

**ORDINANCE NO. 182 - 2004**

AN ORDINANCE OF THE TOWNSHIP OF PYMATUNING, MERCER COUNTY, PENNSYLVANIA ESTABLISHING MINIMUM REGULATIONS FOR GOVERNING THE DESIGN, CONSTRUCTION, ALTERATION, ENLARGEMENT, REPAIRS, REMOVAL, DEMOLITION, AND USE OF ALL BUILDINGS AND STRUCTURES IN THE TOWNSHIP OF PYMATUNING, MERCER COUNTY, PENNSYLVANIA, AND AUTHORIZING A CODE ADMINISTRATOR, PROVIDING FOR THE ISSUANCE OF PERMITS; COLLECTION OF FEES; CONDUCTING OF INSPECTIONS; PERFORMING PLAN REVIEW; AND PROVIDING FOR THE VIOLATION THEREOF, AND KNOWN AS THE UNIFORM CONSTRUCTION CODE OF THE TOWNSHIP OF PYMATUNING, MERCER COUNTY, PENNSYLVANIA.

BE IT ORDAINED AND IT IS HEREBY ORDAINED AND ENACTED BY THE BOARD OF SUPERVISORS OF PYMATUNING TOWNSHIP, MERCER COUNTY, PENNSYLVANIA AS FOLLOWS:

Section 1:      **ADOPTION OF UNIFORM CONSTRUCTION CODE:** All those certain documents being known and described as "The International Residential Code, 2003 Edition", "The International Fuel Gas Code, 2003 Edition", "The International Electrical Code, 2003 Edition", and all the standards adopted by the Department of Labor and Industry and which incorporate by reference the codes as the Uniform Construction Code as set forth in Section 403.21 of the Final Rules and Regulations published January 10, 2004 in the Pennsylvania Bulletin, the same being required by Act 45 of 1999, " The Pennsylvania Uniform Construction Code (1999 P.L. 491 No. 45)" will be and are hereby adopted as the building code of the Township of Pymatuning, Mercer County, Pennsylvania for the control of buildings and structures as herein provided and each and all of the regulations, provisions, penalties, appendices, references, conditions, and terms of the said Pennsylvania Uniform Construction Code are, by reference thereto, adopted, and made a part hereof as if fully set out in the ordinance with additions, insertions, deletions, and changes, if any, as prescribed in Section 2 of this ordinance. Copies of the aforementioned documents are on file electronically with the Secretary of the Township and may be viewed upon request at the offices of Pymatuning Township.

Section 2:      **ADDITION, INSERTIONS, AND CHANGES:** The following Sections of the aforesaid Uniform Construction Code are hereby revised as follows:

(a)      These regulations shall be known as the Uniform Construction Code of the Township of Pymatuning, Mercer County, Pennsylvania hereinafter known as "This Code".

(b)      Section 106 (cite plan) shall include the following language: "a survey, (signed and sealed) shall be submitted with the construction documents showing a footprint of the proposed improvements and the location of all existing structures with their size and distance from the property lines".

(c) Inspections: (required) for all inspections required, the Code Office and/or the Secretary of the Township of Pymatuning shall be given notice at least 24 hours in advance of the requested inspection.

(d) Fees: a fee for each plan examination, permit, administration, and inspection shall be paid pursuant to schedules adopted by the Board of Supervisors of Pymatuning Township, Mercer County, Pennsylvania from time to time by resolution duly passed at the regular meeting of the Board of Supervisors.

(e) Penalties and Violations: Any person or corporation who shall violate the provisions of this ordinance or should fail to comply with any of the requirements thereof or who shall erect, construct, alter or repair a building or structure in violation of any approved plan or directive of the code administrator of the Township of Pymatuning, Mercer County, Pennsylvania, or of a permit or certificate issued under the provisions of this ordinance shall be subject to prosecution by action brought before a District Magistrate in the same manner provided for the prosecution of summary offenses under the Pennsylvania Rules of Criminal Procedure and, if found guilty of violating the provisions of this ordinance, shall be punishable by a fine not to exceed \$1,000 per violation, or by imprisonment, not exceeding ninety (90) days, or both by such fine and imprisonment. Each day that a violation continues, after due notice has been served, shall be deemed a separate offense. The municipal solicitor may assume charge of the prosecution with the consent of the District Attorney of Mercer County as required under the Pennsylvania Rule of Criminal Procedure No. 454 (Trial and Summary Cases).

Section 3: ADOPTION OF REGULATIONS: The regulations as set forth in Chapter 3, Section 301 of the Act of Assembly known as the Pennsylvania Construction Code Act (1999 P.L. 491 No. 45) "as supplemented from time to time shall be made part hereof to the same extent as if the same were fully set forth in this ordinance".

Section 4: REPEALER: All ordinances or parts thereof of the Township of Pymatuning in conflict herewith are repealed.

Section 5: SEVERABILITY: Should any section, part or provision of this ordinance be declared by appropriate authority to be unlawful or unconstitutional, all other terms, conditions, provisions, and parts thereof and any code of which this code may be or may be considered to be a part, shall continue in full force and effect as if the provision declared to be unlawful or unconstitutional had been omitted as of the date of the final enactment hereof.

Section 6: SAVING CLAUSE: Nothing in this ordinance or the code hereby adopted shall be construed to effect any suit or proceeding in any court or any rights acquired or liability incurred or any other cause or causes of action existing under any ordinance hereby repealed as set forth in Section 4 of this Ordinance. Nor shall any just or legal right or remedy of any character be lost, impaired or affected by this Ordinance.

Section 7: EFFECTIVE DATE: This ordinance shall become effective five days after its adoption.

ADOPTED this 13th day of May, 2004.

BOARD OF SUPERVISORS  
OF PYMATUNING TOWNSHIP

By Joseph A. Schepanski  
By Walter J. Wenz  
By Richard F. Whitten

ATTEST:

June E. Reventary  
Secretary