

Chapter 27

CONSTRUCTION CODES, UNIFORM

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[HISTORY: Adopted by the Board of Supervisors of the Township of Donegal 6-22-2004 by Ord. No. 2004-2. Amendments noted where applicable.]

GENERAL REFERENCES

Driveways — See Ch. 37.

Occupancy/removal permits — See Ch. 68.

Floodplain management — See Ch. 46.

Subdivision and land development — See Ch. 110.

§ 27-1. Short title.

This chapter shall be known as the "Donegal Township Building Code Ordinance."

§ 27-2. General scope; adoption of standards.

- A. Donegal Township hereby enacts to administer and enforce the provisions of the Pennsylvania Construction Code Act 45 of 1999, 35 P.S. §§ 7210.101 to 7210.1103, as amended from time to time, and its regulations.
- B. The Uniform Construction Code, contained in 34 Pa. Code, Chapters 401 to 405, as amended from time to time, is hereby adopted and incorporated herein by reference as the Donegal Township Building Code.

§ 27-3. Administration and enforcement.

Administration and enforcement of the code within Donegal Township shall be undertaken in any of the following ways as determined by the Board of Supervisors of Donegal Township from time to time by resolution:

- A. By the designation of an employee of Donegal Township to serve as the code enforcement officer on behalf of Donegal Township.
- B. By the retention of one or more construction code officials or third-party agencies to act on behalf of Donegal Township.
- C. By agreement with one or more other municipalities for the joint administration and enforcement of this Act through intermunicipal agreement.

- D. By entering into a contract with another municipality for the administration and enforcement of this Act on behalf of Donegal 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.

§ 27-4. Board of Appeals.

A Board of Appeals shall be established by resolution of the Board of Supervisors of Donegal 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 other municipalities, said Board of Appeals shall be established by joint action of the participating municipalities.

§ 27-5. Existing building code ordinances.

- A. All building code ordinances or portions of ordinances which were adopted by Donegal Township on or before July 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 chapter 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 Donegal Township not governed by the code shall remain in full force and effect.

§ 27-6. Fees.

Fees assessable by Donegal Township for the administration and enforcement undertaken pursuant to this chapter and the code shall be established by the Board of Supervisors by resolution from time to time.

§ 27-7. Violations and penalties.

Any person who shall violate any provision of this chapter shall, upon conviction thereof, be sentenced to pay a fine not more than \$300, and/or to undergo imprisonment for a term not to exceed 90 days. Each day that a violation of this chapter continues shall constitute a separate offense.