

MAR 11 2003

SOUTH SHENANGO TOWNSHIP
CRAWFORD COUNTY, PENNSYLVANIA

ORDINANCE No. 2003 - 2

AN ORDINANCE ESTABLISHING MINIMUM REGULATIONS FOR GOVERNING THE DESIGN, CONSTRUCTION, ALTERATION, ENLARGEMENT, REPAIRS, DEMOLITION, REMOVAL, AND USE OF ALL BUILDINGS AND STRUCTURES IN THE TOWNSHIP OF SOUTH SHENAGNO, CRAWFORD COUNTY, PENNSYLVANIA, AND PROVIDING FOR THE ISSUANCE OF PERMITS; COLLECTION OF FEES; CONDUCTING INSPECTIONS; PERFORMING OF PLAN REVIEW; AND PROVIDING FOR THE VIOLATION THEREOF; AND KNOWN AS THE UNIFORM CONSTRUCTION CODE OF THE TOWNSHIP OF SOUTH SHENANGO, CRAWFORD COUNTY, PENNSYLVANIA.

BE IT ORDAINED, and it is hereby ordained by the Board of Supervisors of South Shenango Township, Crawford County, Pennsylvania, as follows:

SECTION 1 — ADOPTION OF UNIFORM CONSTRUCTION CODE

All those certain documents, copies of which are on file in the office of the Secretary of the Township of South Shenango, Crawford County, in a form and manner which is approved under the Pennsylvania Construction Code, 35 PS 7210.101 *et seq.* or regulations adopted by the Pennsylvania Department of Labor and Industry pursuant thereto, being marked or designated and described as: the Uniform Construction Code established under the Act of November 10, 1999, P.L. 491, 35 PS Section 7210.501, 7210.301, as the same may be amended from time to time; 2002 BOCA National Building Code, 15th Edition, as published by the International Code Council, Inc.; the National Electrical Code, 2000 Edition, as published by the National Fire Protection Association; and the International Fuel Gas Code is and are hereby, cumulatively, adopted as the Building Code of South Shenango Township for the control of buildings and structures as herein provided, and the provisions, regulations, standards and terms of the above referenced Code or Codes are incorporated herein by reference as though fully set forth in this Ordinance, except as otherwise herein set forth, subject to the exemption and exceptions as provided at 35 PS Sections 7210.101 *et seq.*, as the same may be amended from time to time.

SECION 2 — ADDITION, INSERTION, AND CHANGES

The following sections of the International Building Code, 2000 Edition and the National Fire

Protection Code, No. 71 (National Electrical Code, 2002 Edition) are hereby revised as follows:

- a. These regulations shall be known as the Uniform Construction Code of the Township of South Shenango, Crawford County, Pennsylvania, hereinafter referred to as "this Code".
- b. Section 106.2 (International Residential Code—Site Plan) shall include the following language:

A survey shall be submitted with the construction documents showing a footprint of the proposed improvements and the location of all existing structures, with distances to the property lines and the size of structures.
- c. Inspections:

As to any required inspection, the permit holder shall give notice to the Code Official of South Shenango Township and/ or the Township Secretary. The inspection shall be deemed to be timely if the inspector shall appear at the permitted premises to conduct the inspection within 24 hours following the time of giving notice or any longer period which has been or may be adopted by the Department of Labor and Industry for inspections as to administration of the Statewide Building Code by the Commonwealth of Pennsylvania. Hours which fall during a Saturday, Sunday or any legal holiday shall not count toward this time period.
- d. Section R301.2 (this Code) Climatic and Geographic Design Criteria, Table R301.2(1) is supplemented by including in that table the required information as set forth.
- e. Fees:

A fee for each plan examination, building permit and inspection shall be paid pursuant to schedules adopted by the Board of Supervisors of South Shenango Township, Crawford County, from time to time, by Resolution duly passed at a regular meeting of the Board of Supervisors.

SECTION 3 — VIOLATION A SUMMARY OFFENSE; CRIMINAL AND CIVIL PENALTIES, AND ENFORCEMENT

Enforcement and penalties for violation of this Ordinance No. 2003-2, shall be as hereinafter set forth, and the Township shall be entitled to exercise any or all of such remedies and enforcement proceedings, as follows:

- a. Any violation of the terms and provisions of this Ordinance, adopted February 11,

2003, shall constitute a criminal offence, and the Building Inspection or other township official shall be authorized to bring a criminal complaint for enforcement by an action brought before a district justice in the same manner provided for the enforcement of summary offences under the Pennsylvania Rules of Criminal Procedure. Furthermore, the Building Inspector is hereby designated to be a law enforcement officer having authority to institute criminal proceedings for the enforcement of this Ordinance by issuing a citation to the defendant. Any person or entity found guilty of the violation of this Ordinance No. 2003-2 shall be sentenced to pay a fine not exceeding \$1,000.00, or to imprisonment for a term not exceeding thirty (30) days, or both. Each day of a continuing offence shall constitute a separate offence. The municipal solicitor may assume charge of the prosecution without consent of the District Attorney as required under PA. R.Crim.P.No.83(c) (Relating to a trial in summary offences).

- b. Every person, firm or corporation who or which shall violate any of the provisions of this Ordinance shall, upon being found liable therefore in a civil enforcement proceeding commenced by the municipality, South Shenango Township, or a municipal official or representative, be required to pay a fine not exceeding \$1,000.000 (or \$600.00 in the event of enforcement under 53 P.S. Section 66601 (c.1)(1), plus all court cost, including reasonable attorney fees, incurred by the Township. The Township Building Inspector shall be authorized to commence civil enforcement proceedings. Each day of a continuing violation, after the time set forth in any notice of violation, shall be deemed to be a separate offence. The procedure for the administration of any such penalty shall be in accordance with the provisions of P.S. 66601.
- c. The foregoing penalties and enforcement proceedings shall not be the exclusive remedies available to the Township in the event of a violation hereof, and Township shall be entitled to enjoin a violation and to enforce the compliance with this Ordinance by an action in equity, and to exercise any other remedies which may be available under law, in addition to other remedies, the Township shall be entitled to recover from any person in violation of the Ordinance, the legal fees and costs incurred by the Township in obtaining and enforcing an injunction under this Ordinance. The Township shall be entitled to enter a municipal lien in the amount of such fees and costs, in addition to other collection remedies.

SECTION 4 — ADOPTION OF REGULATIONS

The regulations as set forth in Chapter 3, Section 301 of the Act of Assembly known as the "Pennsylvania Construction Code, Act of November 10, 1999, P.L. 491, 35 PS 7210.101 *et seq.*" as supplemented from time to time, shall be made part hereto as if the same were fully set forth in this Ordinance.

SECTION 5 — REPEALER

All provisions of the Ordinances of South Shenango Township which are in conflict with the provisions of this Ordinance are hereby repealed; provided however that, the foregoing notwithstanding, any conflicting provisions shall remain in force as they apply to acts and events which occurred prior to the enactment of this Ordinance, and compliance or non-compliance with permits which were issued before the enactment of this Ordinance.

SECTION 6 — SEVERABILITY

Should any section, part or provision of this Ordinance be declared by appropriate authority to be unlawful or unconstitutional, all other terms, conditions, provisions, and parts thereof and of any code of which this Code may be or may be considered to be part, shall continue in full force and effect as if the provision declared to be unlawful or unconstitutional had been omitted as of the date of the final enactment hereof.

SECTION 7 — SAVING CLAUSE

That nothing in this Ordinance or the Code hereby adopted shall be construed to affect any suit or proceeding in any court or any rights acquired or liability incurred or any other cause or causes of action existing under any ordinance hereby repealed as set forth in Section 4 of this Ordinance, nor shall any just or legal right or remedy of any character be lost, impaired or affected by this Ordinance.

SECTION 8 — EFFECTIVE DATE

This Ordinance shall become effective five (5) days after the adoption hereof.

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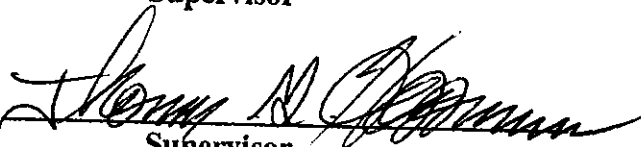
Ordained and Enacted by unanimous vote of the Supervisors at a duly advertised public meeting held the 11th day of February 2003.

In Witness Whereof, the undersigned officials have hereunto set their hands.


TOWNSHIP OF SOUTH SHENANGO

By: 
Chairman

By: _____
Supervisor

By: 
Supervisor

Attest:

By: 
Secretary