act on behalf of North Middleton Township;
- B. By the retention of one or more construction code officials or third-party agencies to act on behalf of North Middleton Township;
- C. By agreement with one or more other municipalities for the joint administration and enforcement of this Act¹ through an intermunicipal agreement;

1. Editor's Note: See 35 P.S. § 7210.101 et seq.

- D. By entering into a contract with another municipality for the administration and enforcement of this Act on behalf of North Middleton 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.

§ 95-4. Board of Appeals.

A Board of Appeals shall be established by resolution of the Board of Supervisors of North Middleton 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.

§ 95-5. Effect on other ordinances.

- A. All building code ordinances or portions of ordinances which were adopted by North Middleton 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 of ordinances which are in effect as of the effective date of this chapter 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 North Middleton Township not governed by the code shall remain in full force and effect.

§ 95-6. Fees.

Fees assessable by North Middleton Township for the administration and enforcement undertaken pursuant to this chapter shall be established by the Board of Supervisors by resolution or ordinance from time to time.