

ORDINANCE NO. _____

WHEREAS, the purpose of this ordinance is to promote the general health, safety and welfare of the citizens of this Municipality 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, which was adopted by Northampton Township in Ordinance No. 494 and now reaffirmed.

NOW, THEREFORE, it is hereby enacted and ordained as follows:

1. This Municipality hereby elects to administer and enforce the provisions of the Pennsylvania Construction Code Act, Act 45 of 1999, 35 P.S. ss7210.101-7210.1103, as amended from time to time, and its regulations. This ordinance shall include adoption of the International Fire Code of 2009 as the Fire Code of Northampton Township and include all amendments contained in the 1996 BOCA Fire Prevention Code. This ordinance shall also include adoption of all amendments enacted under Ordinance 430, Chapter 86; Ordinance 432, Chapter 99; and Ordinance 431, Chapter 52, with the exception of Section 118.3 of said Chapter. In addition to the foregoing, Northampton Township hereby adopts the following appendices:

1. International Building Code 2009 – Appendices C and F,
2. International Residential Code 2009 – Appendices A. B. C. H. and K,
3. International Plumbing Code 2009 – Appendices A, B and D,
4. International Fuel Gas Code 2009 – Appendices B and C,
5. International Mechanical Code 2009 – Appendix A,
6. International Fire Code 2009 – Appendix E and Appendix A of the 1996 BOCA Fire Prevention Code as previously adopted.

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 Municipality.

3. As permitted under the Uniform Construction Code, the following sections are hereby amended to require permits as follows:

R403.62 (c) (1) (xvii)	Decks less than 30 inches off grade
R403.62 a (b)	All residential detached accessory buildings 1,000 square feet or more, all residential single-family dwellings, additions or structures shall require signed/sealed construction documents by a design professional, except decks and minor construction as may be determined by the Plan Examiner.
R-403.64 (d)	Residential inspections to include footing, foundation walls, slabs, plumbing, mechanical, electrical, fireplaces, wallboard, framing, masonry, final inspections and any other inspections as may be deemed necessary by this Department.
R-403-65 (b)(1-8)	Present Occupancy Permit form as compiled by the Department shall remain in effect.

4. Administration and enforcement of the Code within this Municipality shall be undertaken in any of the following ways as determined by the governing body of this Municipality from time to time by resolution:
 - a. By the designation of an employee of the Municipality to serve as the municipal code official to act on behalf of the Municipality;
 - b. By the retention of one or more construction code officials or third-party agencies to act on behalf of the Municipality;
 - c. By agreement with one or more other municipalities for the joint administration and enforcement of the 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 Municipality;
 - 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. A Board of Appeals shall be established by resolution of the governing Body of this Municipality 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.
- 6a. 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, unless otherwise noted, until time as such provisions fail to equal or exceed the minimum requirements of the Code, as amended from time to time.
- 6b. 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.
- 6c. All relevant ordinances, regulations and policies of this Municipality not governed by the Code shall remain in full force and effect.

7. Fees assessable by the Municipality 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.
8. This ordinance shall be effective immediately upon passage of this ordinance.
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 ____ day of _____, by the
Board of Supervisors in public session duly assembled.

TOWNSHIP OF NORTHAMPTON

Chairman

ATTEST:

Secretary