CHAPTER 4

BUILDINGS

Part 1

**Construction Code**

**§101. Intention.** White Deer Township, Union County, Pennsylvania (hereinafter Township) does hereby elect to administer and enforce within the Township the provisions of the Pennsylvania Construction Code Act (hereinafter the Act), Act 45 of 1999, (53 P.S. Section 72 10.101 et seq) and the regulations adopted by the Department of Labor and Industry pursuant to the said Act, as the same may be amended from time to time.

**§102. Uniform Construction Code.** The Uniform Construction Code (hereinafter the Code), set forth in 34 Pa. Code, Chapters 401 to 405, as amended from time to time, is hereby adopted as the Township Building Code.

**§103. Administration and Enforcement.** Administration and enforcement of the Code within the Township shall be undertaken in any of the following ways as determined by the Board of Supervisors of the Township from time to time by resolution:

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

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

(3) By agreement with one or more other municipalities for the joint administration and enforcement of the Act and Code through an intermunicipal agreement.

(4) By entering into a contract with another municipality for the administration and enforcement of the Act and Code on behalf of the Township.

(5) 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.

**§104. Board of Appeals.** A Board of Appeals shall be established by resolution of the Board of Supervisors 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.

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

**§106. Severability.** 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.

**§107. Violations.** Any person, firm, corporation, partnership, or entity who shall violate the provisions of this Part, the Act or the Code, shall, upon conviction thereof in an action brought before a District Judge in the same manner as provided for the enforcement of a summary offense under the Pennsylvania Rules of Criminal Procedure shall be sentenced to pay a fine not to exceed one thousand dollars ($1,000.00) per violation and/or imprisonment to the extent allowed by law for the punishment of summary offences. Each day or portion thereof that a violation shall occur shall be a separate offense.

Notwithstanding anything herein to the contrary the provisions of this Part may be enforced through an action in equity brought before the Court of Common Pleas of Union County.

(Ordinance No. 2, adopted June 22, 2004)