BOROUGH OF SOUTHMONT
CAMBRIA COUNTY

ORDINANCE NO. 526

WHEREAS, the Borough of Southmont, Cambria County, Pennsylvania (hereafter "Borough") has provided notice to the UCC Administrator of the Department of Labor & Industry that it intended to become an "Opt-In" municipality whereby giving the ability to enforce Pennsylvania's Construction Code.

WHEREAS, purpose of this Ordinance is to promote the general health, safety and welfare of the citizens of this Municipality 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.

NOW, THEREFORE, it is hereby enacted and ordained as follows:

1. This Municipality 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 this Municipality.

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

   a. By the designation of an employee of the Municipality to serve as the municipal code official to act on behalf of the Municipality;

   b. By the retention of one or more construction code officials or third-party agencies to act on behalf of the Municipality;

   c. By agreement with one or more other municipalities for the joint administration and enforcement of this Act through an inter-municipal agreement;

d. By entering into a contract with another municipality for the administration and enforcement of this Act on behalf of this Municipality;

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 this Municipality 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. All relevant ordinances, regulations and policies of this Municipality not governed by the Code shall remain in full force and effect.

6. Fees assessable by the Municipality 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. This Ordinance shall be effective five days after the date of passage of this ordinance.

8. 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.

ORDAINED this 16th day of March, 2020.

ATTEST:

Amanda Lytton
Secretary

BOROUGH OF SOUTHMONT:

Sheree L Speicher
President of Council

Mayor