

## Chapter 77

### CONSTRUCTION CODES, UNIFORM

**[HISTORY: Adopted by the Borough Council of the Borough of Chester Heights 5-24-2004 by Ord. No. 171. Amendments noted where applicable.]**

#### GENERAL REFERENCES

Building construction — See Ch. 61.  
Fire prevention — See Ch. 97.  
Plumbing — See Ch. 135.  
Stormwater management — See Ch. 160.  
Subdivision and land development — See Ch. 162.  
Zoning — See Ch. 185.

#### **§ 77-1. Election to administer and enforce.**

The Borough of Chester Heights 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.

#### **§ 77-2. Adoption of 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 Chester Heights Borough.

#### **§ 77-3. Enumeration of codes adopted by reference.**

The following codes are incorporated by reference and provide the minimum requirements of the Uniform Construction Code and are adopted by the Borough as of the effective date of this chapter:

- A. The provisions of Chapters 2-29 and 31-35 of "The International Building Code 2003."
- B. The "ICC Electrical Code 2003."
- C. The "International Mechanical Code 2003."
- D. The "International Fuel Gas Code 2003."
- E. The "International Plumbing Code 2003."
- F. The "International Residential Code 2003."
- G. The "International Fire Code 2003."
- H. The " International Energy Conservation Code 2003."
- I. Sections AE501-AE503 and AE601-AE605 of Appendix E of the "International

Residential Code."

- J. The "International Existing Building Code 2003."
- K. The "International Urban-Wildland Interface Code 2003."
- L. Appendix E of the "International Building Code 2003."
- M. Appendix H of the "International Building Code 2003."
- N. Appendix G of the "International Residential Code 2003."

**§ 77-4. Effect on existing ordinances.**

- A. All Code ordinances, including Building Construction (Chapter 61), Fire Prevention (Chapter 97), and Plumbing (Chapter 135) code ordinances or portions of ordinances, which were adopted by the Borough of Chester Heights on or before July 1, 1999, and which equal or exceed the requirements of the code which are incorporated by reference 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 Code ordinances, including Building Construction (Chapter 61), Fire Prevention (Chapter 97) and Plumbing (Chapter 135) code ordinances or portions of ordinances, which do not equal or exceed the requirements of the code as adopted herein are repealed as of the effective date of this chapter to the extent the code provisions do not conform with the comparable provisions of the Uniform Construction Code, contained in 34 Pa. Code, Chapters 401-405, as amended from time to time.

**§ 77-5. Methods of administration and enforcement.**

Administration and enforcement of the Code within the Borough of Chester Heights shall be undertaken in any of the following ways as determined by the governing body of this municipality from time to time by resolution:

- A. By the designation of an employee of the municipality to serve as the municipal code official to act on behalf of the municipality;
- B. By the retention of one or more construction code officials or third-party agencies to act on behalf of the municipality;
- 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 this municipality;
- 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.

**§ 77-6. Board of Appeals.**

A Board of Appeals shall be established by resolution of the governing body of this municipality 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.<sup>1</sup>

**§ 77-7. Existing legislation.**

All relevant ordinances, regulations and policies of Chester Heights Borough not governed by the code shall remain in full force and effect.

**§ 77-8. Fees.**

Fees assessable by the Borough of Chester Heights for the administration and enforcement undertaken pursuant to this chapter and the Code shall be established by the governing body by resolution from time to time.

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<sup>1</sup>. Editor's Note: Ordinance No. 192, adopted 9-12-2012, authorized an intermunicipal agreement with the County of Delaware, and other municipalities within the County which may choose to participate, by which the Delaware County Uniform Construction Code Appeals Board will serve as the Borough's Board of Appeals pursuant to 35 P.S. § 7210.501(c)(1).