

Chapter 5

Building/Construction Code

Part 1

Uniform Construction Code

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Part 1**Uniform Construction Code****§5-101. Election to Administer and Enforce.**

Thornhurst Township hereby elects to administer and enforce the provisions of the Pennsylvania Construction Code Act, Act 45 of 1999, 35 P.S. §§7210.101 *et seq.*, as amended from time to time, and its regulations.

(*Ord. 36, 7/8/2004, §1*)

§5-102. Amendments.

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 Thornhurst Township, except that:

A. Section R2104.2 of the International Residential Code, adopted into Pennsylvania's Uniform Construction Code by 34 Pa.B., p. 336, §403.21(a)(6), is amended to provide as follows:

“R104.2 Applications and Permits.

“(a) The building official shall receive applications, review construction documents and recommend to the Board of Supervisors whether to issue permits for the erection and alteration of buildings and structures, inspect the premises for which such permits have been issued, and enforce compliance with the provisions of this code.

“(b) The Board of Supervisors shall review the recommendation of the building official, but shall determine in its discretion whether to issue such permits.”

B. Section R113.4 of the International Residential Code adopted into Pennsylvania's Uniform Construction Code by 34 Pa.B., p. 336, §403.21(a)(6), is amended to provide as follows:

“R113.4 Violation Penalties.

“Any person who violates a provision of this code or fails to comply with any of the requirements thereof or who erects, constructs, alters or repairs a building or structure in violation of the approved construction documents or directive of the building official under the provisions of this code, shall be subject to a civil penalty of \$250 per day for each and every day of such violation or failure, such civil penalty to be changed from time to time by resolution of the Board of Supervisors.”

(*Ord. 36, 7/8/2004, §2*)

§5-103. Administration and Enforcement.

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

A. By the designation of an employee of Thornhurst Township to serve as the

municipal code official to act on behalf of Thornhurst Township.

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

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

D. By entering into a contract with another municipality for the administration and enforcement of the code on behalf of Thornhurst 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.

(Ord. 36, 7/8/2004, §3)

§5-104. Establishment of a Board of Appeals.

A Board of Appeals shall be established by resolution of the Board of Supervisors of Thornhurst 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.

(Ord. 36, 7/8/2004, §4)

§5-105. Repealer and Savings Clause.

1. All building code ordinances which were adopted by Thornhurst Township on or before July 1, 1999, are vacated and repealed and shall have no further force or effect, except as to building permits issued prior to the effective date of this Part.

2. All relevant ordinances, regulations and policies of Thornhurst Township not governed by the code shall remain in full force and effect.

(Ord. 36, 7/8/2004, §5)

§5-106. Fees.

Fees assessable by Thornhurst Township for the administration and enforcement undertaken pursuant to this Part and the code shall be established by the Board of Supervisors by resolution from time to time.

(Ord. 36, 7/8/2004, §6)