

ORDINANCE NO. 2004- 3

AN ORDINANCE OF THE TOWNSHIP OF HILLTOWN, BUCKS COUNTY, PENNSYLVANIA, ELECTING THE ADMINISTRATION AND ENFORCEMENT OF THE PENNSYLVANIA UNIFORM CONSTRUCTION CODE, PURSUANT TO THE PENNSYLVANIA CONSTRUCTION CODE ACT, ACT 45 OF 1999, AS AMENDED.

WHEREAS, this Ordinance is intended to promote the general health, safety and welfare of the citizens of Hilltown Township and to conform 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. Hilltown Township hereby elects to administer and enforce the provisions of the Pennsylvania Construction Code Act, Act 45 of 1999, 35 P.S. B13 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 Hilltown Township.
3. Administration and enforcement of the Code within Hilltown Township shall be undertaken in any of the following ways as determined by the governing body of Hilltown Township from time to time by Resolution:
 - a. By the designation of an employee of Hilltown Township to serve as the municipal code official to act on behalf of Hilltown Township;

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

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 Hilltown 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.

4. A Board of Appeals shall be established by resolution of the governing body of Hilltown 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.

5. a. All building code ordinances and portions of ordinances which were adopted by Hilltown Township on or before July 1, 1999, and which equal or exceed the requirement 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 Hilltown Township not governed by the Code shall remain in full force and effect.

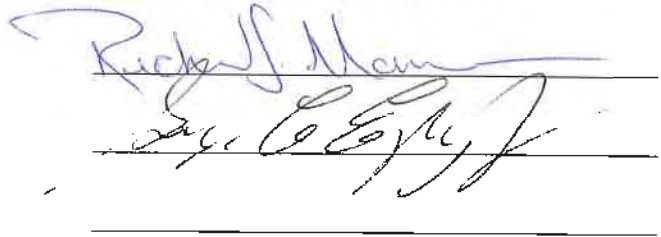
6. Fees assessable by Hilltown Township for the administration and enforcement undertaken pursuant to this ordinance and the Code shall be established by the governing body by resolution from time to time.

7. This Ordinance shall be effective five (5) 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.

ENACTED AND ORDAINED the 24th day of May, 2004.

HILLTOWN TOWNSHIP
BOARD OF SUPERVISORS



Two handwritten signatures in blue ink are written over two horizontal lines. The first signature is 'Rick J. M...' and the second is '...'. A third horizontal line is present below the second signature.



HILLTOWN TOWNSHIP

13 West Creamery Road

P.O. Box 260

Hilltown, PA 18927-0260

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www.hilltown.org

June 8, 2004

UCC PROGRAM ADMINISTRATOR
PA DEPARTMENT OF LABOR AND INDUSTRY
1613 L & I Building
7th and Forster Streets
Harrisburg, PA 17120

Re: Hilltown Township

Ladies and Gentlemen:

Enclosed please find our Municipal Election Form regarding the Pennsylvania Uniform Commercial Code for Hilltown Township, Bucks County, Pennsylvania. Although the paperwork that we received from your office does not expressly indicate that we are to send you a copy of our adopted Ordinance, we do enclose a photocopy of the adopted Ordinance No. 2004-3. There were no changes made to the Ordinance other than obviously the name of the Township.

We trust that you will find the enclosed documentation complies with the requirements; and by which Hilltown Township elects to enforce the provisions of Act 45 of 1999.


We enclose a photocopy of this letter with an acknowledgment request; which we would respectfully request that you fill in and send said acknowledgment back to us so that we have a receipt for our filing with your Department.

Very truly yours,

FRANCIS X. GRABOWSKI,
Hilltown Township Solicitor

FXG/dkh
Enclosures

I HEREBY ACKNOWLEDGE RECEIPT OF HILLTOWN TOWNSHIP ORDINANCE NO. 2004-3 AND
A COMPLETED AND EXECUTED MUNICIPAL ELECTION FORM THIS 14th DAY OF
June, 2004.


[Signed Name]

Jon C. Balson
[Printed Name]