

AN ORDINANCE OF THE BOROUGH OF YOE, YORK COUNTY,
PENNSYLVANIA, ADOPTING THE UNIFORM CONSTRUCTION CODE

ORDINANCE NO. 2004 - 05 A

WHEREAS, the purpose of this Ordinance is to promote the general health, safety, and welfare of the citizens of Yoe Borough and to conform to 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. Yoe Borough hereby elects to administer and enforce the provisions of the Pennsylvania Construction Code Act, Act 45 of 1999, 35 P.S. §§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 Yoe Borough.

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

a. By the designation of an employee of Yoe Borough to serve as the municipal code official to act on behalf Yoe Borough;

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

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 Yoe 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 units and utility and miscellaneous use structures.

4. A Board of Appeals shall be established by resolution of the governing body of Yoe 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. a. All building code ordinances or portions of ordinances which were adopted by this Municipality 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 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 Yoe Borough not governed by the Code shall remain in full force and effect.

6. Fees assessable by Yoe 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 ordinance shall be effective upon adoption.

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 this 6th day of July, 2004.

ATTEST:

YOE BOROUGH COUNCIL

[Signature]
Secretary

[Signature]
President

APPROVED

[Signature]
Mayor

July 04

- We did receive the traffic study back from York County Planning and the handicapped parking spot was approved. A motion for Woody to buy the signs and erect them was made by Councilman Myers.
Seconded by: Councilman Crull
AIF
- A motion was made to adjourn the Public Meeting was made by Councilman Allar.
Seconded by: Councilman Crull
AIF
- The regular meeting was resumed at 7:39 p.m.
- A motion was made to recess the regular meeting and enter into a Public Hearing was made by Councilman Allar at 7:46 p.m.
Seconded by: Councilman Crull
AIF
- A motion was made to adopt Ordinance #2004-05 by Councilman Allar. This is to adopt the Uniform Construction Code by Yoe Borough.
Seconded by: Councilman Manns
AIF
- A motion was made to close the Public Meeting at 7:50 by Councilman Crull.
Seconded by: Councilman Manns
AIF
- A motion was made to recess the regular meeting and enter a Public Hearing at 8:14 p.m. by Councilman Allar.
Seconded by: Councilman Manns
AIF
- A motion was made by Councilman Crull to adopt Ordinance # 2004-06 allowing Yoe Borough to enter an agreement for the Intergovernmental UCC Appeals Board.
Seconded by: Councilman Manns
AIF
- A motion to adjourn the Public Meeting at 8:16 p.m. was made by Councilman Myers.
Seconded by: Councilman Howett
AIF
- Jonathan Snyder from ETA attended on Todd Bowser's recommendation. Jonathan indicated that he and Denny had agreed that Denny would no longer work with ETA and Jonathan felt this was necessary for Council to know. Sam spoke with Jonathan on this and suggested that Jonathan talk this over with Todd since Todd is the overseer of Denny. Sam asked about the basic inspection fee of \$54.00 for all inspections, with a small scope multiplier of .6, which makes a small scope inspection up to 500 sq. ft. total \$32.40 and an attached fee schedule.. A motion to adopt this fee schedule for ETA being our UCC service provider was made by Councilman Allar.
Seconded by: Councilman Manns
AIF
- L & I has approved ETA. Sam asked that Jonathan send a copy of his insurance to the Borough Office.
- Jonathan will email the fee schedule to Pete for his review.