

ORDINANCE # 82

AN ORDINANCE ESTABLISHING MINIMUM REGULATIONS GOVERNING THE DESIGN, CONSTRUCTION, ALTERATION, ENLARGEMENT, REPAIR, DEMOLITION, REMOVAL, MAINTENANCE AND USE OF ALL BUILDINGS AND STRUCTURES; PROVIDING FOR THE ISSUANCE OF PERMITS, COLLECTION OF FEES, MAKING OF INSPECTIONS; PROVIDING PENALTIES FOR THE VIOLATION THEREOF; KNOWN AS THE BUILDING CODE; AND REPEALING EXISTING ORDINANCES NUMBERS 25, 25-1 and 25-2, OF THE TOWNSHIP OF WESTFALL, COMMONWEALTH OF PENNSYLVANIA.

Be it ordained by the Board of Supervisors of Westfall Township, Pike County, Pennsylvania, as follows:

Section 1. Adoption of Building Code.

That a certain document, three (3) copies of which are on file in the Office of the Township Secretary in the Township of Westfall, County of Pike and Commonwealth of Pennsylvania, being marked and designated as "The BOCA National Building Code, Twelfth Edition, 1993" as published by The Building Officials and Code Administrators International, Inc. be and is hereby adopted as the Building Code of the Supervisors of Westfall Township in the Commonwealth of Pennsylvania; for the control of buildings and structures as herein provided; and each and all of the regulations, provisions, penalties, conditions and terms of said BOCA National Building Code, are hereby referred to, adopted and made a part hereof as if fully set out in this Ordinance, with the additions, insertions, deletions and changes, if any, prescribed in Section 3 of this Ordinance.

Section 2. Inconsistent Ordinances Repealed.

That Ordinances Numbers 25, 25-1 and 25-2 of the Supervisors of Westfall Town-

ship, entitled: The Westfall Township Building Ordinance, as amended, in so far as the same are inconsistent herewith are hereby repealed and all other ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 3. Additions, Insertions and Changes.

That the following sections are hereby revised as follows:

Section 101.1. Short Title: This Ordinance shall be known as the Westfall Township Building Code.

Section 112.3.1. Fee Schedule. Delete printed language in its entirety and insert as follows:

The fee for each plan examination, building permit and inspection shall be paid in accordance with the fee schedule established from time to time by resolution duly adopted by the Board of Supervisors of Westfall Township, Pike County, Pennsylvania. A copy of the fee schedule adopted by such resolution shall be attached hereto, and made a part hereof, as though the aforesaid fee schedule was fully set forth within this Ordinance at length.

Section 116.4 Violation penalties.

Any person who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, construct, alter or repair a building or structure in violation of an approved plan or directive of the code official, or of a permit or certificate issued under the provisions of this code, shall be guilty

of summary offense, punishable by a fine of not more than \$1,000.00, or by imprisonment not exceeding thirty (30) days, or both such fine and imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

Section 117.2. Unlawful continuance:

Any person who shall continue any work in or about the structure after having been served with a stop order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable to a fine of not less than \$100.00 or more than \$1,000.00. Each day that such unlawful continuance continues after such notice to stop work shall have been served shall be deemed a separate unlawful act.

Section 121.2. Membership of the Board.

Delete language as printed in its entirety and insert the following:

The Board of Appeals shall consist of not less than Three (3) members nor more than five (5) members appointed by the Supervisors of Westfall Township, who shall serve without compensation, but may be reimbursed for necessary and reasonable expenses actually incurred by them in the performance of their appointed duties. Their term of office shall be for three (3) years, except for those first appointed, one of which shall be appointed for three (3) years, one of which shall be appointed for two (2) years and one of which shall be appointed for one (1) year. All members subsequently appointed, except to fill vacancies on the Board shall be appointed for a three (3) year term. Appointments to fill vacancies shall only be for the unexpired portion of the term.

Section 121.2. Qualifications. The Board of Appeals shall consist of individuals

reasonably knowledgeable in the field of construction, engineering, architect and any related disciplines or professions.

Section 121.2. Alternate Members. The Township Supervisors shall appoint two (2) members who shall be called by the Board Chairman to hear appeals during the absence or disqualification of a member. Alternate members shall possess the qualifications required by the Board members and shall be appointed for a three (3) year term or until a successor has been appointed.

Section 121.2.3. Chairman. The Board shall annually select one of its members to serve as Chairman.

Section 121.2.4. Disqualifications of a member. A member shall not hear an appeal in which that member has any personal, professional or financial interests.

Section 3408.2. Applicability: Structures existing prior to the effective date of this Ordinance, in which there is work involving additions, alterations or changes of occupancy, shall be made to conform to the requirements of this section or the provisions of Sections 3403.0 through 3407.0.

The provisions in Sections 3408.2.1 through 3408.2.5 shall apply to existing occupancies that will continue to be, or are proposed to be, in Use Groups A,B,E,F,M,R and S. These provisions shall not apply to buildings with occupancies in Use Group H or I.

Section 4. Saving Clause.

That nothing in this Ordinance or in the building code hereby adopted shall

be construed to effect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in Section 2 of this Ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance.

Section 5. Date of Effect.

This Ordinance shall take full force and effect June 8, 1993.

Ordained and enacted this 4th day of May, 1993.

WESTFALL TOWNSHIP BOARD OF SUPERVISORS,

BY: Arnal A. Maggi Chairman

ATTEST:

Colleen Hakun
Township Secretary

John F. Hess
Supervisor

Keith H. Peters
Supervisor

Genneth L. Thiele
Supervisor

Supervisor