

CHAPTER 5

CODE ENFORCEMENT

PART 1

UNIFORM CONSTRUCTION CODE

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PART 1

UNIFORM CONSTRUCTION CODE

§101. ELECTION TO ADMINISTER AND ENFORCE PENNSYLVANIA CONSTRUCTION CODE ACT.

Portage Borough 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 its regulations.

(Ord. 4-2004, 6/6/2004, §1)

§102. ADOPTION OF UNIFORM CONSTRUCTION CODE.

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 the Borough of Portage.

(Ord. 4-2004, 6/6/2004, §2)

§103. ADMINISTRATION AND ENFORCEMENT.

Administration and enforcement of the code within Portage Borough shall be undertaken in any of the following ways as determined by the Portage Borough Council from time to time by resolution:

- A. By the designation of an employee of Portage 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 Portage 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 structures.

(Ord. 4-2004, 6/6/2004, §3)

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§104. ESTABLISHMENT OF BOARD OF APPEALS.

A Board of Appeals shall be established by resolution of the Portage Borough Council 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.

(Ord. 4-2004, 6/6/2004, §4)

§105. SAVINGS CLAUSE.

1. All building code ordinances or portions of ordinances which were adopted by the Portage Borough Council 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.
2. All building code ordinances or portions of ordinances which are in effect as of the date of this Part and whose requirements are less than the minimum requirements of the code are hereby amended to conform with the comparable provisions of the code.
3. All relevant ordinances, regulations and policies of this Borough not governed by the code shall remain in full force and effect.

(Ord. 4-2004, 6/6/2004, §5)

§106. FEES.

Fees assessable by the Borough for the administration and enforcement undertaken pursuant to this Part and the code shall be established by the Borough Council by resolution from time to time.

(Ord. 4-2004, 6/6/2004, §6)