

## Chapter 42

### CONSTRUCTION CODES, UNIFORM

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[HISTORY: Adopted by the Borough Council of the Borough of Heidelberg 4-20-2004 by Ord. No. 555, approved 4-20-2004. Amendments noted where applicable.]

#### GENERAL REFERENCES

Dangerous buildings — See Ch. 40.  
Flood control — See Ch. 54.  
Occupancy permits — See Ch. 73.

Property maintenance — See Ch. 86.  
Trailers and mobile homes — See Ch. 103.  
Zoning — See Ch. 112.

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#### § 42-1. Administration and enforcement.

Heidelberg Borough hereby elects to administer and enforce the provisions of the Pennsylvania Construction Code Act, Act 45 of 1999, 35 P.S. §§ 7210.101 through 7210.1103, as amended from time to time, and its regulations.

#### § 42-2. Adoption of standards.

The Uniform Construction Code, contained in 34 Pa. Code, Chapters 401 through 405, as amended from time to time, is hereby adopted and incorporated herein by reference as the municipal building code of Heidelberg Borough.

#### § 42-3. Process for administration and enforcement.

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

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

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

#### **§ 42-4. Board of Appeals.**

A Board of Appeals shall be established by resolution of the governing body of Heidelberg 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.

#### **§ 42-5. Effect on other ordinances.**

- A. All building code ordinances or portions of ordinances which were adopted by Heidelberg Borough 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.
- 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 Heidelberg Borough not governed by the Code shall remain in full force and effect.

#### **§ 42-6. Fees.**

Fees assessable by Heidelberg Borough 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.

#### **§ 42-7. Existing agreements regarding plumbing.**

Nothing contained in this ordinance shall change or modify the agreement between the Borough of Heidelberg and the Allegheny County Health Department that requires and allows the Allegheny County Health Department the duties and responsibilities of issuing plumbing permits and conducting plumbing inspections under the Public Drinking Water & Waste Management Program in a manner consistent with Act 45.