

Chapter 5

Code Enforcement

Part 1

Uniform Construction Code

§5-101. Implementation

§5-102. Violations

Part 1**Uniform Construction Code****§5-101. Implementation.**

1. The Borough of New Morgan, in order to administer and enforce the provisions of the Pennsylvania Construction Code Act, Act 45 of 1999, 35 P.S. §7210.101 *et seq.*, and pursuant to §501 of the Act, hereby adopts the Uniform Construction Code contained in 34 Pa.Code, Chapters 401–405, as amended from time to time, which is incorporated herein by reference as the Building Code of the Borough of New Morgan.

2. Administration and enforcement of the Code within the Borough of New Morgan shall be undertaken by any of the following ways as determined by the Borough Council from time to time by resolution:

A. By the designation of an employee of the Borough to serve as the Borough Code Official to act on behalf of the Borough.

B. By 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 Part through an intermunicipal agreement.

D. By entering into a contract with another municipality for the administration and enforcement of the Uniform Construction Code on behalf of the 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.

3. A Board of Appeals shall be established by resolution of the Borough Council of the 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 shall be established by joint action of the participating municipalities.

4. All relevant ordinances, regulations and policies of this Borough not governed by this Code shall remain in full force and effect.

5. Fees assessable by New Morgan Borough for the administration and enforcement undertaken pursuant to this Part and the Code shall be established by New Morgan Borough through resolution from time to time.

(*Ord. 2004-2, 5/19/2004, §1*)

§5-102. Violations.

Any person who fails to comply with the provisions of this Code or who fails to carry out an order made pursuant to this Code or who violates any conditions attached to a permit, approval or certificate, upon conviction thereof in an action brought before a magisterial district judge in the manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure, shall be sentenced to pay

a fine of not less than \$100 nor more than \$1,000 plus costs together with reasonable attorney fees and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 90 days. Each day that a violation of this Part continues or each Section of this Part which shall be found to have been violated shall constitute a separate offense.

(*Ord. 2004-2, 5/19/2004, §2; as amended by Ord. 2015-4, 9/8/2015*)