

**BOROUGH OF PICTURE ROCKS  
LYCOMING COUNTY, PENNSYLVANIA**

**ORDINANCE NO. 2004-03**

**AN ORDINANCE OF THE BOROUGH OF PICTURE ROCKS,  
COUNTY OF LYCOMING, COMMONWEALTH OF PENNSYLVANIA,  
ELECTING TO ADMINISTER AND ENFORCE THE PROVISIONS OF  
THE PENNSYLVANIA CONSTRUCTION CODE ACT, ACT 45 OF 1999  
AND ADOPTING THE UNIFORM CONSTRUCTION CODE (UCC) AS  
THE BOROUGH'S MUNICIPAL BUILDING CODE AND PROVIDING  
FOR THE ADMINISTRATION AND ENFORCEMENT OF THE CODE.**

**WHEREAS**, the purpose of this ordinance is to promote the general health, safety and welfare of the citizens of this 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 **ENACTED** and **ORDAINED** by the Borough Council of Borough of Picture Rocks, Lycoming County, Pennsylvania, as follows:

1. The Borough of Picture Rocks hereby elects to administer and enforce the provisions of the Pennsylvania Construction Code Act, Act 45 of 1999, 35 P.S. §§7210.101-7210.103, 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 this Borough.

3. Administration and enforcement of the Code within the Borough of Picture Rocks shall be undertaken in any of the following ways as determined by Borough Council 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 Borough Council 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 may be established by joint action of the participating municipalities.

5. Effect on existing ordinances:

- a. All building code ordinances or portions of ordinances which were adopted by the Borough of Picture Rocks 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 the Borough of Picture Rocks 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 Borough Council by resolution from time to time.

7. This ordinance shall be effective April 9, 2004.

8. If any section, subsection, 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 5<sup>th</sup> day of April, 2004, by the Borough Council of the Borough of Picture Rocks, Lycoming County, Pennsylvania.

ATTEST: BOROUGH OF PICTURE ROCKS

By: William N. Dorman  
William Dorman, Secretary

By: Christopher T. Smith  
Christopher T. Smith, Council President

APPROVED this 5<sup>th</sup> day April, 2004

BY: David Bender  
David Bender, Mayor