

## CHAPTER 150: GENERAL PROVISIONS

### Section

#### 150.01 State Construction Code

#### § 150.01 STATE CONSTRUCTION CODE.

(A) The borough hereby elects to administer and enforce the provisions of the Pennsylvania Construction Code Act, Act 45 of 1999, 35 P.S. §§ 7210.101 through 7210.1103, as amended from time to time, and its regulations.

(B) The Uniform Construction Code, contained in 34 Pa. Code 401 through 405, as amended from time to time, is hereby adopted and incorporated herein by reference as the Municipal Building Code of the borough.

(C) Administration and enforcement of the Code within the borough shall be undertaken in any of the following ways as determined by the Borough Council from time to time by resolution:

(1) By the designation or appointment of an employee of the borough or other representative to serve as the municipal code official to act on behalf of the borough in connection herewith;

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

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

(4) By entering into contracts with another municipality or municipalities for the administration and enforcement of this Act on behalf of the borough; and

(5) By entering into an agreement with the State 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.

(D) A Board of Appeals shall be established by resolutions of the Borough Council 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.

(E) (1) All Building Code ordinances or portions of ordinances which were adopted by the borough 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.

(2) All Building Code ordinances or portions of ordinances which are in effect as of the effective date of this chapter and whose requirements are less than the minimum requirements of the Code are hereby amended to conform with the comparable provisions of the Code.

(3) All relevant ordinances, regulations and policies of the Borough of New Alexandria not governed by the Code shall remain in full force and effect.

(F) Fees assessable by the borough for the administration and enforcement undertaken pursuant to this section and the Code shall be established by the Borough Council by resolution from time to time. (Ord. 141, passed 5-12-2004)