

ORDINANCE NO. 02 - 2004

TOWNSHIP OF MORGAN
GREENE COUNTY, PENNSYLVANIA

AN ORDINANCE OF THE TOWNSHIP OF MORGAN, GREENE COUNTY, PENNSYLVANIA, TO PROMOTE THE GENERAL HEALTH, SAFETY AND WELFARE OF THE CITIZENS OF MORGAN TOWNSHIP AND TO CONFORM TO THE REQUIREMENTS OF THE PENNSYLVANIA DEPARTMENT OF LABOR AND INDUSTRY; AND PRESCRIBING PENALTIES FOR VIOLATION.

WHEREAS, the purpose of this Ordinance is to promote the general health, safety and welfare of the citizens of Morgan Township and to conform to the requirements of the Pennsylvania Construction Code Act and regulations to the Act promulgated by the Pennsylvania Department of Labor and 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; and

WHEREAS, it is now deemed necessary for the promotion of the health, cleanliness, welfare, comfort and safety of the citizens of the Township of Morgan to enact this Ordinance.

NOW THEREFORE, pursuant to the authority conferred upon it by the Pennsylvania Second Class Township Code as amended, and other laws of the Commonwealth of Pennsylvania, the Board of Supervisors of the Township of Morgan, Greene County, Pennsylvania, do hereby ENACT AND ORDAIN the following:

SECTION 1: SHORT TITLE

This Ordinance shall be known as the "MORGAN TOWNSHIP BUILDING CODE ORDINANCE."

SECTION 2: GENERAL SCOPE

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

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 Morgan Township Building Code.

SECTION 3: ADMINISTRATION AND ENFORCEMENT

Administration and enforcement of the Code within Morgan Township shall be undertaken in any of the following ways as determined by the Board of Supervisors of Morgan Township from time to time by Resolution:

- a. By the designation of an employee of Morgan Township to serve as the Code Enforcement Officer on behalf of Morgan Township.
- b. By the retention of one or more construction code officials or third-party agencies to act on behalf of Morgan Township.
- c. By agreement with one or more other municipalities for the joint administration and enforcement of this Act through intermunicipal agreement.
- d. By entering into a contract with another municipality for the administration and enforcement of this Act on behalf of Morgan 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.

SECTION 4: BOARD OF APPEALS

A Board of Appeals shall be established by Resolution of the Board of Supervisors of Morgan 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.

SECTION 5: EXISTING BUILDING CODE ORDINANCES

- a. All Building Code Ordinances or portions of Ordinances which were adopted by Morgan Township on or before July, 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 with the comparable provisions of the Code.
- c. All relevant Ordinances, regulations and policies of Morgan Township not governed by the Code shall remain in full force and effect.

SECTION 6: FEES

Fee assessable by Morgan Township for the administration and enforcement undertaken pursuant to this Ordinance and the Code shall be established by the Board of Supervisors by Resolution from time to time.

SECTION 7. PENALTIES

Any person who shall violate any provision of this Ordinance shall, upon conviction thereof, be sentenced to pay a fine not more than three hundred dollars (\$300.00), and/or to undergo imprisonment for a term not to exceed ninety (90) days. Each day that a violation of this Ordinance continues shall constitute a separate offense.

SECTION 8. REPEALER

All Ordinances or parts of Ordinances which are inconsistent herewith are repealed.

SECTION 9. SEVERABILITY


If any sentence, clause, section or part of this Ordinance is for any reason found to be unconstitutional, illegal or invalid, it shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts of this Ordinance. It is hereby declared as the intent of the Supervisors of the Township of Morgan that this Ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein.

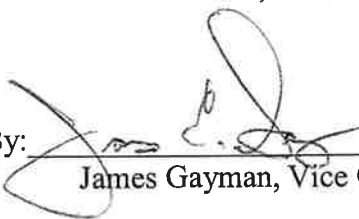
SECTION 10: EFFECTIVE DATE


This Ordinance shall be effective five (5) days after the date of passage of this Ordinance.

ORDAINED AND ENACTED INTO LAW by the Board of Supervisors of
the Township of Morgan in lawful session assembled this 6th day of July, 2004.

TOWNSHIP OF MORGAN

By: 
Shirl Barnhart, Chairman, Board of Supervisors

By: 
James Gayman, Vice Chairman

By: 
George E. Handford, 3rd Member

ATTEST:


Relda K. Litten, Secretary/Treasurer

(SEAL)