

CHAPTER 5

CODE ENFORCEMENT

Part 1

Construction Code

§101. Adoption of the Construction Code



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1. Emporium Borough hereby elects to administer and enforce the provisions of the Pennsylvania Construction Code, Act 45 of 1999, as amended from time to time, and its regulations (hereinafter collectively referred to as the "Act").

2. The Uniform Construction Code, fully 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 Emporium Borough.

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

A. By the designation of an employee of Emporium Borough to serve as the municipal code official to act on behalf of Emporium Borough.

B. By the retention of one or more construction code officials and/or third-party agencies to act on behalf of Emporium Borough.

C. By agreement with one or more other municipalities or political subdivisions for the joint administration and enforcement of the Act through an intermunicipal agreement.

D. By entering into a contract with another municipality or political subdivision for the administration and enforcement of the Act on behalf of Emporium Borough.

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 miscellaneous use structures.

4. A Board of Appeals shall be established by resolution of the governing body of Emporium Borough 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 or political subdivisions, the Board of Appeals shall be established by joint action of the participating municipalities/political subdivisions.

5. Saving Clause.

A. All building code ordinances or portions of ordinances which were adopted by Emporium 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.

B. All building code ordinances or portions of ordinances which are in effect as of the effective date of this Part 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 Emporium Borough not governed by the Code shall remain in full force and effect.

6. Fees assessable by Emporium Borough for the administration and enforcement undertaken pursuant to this Part and the Code shall be established by the governing body by resolution from time to time.

(Ord. 461, 7/6/2004)