

**CHAPTER 5**

**CODE ENFORCEMENT**

**PART 1**

**UNIFORM CONSTRUCTION CODE**

**§5-101. Adoption of Uniform Construction Code**



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**UNIFORM CONSTRUCTION CODE**

**§5-101. Adoption of Uniform Construction Code.**

1. Millersburg Borough hereby elects to administer and enforce the provisions of the Pennsylvania Construction Code Act, Act 45 of 1999, 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 Millersburg Borough.
3. Administration and enforcement of the Code within Millersburg Borough shall be undertaken in any of the following ways as determined by the Borough Council of this Borough from time to time by resolution:
  - A. By the designation of an employee of the Borough 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 this 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 utility and miscellaneous use structures.
4. A Board of Appeals shall be established by resolution of the governing body of this 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.
5. Prior or Existing Ordinances.
  - A. All building code ordinances or portions of ordinances which were adopted by Millersburg 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

## CODE ENFORCEMENT

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 Millersburg Borough not governed by the Code shall remain in full force and effect.
6. Fees assessable by the Borough 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 Part shall be effective July 8, 2004.
  8. If any Section, subsection, sentence, or clause of this ordinance is held, for any reason, to be invalid, such decision or decision or decisions shall not affect the validity of the remaining portions of this Borough.

(Ord. 2-2004, 6/10/2004)