

ORDINANCE # 31  
**OF TOWNSHIP OF MONTGOMERY**  
**INDIANA COUNTY, PENNSYLVANIA**

**AN ORDINANCE OF THE TOWNSHIP OF MONTGOMERY**  
**ADOPTING THE UNIFORM CONSTRUCTION CODE OF PENNSYLVANIA AS THE OFFICIAL**  
**BUILDING CODE FOR ALL CONSTRUCTION WITHIN THE**  
**TOWNSHIP OF MONTGOMERY, REPEALING ALL EXISTING BUILDING CODES AND**  
**ORDINANCES,**  
**OPTING-IN TO THE ENFORCEMENT OF THE CODE,**  
**APPOINTING THE COUNTY OF INDIANA TO ADMINISTER THE CODE ON BEHALF OF THE**  
**TOWNSHIP OF MONTGOMERY**

**Whereas**, the Commonwealth of Pennsylvania has approved Act 45 of 1999, hereafter known as the Act, establishing a Uniform Construction Code for all municipalities of the Commonwealth of Pennsylvania and,

**Whereas**, the purpose of this code is to promote the general health, safety and welfare of the citizens of the *TOWNSHIP OF MONTGOMERY* 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, herein after collectively referred to as the "Code"; and,

**Whereas**, the Act requires the enactment of an appropriate ordinance by municipalities electing to administer and enforce the building code provisions of the Code; and,

**Whereas**, the *TOWNSHIP OF MONTGOMERY* wishes to comply with these regulations.

**NOW, THEREFORE, BE IT ORDAINED AND ENACTED**, by the *TOWNSHIP OF MONTGOMERY* as follows:

1. The *TOWNSHIP OF MONTGOMERY* 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 as established by the Pennsylvania Department of Labor and Industry, 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 the *TOWNSHIP OF MONTGOMERY*.
3. Administration and enforcement of the Code within the *TOWNSHIP OF MONTGOMERY* shall be undertaken by the County of Indiana through their Office of Planning and Development in accordance with a mutually agreed upon contract.
4. A Board of Appeals shall be established by resolution of the County of Indiana 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. In the event of the County no longer administering and enforcing the UCC, it will be the responsibility of the *TOWNSHIP OF MONTGOMERY* to establish their own board of Appeals as setforth in the Code.
5. All building code ordinances or portions of ordinances which are in effect as of the July 1, 2004 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.

6. All relevant ordinances, regulations and policies of the *TOWNSHIP OF MONTGOMERY* not governed by the Code shall remain in full force and effect.
7. Fees assessable to the administration and enforcement undertaken pursuant to this ordinance and the Code shall be established by the contract of the *TOWNSHIP OF MONTGOMERY* and the County of Indiana and may be amended from time to time.
8. This ordinance shall be effective with all applications for building permits received on July 1, 2004 and later.
9. 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.

DULY ENACTED AND ORDAINED this 2 day of June 2004, by the *TOWNSHIP OF MONTGOMERY* in public session duly assembled.

*TOWNSHIP OF MONTGOMERY*

By: *Ronald L. Lowe*  
Ronald L. Lowe, Chairman

ATTEST:

*Mary Jo Engle*  
Mary Jo Engle, Secretary

Municipal Seal

