

ORDINANCE NO. 1 OF 2017

“UNIFORM CONSTRUCTION CODE ORDINANCE”

AN ORDINANCE OF THE TOWNSHIP OF FAIRFIELD, COUNTY OF WESTMORELAND AND COMMONWEALTH OF PENNSYLVANIA ELECTING TO ENFORCE THE UNIFORM CONSTRUCTION CODE, ACT 45 OF 1999, 35 P.S. §§ 7210-101 – 7210.1103, AS AMENDED FROM TIME TO TIME AND THE REGULATIONS ESTABLISHED IN 34 PA. CODE, CHAPTER 401-405, AS AMENDED FROM TIME TO TIME; SAID ORDINANCE ALSO PROVIDING FOR THE ADMINISTRATION AND ENFORCEMENT OF THE UNIFORM CONSTRUCTION CODE; SAID ORDINANCE FURTHER PROVIDING FOR A BOARD OF APPEALS; SAID ORDINANCE FURTHER REPEALING ALL ORDINANCES, PORTIONS OF ORDINANCES, OR RESOLUTIONS INCONSISTENT WITH THIS ORDINANCE, SAID CODE, ACTS OR REGULATIONS; SAID ORDINANCE FURTHER PROVIDING FOR THE ASSESSMENT OF FEES AND COSTS AND IMPOSING PENALTIES FOR VIOLATION OF THE PROVISIONS OF THIS ORDINANCE; AND FURTHER PROVIDING FOR THE EFFECTIVE DATE OF THIS ORDINANCE.

WHEREAS, the Commonwealth of Pennsylvania has adopted the Pennsylvania Uniform Construction Code Act, Act 45 of 1999, 35 P.S. §§ 7210-101 – 7210-1103; and

WHEREAS, the purpose of this Ordinance is to promote the general health, safety and welfare of the citizens of this Township and to conform to the requirements of the Pennsylvania Construction Code Act and corresponding regulations; 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 BE IT ORDAINED AND ENACTED as follows:

SECTION 1 - ADOPTION

1. The Township of Fairfield, Westmoreland County, Pennsylvania 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 accompanying regulations as amended from time to time.
2. The Uniform Construction Code, set forth at 34 Pa.Code, Chapters 401-405, as amended from time to time, is hereby adopted and incorporated herein by reference as the Township building code of Fairfield Township.

SECTION 2 – REVISIONS

The hereinafter sections of the above-referenced Code, which form a part of the Uniform Construction Code, are hereby completed, modified or revised as follows:

1. References to Jurisdiction shall be the Township of Fairfield.
2. The International Building Code § 1612.3, insert: "August 5, 1997 revised December 6, 2002", as date of issuance.
3. The International Building Code § 3409.2 insert: "October 14, 2017"
4. The ICC Electrical Code § 404.2 insert: "as set forth in a separate resolution adopted by the Board of Supervisors of the Township of Fairfield."
5. International Mechanical Code § 106.5 insert: "as set forth in a separate resolution adopted by the Board of Supervisors of the Township of Fairfield."
6. International Mechanical Code § 106.5.3(2) and 106.5(3)(3) insert: "0%".
7. International Mechanical Code § 108.5 insert: "a fine of not less than Three Hundred (\$300.00) Dollars nor more than One Thousand (\$1,000.00) Dollars".
8. International Mechanical Code § 108.5 insert: "a fine of not less than Three Hundred (\$300.00) Dollars nor more than One Thousand (\$1,000.00) Dollars".
9. International Fuel Gas Code § 106.5 insert: "as set forth in a separate resolution adopted by the Board of Supervisors of the Township of Fairfield."
10. International Fuel Gas Code § 106.5.3(2) and 106.53(3) insert: "zero (0%) percent."
11. International Fuel Gas Code § 108.4 insert: "as set forth in a separate resolution adopted by the Board of Supervisors of the Township of Fairfield."
12. International Fuel Gas Code § 108.5 insert: "not less than Three Hundred (\$300.00) Dollars, nor more than One Thousand (\$1,000.00) Dollars."
13. International Plumbing Code § 106.6.2 insert: "as set forth in a separate resolution adopted by the Board of Supervisors of the Township of Fairfield."
14. International Plumbing Code § 108.4 insert: "summary offense and One Thousand (\$1,000.00) Dollars and thirty (30) days.
15. International Plumbing Code § 106.63 (2) and (3) insert: "zero (0%) percent."
16. International Plumbing Code § 108.05 insert: "as set forth in a separate resolution adopted by the Board of Supervisors of the Township of Fairfield."
17. International Plumbing Code § 305.6.1 insert: "forty (40)" inches in both locations."
18. International Plumbing Code § 904.1 insert: "twenty-four (24)" inches."
19. International Residential Code Table R 301.2(1) insert the following:

- (a) Ground Snow Load: 40 lbs
 - (b) Wind Speed (mph): 70
 - (c) Seismic Design Category: A
 - (d) Weathering: severe
 - (e) Frost Line Depth: 42"
 - (f) Termite: slight to moderate
 - (g) Decay: moderate to heavy
 - (h) Winter design Temp.: 5° F
 - (i) Ice Shield Underlayment: Yes
 - (j) Flood Hazard: Map dated March 17, 2011
 - (k) Air Freezing Index: 1,000
 - (l) Mean Annual Temp.: 25° F
20. International Residential Code § P2603.61 insert: "forty (40") inches in both places."
 21. International Residential Code § P31031.1: "twenty-four (24") in both places"
 22. International Fire Code § 109.3 insert: "as set forth in a separate resolution adopted by the Board of Supervisors of the Township of Fairfield."
 23. International Fire Code § 111.4 insert: Three Hundred (\$300.00) Dollars and One Thousand (\$1,000.00) Dollars."
 24. International Fire Code § 3204.3.1.1, § 3404.2.9.5.1, § 3406.2.4.4 and § 3804.2 insert: Any area mapped on the current FEMA Flood Mapping as a flood area (Maps are dated March 17, 2011)
 25. International Existing Building Code § 1201.2 insert: "October 14, 2017".

SECTION 3 – ADMINISTRATION AND ENFORCEMENT

1. The Township of Fairfield hereby elects to administer and enforce the provisions of the Pennsylvania Construction Code Act, Act 45 of 1999, 35 P.S. § 7210-101-721103, as amended from time to time and the regulations promulgated thereunder, as amended from time to time.
2. Administration and enforcement of the Code within Fairfield Township shall be undertaken in any one of the following ways as determined by the Board of Supervisors upon adoption of a resolution and may alter such election thereafter upon adoption of a resolution:
 - (a) Designating an employee of Fairfield Township to serve as the municipal code official to act on behalf of Fairfield Township;
 - (b) By the retention of one or more construction code officials or third-party agencies to act on behalf of Fairfield Township;
 - (c) By agreement with one or more other municipalities for the joint administration and enforcement of this Act through inter-municipal agreement, including agreement with a council of governments;

- (d) By entering into a contract with another municipality for the administration and enforcement of this Act on behalf of Fairfield Township;
- (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.
- (d) Fairfield hereby appoints TKL Code inspections services and authorizes the Board of Supervisors to enter into a contract for such services upon the effective date of this Ordinance.

3. A Board of Appeals shall be established by resolution of Fairfield Township 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 municipalities, said Board of Appeals shall be established by joint action of the participating municipalities.

- (a) Upon the effective date of this Ordinance, Fairfield shall participate with the Westmoreland – Indiana Council of Governments for the purposes of establishing the Board of Appeals and Fairfield Township hereby adopts all relevant procedural and administrative rules of the Council of Government for the administration of appeals.

SECTION 4 – SEVERABILITY

- 1. All relevant ordinances, regulations, and policies of Fairfield Township, not governed by the Code shall remain in full force and effect.
- 2. In the event that any provision of this Ordinance shall be declared void or struck down, all remaining provisions shall remain in full force and effect.

SECTION 5 – FEES AUTHORIZED

- 1. The Board of Supervisors of Fairfield Township is hereby authorized to establish a schedule of fees for the administration and enforcement of this Ordinance and the Code, which schedule shall be established and amended, altered or revised from time to time by resolution.

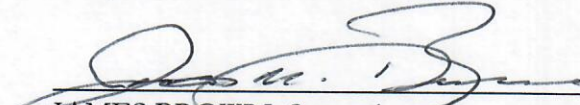
SECTION 6 – EFFECTIVE DATE

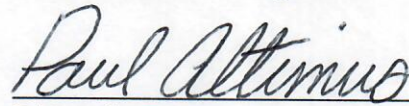
- 1. This Ordinance shall become effective immediately upon approval and authorization of the Pennsylvania Department of Labor and Industry or in the absence of earlier approval, on October 14, 2017.

DULY ORDAINED AND ENACTED this 10th day of August, 2017.

FAIRFIELD TOWNSHIP

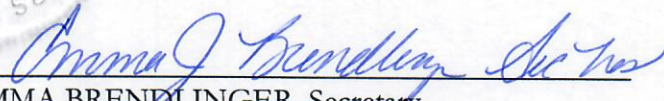

VAUGHN TANTLINGER, Chairman


JAMES BROWN, Supervisor


PAUL ALTIMUS, Supervisor



ATTEST


EMMA BRENDLINGER, Secretary