

**BOROUGH OF ST. LAWRENCE
BERKS COUNTY, PENNSYLVANIA**

ORDINANCE No. 362

AN ORDINANCE OF THE BOROUGH OF ST. LAWRENCE, BERKS COUNTY, PENNSYLVANIA, TO PROMOTE THE GENERAL HEALTH, SAFETY AND WELFARE OF THE RESIDENTS OF THE BOROUGH OF ST. LAWRENCE BY ADOPTING THE '03 *UNIFORM CONSTRUCTION CODE*.

WHEREAS, an ordinance of the Borough of St. Lawrence, Berks County, Pennsylvania, to promote the general health, safety and welfare of the residents of the Borough of St. Lawrence and to conform to the requirements of the Pennsylvania Construction Code Act and regulations of the Act promulgated by the Pennsylvania Department of Labor & Industry (hereinafter sometimes collectively referred to as the "Code"); 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.

BE IT ENACTED AND ORDAINED by the Council of the Borough of St. Lawrence

1. The Borough of St. Lawrence 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 the Borough of St. Lawrence.

3. Administration and enforcement of the Code within the Borough of St. Lawrence shall be undertaken in any of the following ways as determined by the governing body of the Borough of St. Lawrence from time to time by resolution:

- a. By the designation of an employee of the Borough of St. Lawrence to serve as the municipal code official to act on behalf of the Borough of St. Lawrence;
- b. By the retention of one or more construction code officials or third-party agencies to act on behalf of the Borough of St. Lawrence;
- c. By agreement with one or more other municipalities for the joint administration and enforcement of this Act through an intermunicipal agreement;
- d. By entering into a contract with another municipality for the administration and enforcement of this Act on behalf of the Borough of St. Lawrence;
- 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 the Borough of St. Lawrence 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. a. All building code ordinances or portions of ordinances which were adopted by the Borough of St. Lawrence 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 Ordinance and whose requirements are less than the minimum requirements of the Code are hereby amended to conform to the comparable provisions of the Code.

c. All relevant ordinances, regulations and policies of the Borough of St. Lawrence not governed by the Code shall remain in full force and effect.

6. Fees assessable by the Borough of St. Lawrence 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. Saving Clause – Nothing in this Ordinance shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this Ordinance.

8. 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.

9. Effective Date — This Ordinance shall be effective five days after the date of passage of this ordinance.

Borough of St. Lawrence

DULY ENACTED AND ORDAINED this 8th day of April 2004, by Borough Council of the
Borough of St. Lawrence in public session duly assembled.

BOROUGH COUNCIL OF THE
BOROUGH OF ST. LAWRENCE, BERKS
COUNTY, PENNSYLVANIA

By: Warren L. Sulmon
President of Borough Council

Attest: M. H. Reichard
Secretary

Approved as an Ordinance this 8th day of April 2004.

