

**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.

Section 3. Establishment of Fee

A fee of four hundred (\$400.00) dollars per appeal shall be paid to CCIS or its successor for all appeals to the UCC.

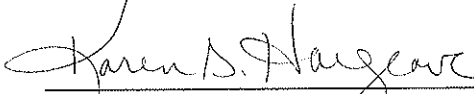
Section 4. Administration

CCIS or its successor shall provide the administration of the UCC appeals process.

DULY RESOLVED, this 1st day of November 2004 by the Board of Supervisors of Washington Township, Franklin County, Pennsylvania, in lawful session duly assembled.

**TOWNSHIP OF WASHINGTON
FRANKLIN COUNTY, PENNSYLVANIA**

Attest:



Karen S. Hargrave, Secretary



Arthur T. Cordell, Chairman

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.

NOW, THEREFORE, it is hereby agreed, with intent to be legally bound hereby, by and between the above municipal entities as follows:

1. The terms as set forth in the Whereas paragraphs above are incorporated herein by reference as if set forth in full hereunder.
2. The Municipal entities listed above shall establish a joint Municipal Board of Appeals as required by the "Act" and regulations promulgated thereunder.
3. Each Municipal entity that is a party to this Agreement shall appoint a person qualified by training and experience to serve as a general member of the Board of Appeals. A Municipality may request another Municipality that is a party to this agreement to appoint its' general member to the Board of Appeals for any reason. Each Municipality shall provide all other Municipal entities that are party to this agreement of the name, address and telephone number of the person/persons it has appointed as a general member/members to the Board of Appeals. The notice shall be written notice sent by first class, U.S. mail. The notice shall be provided when the original member and any successor members are appointed to the Board of Appeals.
4. The term of the general members shall be for a period of one (1) year and shall automatically renew for successive one (1) year periods. The term of the general members may be terminated at any time by resolution of the Municipal entity that appointed the general member or by resignation of the general member.
5. The Board of Appeals in a specific appeal shall consist of members chosen from the general members appointed pursuant to paragraph 3 of this agreement. These members shall be known as "selected members". At least three (3) members shall be appointed to act as "selected members" in every case that an Appeal Board is convened.
6. Each municipal entity shall establish by Resolution the method to appoint "selected members" to sit on the Appeals Board for a specific appeal. Members serving on the Board of Appeals shall be compensated at a fee schedule established by the municipal entity convening the Board of Appeals. The schedule may be revised from time-to-time by resolution of the municipal entity convening the Board of Appeals.
7. All costs associated with the appeals shall be paid by the appellant.

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:

Georgia O'Donnell
, Secretary

FANNETT TOWNSHIP

By [Signature]
, Chairman

Attest:

Diana E. Weller
, Secretary

GREENE TOWNSHIP

By [Signature]
, Chairman

Attest:

Karen Kellison
, Secretary

GUILFORD TOWNSHIP

By [Signature]
, Chairman

Attest:

Deborah J. Hollenhead
, Secretary

HAMILTON TOWNSHIP

By Michael K. Cassinger
, Chairman

Attest:

Joann P. Wright
, Secretary

LETTERKENNY TOWNSHIP

By Jack R. Hohens
VICE, Chairman

Attest:

Joann E. Zimmerman
, Secretary

LURGAN TOWNSHIP

By Samuel K. Levanger
, Chairman

Attest:

Anna H. Lee
, Secretary

METAL TOWNSHIP

By Dave DeLeah
, Chairman

Attest:

Dean E. Mitaloff Sr
, Secretary

MONTGOMERY TOWNSHIP

By Wm J Cable
, Chairman

Attest:

Roger W. Price
, Secretary

PETERS TOWNSHIP

By John C Brake
, Chairman

Attest:

Dwight E. Lawrence
, Secretary

QUINCY TOWNSHIP

By Joseph S. Middover
, Chairman

Attest:

Alison B Snyder
, Secretary

SAINT THOMAS TOWNSHIP

By Edgar G. Mack
, Chairman

Attest:

Denise J. Coover
, Secretary

SOUTHAMPTON TOWNSHIP,
FRANKLIN COUNTY

By Paul S. H.
, Chairman

Attest:

John W. Reisher
, Secretary

WARREN TOWNSHIP

By Cyrus S. Keyser
, Chairman

Attest:

Karen D. Haysler
, Secretary

WASHINGTON TOWNSHIP

By Arthur Casella
, Chairman

Attest:

Karenth E. My
, Secretary

GREENCASTLE BOROUGH

By Barbara B. Bock
, Chairman

Attest:

Frank J. Bennett
, Secretary

MERCERSBURG BOROUGH

By John D. Meyer
, Chairman

Attest:

Patricia A. Wood
, Secretary

MONT ALTO BOROUGH

By Thomas J. Jovan
, Chairman Pres

Attest:

Thomas J. Hennick
, Secretary

SOUTHAMPTON TOWNSHIP,
CUMBERLAND COUNTY

By James W. Gunn
, Chairman