

**AN ORDINANCE OF YOE BOROUGH, YORK COUNTY, PENNSYLVANIA  
ADOPTING THE UNIFORM CONSTRUCTION CODE AS THE MUNICIPAL  
BUILDING CODE OF THE BOROUGH OF YOE**

**ORDINANCE NO. 2009-04**

WHEREAS, the Borough Council of Yoe Borough, York County, Pennsylvania, has heretofore elected to administer and enforce the provisions of the Pennsylvania Construction Code Act of 1999, 72 P.S. §7210.101 *et. seq.* as amended from time to time and its regulations as promulgated per Ordinance duly adopted in 2004; and,

WHEREAS, it is the desire of Yoe Borough to adopt the Uniform Construction Code as the Municipal Building Code of the Borough of Yoe, as that Code is set forth in Section 34 of the Pennsylvania Code, at Chapters 401-405.

**NOW THEREFORE, BE IT ENACTED AND ORDAINED, AND IT IS  
HEREBY ENACTED AND ORDAINED BY BOROUGH COUNCIL OF THE  
BOROUGH OF YOE, YORK COUNTY, PENNSYLVANIA, AS FOLLOWS:**

1. The Uniform Construction Code, as amended from time to time, is hereby adopted and fully incorporated herein by reference as the Municipal Building Code of Yoe Borough.

2. Pursuant to Sections 403.28(c)(3) of Part 14 of the Uniform Construction Code, 34 Pa. Code §403.28(c)(3), the Borough specifically adopts Section 403.28 in its entirety pertaining to uncertified buildings within the Department's jurisdiction, to utilize the standards of 403.28(b) for the issuance of Certificates of Occupancy to uncertified buildings.

3. In the event that any provision, section, sentence, clause or part of subsection (b) of Section 403.28 of Part 14 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 such subsection (b). It being the intent of the Borough of Yoe that such remainder shall be and shall remain in full force and effect.

4. Administration and enforcement of the Code within the Borough of Yoe shall be undertaken in any of the following ways as determined by the Borough Council from time to time by ordinance and/or resolution:

a. By the designation of an employee of the Borough to serve as the Borough Code official and 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 the Code through an intermunicipal agreement;

d. By entering into a contract with another municipality for the administration and enforcement of the Code on behalf of the Borough; and,

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.

5. Enforcement shall be in accordance with the applicable provisions of the Uniform Construction Code, as amended.

ENACTED AND ORDAINED this 10<sup>th</sup> day of November, 2009, by the Borough Council of the Borough of Yoe, York County, Pennsylvania, in lawful session.

ATTEST:

YOE BOROUGH COUNCIL

Sandra Sterner  
Secretary

Sam Sydnor  
President

APPROVED:

\_\_\_\_\_  
Mayor