

**TOWNSHIP OF WASHINGTON
FRANKLIN COUNTY, PENNSYLVANIA**

ORDINANCE NO. 179

**AN ORDINANCE OF THE GOVERNING BODY OF WASHINGTON
TOWNSHIP, FRANKLIN COUNTY, PENNSYLVANIA, APPOINTING
MEMBERS TO A MUNICIPAL BOARD OF APPEALS AS
REQUIRED BY THE PENNSYLVANIA UNIFORM CONSTRUCTION
CODE**

WHEREAS, by Ordinance No. 174, adopted April 21, 2004, Washington Township adopted as its Building Code for the Pennsylvania Uniform Construction Code, Act 45 of 1999, (hereinafter referred to as the "Act"); and

WHEREAS, Section 501(c) of the Act and Section 403.121 of the Regulations promulgated thereunder by the Pennsylvania Department of Labor and Industry make provisions and set standards for the appointment of a Board of Appeals to hear and rule on appeals, requests for variances and requests for extensions of time under the Act; and

WHEREAS, Washington Township has elected to establish a Joint Municipal Board of Appeals in cooperation with other Municipalities located in Franklin County, Pennsylvania; and

WHEREAS, the "Intergovernmental Cooperation Act" (53 Pa.C.S. §2301-2315) requires the passage of an Ordinance and a written agreement between the cooperating municipalities in order for the agreement to be effective.

NOW, THEREFORE, it is hereby enacted and ordained by the Governing Body of Washington Township as follows:

1. The terms of the agreement labeled "Exhibit A", and attached hereto is hereby adopted by Washington Township.
2. The terms of the Agreement may be modified in the future by unanimous resolution of the municipal entity/entities.
3. If any article, section or provision in this ordinance should be decided by the courts to be unconstitutional or invalid, such decision shall not affect the validity of this ordinance as a whole or any part thereof other than the parts so decided to be unconstitutional or invalid.
4. All other Washington Township ordinances, or parts of other ordinances in conflict herewith, are hereby repealed.

5. Effective date. This ordinance shall become effective in accordance with the law.

ENACTED AND ORDAINED this 1st day of November 2004, by the Governing Body of Washington Township, Franklin County, Pennsylvania in lawful session, duly assembled.

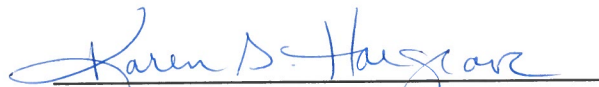
Attest:

**WASHINGTON TOWNSHIP
FRANKLIN COUNTY, PENNSYLVANIA**


Karen S. Hargrave, Secretary


Arthur T. Cordell, Chairman

I, Karen S. Hargrave, Secretary of the Board of Supervisors, Washington Township, Franklin County, Pennsylvania, do certify that the foregoing is true and correct copy of an ordinance adopted at a regular meeting of the Washington Township Supervisors held November 1, 2004, in a regular session duly assembled.


Karen S. Hargrave, Secretary

Date: November 1, 2004

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WHEREAS, Section 501(c) of the Act and Section 403.121 of the Regulations promulgated thereunder by the Pennsylvania Department of Labor and Industry make provisions and set standards for the appointment of a Board of Appeals to hear and rule on appeals, requests for variances and requests for extensions of time under the Act; and

WHEREAS, Washington Township has elected to establish a Joint Municipal Board of Appeals in cooperation with other Municipalities located in Franklin County, Pennsylvania; and

WHEREAS, the "Intergovernmental Cooperation Act" (53 Pa.C.S. §2301-2315) requires the passage of an Ordinance and a written agreement between the cooperating municipalities in order for the agreement to be effective.

NOW, THEREFORE, it is hereby enacted and ordained by the Governing Body of Washington Township as follows:

1. The terms of the agreement labeled "Exhibit A", and attached hereto is hereby adopted by Washington Township.
2. The terms of the Agreement may be modified in the future by unanimous resolution of the municipal entity/entities.
3. If any article, section or provision in this ordinance should be decided by the courts to be unconstitutional or invalid, such decision shall not affect the validity of this ordinance as a whole or any part thereof other than the parts so decided to be unconstitutional or invalid.
4. All other Washington Township ordinances, or parts of other ordinances in conflict herewith, are hereby repealed.

EXHIBIT "A"

AGREEMENT

THIS AGREEMENT is made this 26th day of Oct, 2004, by and between the following municipal entities all located in Franklin County, Pennsylvania:

- | | |
|-------------------------|--------------------------------------|
| 1. Antrim Township | 12. Saint Thomas Township |
| 2. Fannett Township | 13. Southampton Township, Franklin |
| 3. Greene Township | 14. Warren Township |
| 4. Guilford Township | 15. Washington Township |
| 5. Hamilton Township | 16. Greencastle Borough |
| 6. Letterkenny Township | 17. Mercersburg Borough |
| 7. Lurgan Township | 18. Mont Alto Borough |
| 8. Metal Township | 19. Southampton Township, Cumberland |
| 9. Montgomery Township | |
| 10. Peters Township | |
| 11. Quincy Township | |

WHEREAS, all of the above municipal entities have adopted "The Pennsylvania Uniform Construction Code", Act 45 of 1999 (hereinafter referred to as the "Act") as the building code for each entity; and

WHEREAS, Section 501.(c) of the "Act" and Section 403.121 of the Regulations promulgated thereunder by the Pennsylvania Department of Labor and Industry make provisions and set standards for the appointment of a Board of Appeals to hear and rule on appeals, requests for variances and requests for extensions of time under the "Act"; and

WHEREAS, the above municipal entities have elected to establish a joint Municipal Board of Appeals located in Franklin County, Pennsylvania; and

WHEREAS, the Intergovernmental Corporation Act (53 Pa. C.S.A. Section 2301 et seq.) requires a written agreement in order for the above municipalities to create a joint Municipal Board of Appeals.

8. New general members may be appointed to the Board of Appeals by resolution of the Municipal entity that appointed the general member.

9. A Board of Appeals may be convened in a specific case provided there are at least three (3) active general members available. In case there are insufficient general members available, then the municipal entity convening the Appeal Board in that case shall be responsible for appointing additional member/members to the Board.

10. This agreement shall remain in effect for a period of one (1) year and shall automatically renew for successive one (1) year periods, unless one of the municipal entities listed above provides written notice to all other municipal entities that are party to this Agreement that it desires to not renew the agreement. Said written notice must be provided at least thirty (30) days prior to the formal decision to withdraw. The formal decision to withdraw must be made by ordinance of the withdrawing municipal entity.

11. In addition, any municipal entity may withdraw from the agreement by providing thirty (30) days written notice to all other municipal entities that are party to this Agreement that it desires to withdraw. The decision to withdraw must be made by Ordinance of the withdrawing municipal entity.

12. This agreement shall be interpreted pursuant to the laws of the Commonwealth of Pennsylvania.

NOW, with intent to be legally bound hereby, the following municipal entities have executed this agreement, effective the date and year written above.

Attest:

ANTRIM TOWNSHIP

Benee B. Perrin
, Secretary

By [Signature]
, Chairman

Attest:

Dean E. Mitalofa Sr
, Secretary

MONTGOMERY TOWNSHIP

By Wm J Cable
, Chairman

Attest:

Roger W. Prie
, Secretary

PETERS TOWNSHIP

By John C Brake
, Chairman

Attest:

Dwight E. Hester
, Secretary

QUINCY TOWNSHIP

By Joseph S. Middover
, Chairman

Attest:

Alison B. Dwyler
, Secretary

SAINT THOMAS TOWNSHIP

By Edgar M. ...
, Chairman

Attest:

Linda J. Coover
, Secretary

SOUTHAMPTON TOWNSHIP,
FRANKLIN COUNTY

By Paul S. ...
, Chairman

Attest:

John W. ...
, Secretary

WARREN TOWNSHIP

By Cyrus S. ...
, Chairman

**TOWNSHIP OF WASHINGTON
FRANKLIN COUNTY, PENNSYLVANIA**

RESOLUTION NO. 363

**OF THE BOARD OF SUPERVISORS OF THIS TOWNSHIP
ESTABLISHING THE CRITERIA FOR SELECTING BOARD
MEMBERS TO THE UCC BOARD OF APPEALS, THEIR
TERMS OF OFFICE AND FEES IN THE ADMINISTRATION
OF THE UCC BOARD OF APPEALS.**

WHEREAS, on November 1, 2004, the Washington Township Supervisors adopted Ordinance No. 179 providing for the establishment of a Municipal Board of Appeals as required by the Pennsylvania Uniform Construction Code (UCC); and

WHEREAS, the Township wishes to set criteria for selecting board members, establish terms and set fees for the administration of Ordinance No. 179.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of this Township as follows:

Section 1. Appeals Board Criteria

The Board of Supervisors shall appoint M. James Rock to serve on the Municipal UCC Appeals Board administered by Commonwealth Code Inspection Service (CCIS) or their successors as follows:

- a. The term of the members is for one (1) year and shall automatically renew for successive one (1) year periods unless the member is terminated or resigns.
- b. The member must be qualified by training and/or experience in order to sit on the Board of Appeals. Applicants shall have background in one of the following areas: engineer, architect, experienced builder, etc.
- c. Board members shall be paid fifty (\$50.00) dollars per meeting.

Section 2. Appeals Board Selection

Board members from Washington Township shall be entered into a larger pool of board members consisting of board members from each of the participating municipalities. Board members for Washington Township appeals shall be selected randomly from the entire list of eligible board members maintained by CCIS or its successor.