

Chapter 107

CONSTRUCTION CODES, UNIFORM

[HISTORY: Adopted by the Borough Council of the Borough of North Wales 5-21-2007 by Ord. No. 752.¹ Amendments noted where applicable.]

GENERAL REFERENCES

Planning Commission — See Ch. 53.
Building construction — See Ch. 99.
Fire prevention — See Ch. 118.
Flood damage prevention — See Ch. 122.
Mechanical standards — See Ch. 140.
Plumbing — See Ch. 157.
Property maintenance — See Ch. 159.
Subdivision and land development — See Ch. 184.
Zoning — See Ch. 208.

§ 107-1. Election to administer and enforce.

North Wales Borough hereby elects to administer and enforce the provisions of the Pennsylvania Construction Code Act, Act 45 of 1999, 35 P.S. §§ 7210-101-7120.1103, as amended from time to time, and its regulations.

§ 107-2. Adoption and incorporation of standards.

The Uniform Construction Code, contained in 34 Pa. Code, Chapters 401 through 405, as amended from time to time, is hereby adopted and incorporated herein by reference as the Municipal Building Code of North Wales Borough.

§ 107-3. Administration and enforcement methods.

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

- A. By the designation of an employee to serve as the municipal code official to act on behalf of the Borough;
- B. By the retention of one or more construction code officials or third-party agencies to act on behalf of the Borough;
- 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 this Act on behalf of the Borough;

1. Editor's Note: This ordinance also superseded former Ch. 107, Uniform Construction Codes, adopted 5-25-2004 by Ord. No. 732.

- 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.

§ 107-4. Board of Appeals.

A Board of Appeals shall be established by resolution of the Borough Council of the 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, said Board of Appeals shall be established by joint action of the participating municipalities.

§ 107-5. Effect on other regulations.

- A. 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.
- B. 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.
- C. All relevant ordinances, regulations and policies of the Borough not governed by the Code shall remain in full force and effect.

§ 107-6. Fees.

Fees assessable by the Borough for the administration and enforcement undertaken pursuant to this chapter and the Code shall be established by the Borough Council by resolution from time to time.

§ 107-7. Certificates of occupancy. [Added 8-9-2011 by Ord. No. 781]

Pursuant to § 403.28(c)(3) of Part XIV of the Uniform Construction Code, 34 Pa. Code § 403.28(c)(3), the Borough hereby specifically elects to utilize the standards set forth in § 403.28(b) for the issuance of certificates of occupancy to uncertified buildings within the Borough's jurisdiction. In the event that any provision, section, sentence, clause or part of subsection (b) of § 403.28 of Part XIV of the Uniform Construction Code shall be held invalid, such invalidity shall not affect or impair any remaining provision, section, sentence, clause or part of said subsection (b), it being the intent of the Borough of North Wales that such remainder shall be and shall remain in full force and effect.