

MONTROSE BOROUGH

ORDINANCE NUMBER 2016-03

**AN ORDINANCE OF THE BOROUGH OF MONTROSE, SUSQUEHANNA COUNTY, PENNSYLVANIA, PROVIDING FOR THE ENFORCEMENT OF THE PROVISIONS OF THE UNIFORM COMMERCIAL CODE (UCC) UNDER THE PENNSYLVANIA UNIFORM CONSTRUCTION ACT (35 P.S. 7210.1103), IN MONTROSE BOROUGH PROVIDING FOR THE ADOPTION OF A PERMIT FEE SCHEDULE, AND COLLECTION OF SAME BY THE BOROUGH, AND FOR THE ESTABLISHMENT OF AN APPEAL BOARD IN ACCORDANCE WITH THE PROVISIONS OF SAID PENNSYLVANIA CONSTRUCTION CODE ACT.**

**WHEREAS**, the purpose of this Ordinance is to promote the general health and welfare of the citizens of the Borough of Montrose, and to conform to the requirements of the Pennsylvania Construction Code Act and regulation of the Act as promulgated by the Pennsylvania Department of Labor (hereinafter referred to as the 'Code'); and

**WHEREAS**, the Pennsylvania Construction Code requires the enactment of an appropriate ordinance by the Borough of Montrose to administer and enforce the building provisions of the Code.

**NOW, THEREFORE**, it is hereby enacted and ordained as follows:

1. The Borough of Montrose hereby elects to administer and enforce the provisions of the Pennsylvania Construction Code Act, Act 45 of 1999, as amended from time to time, and its regulations;
2. 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 for the Borough of Montrose;
3. Administration and enforcement of the Code with the Borough of Montrose shall be undertaken by the Council of the Borough, and through third party inspectors or agencies as may be hired by the Borough for this purpose;
4. A Board of Appeals shall be established through Montrose Borough Council which shall be in conformity with the requirements of the relevant provisions of the Code, as amended from time to time, and for the purpose as set forth herein;
5. A.) All building code ordinances or portions of ordinances which were adopted by the Borough of Montrose 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 portion of ordinances which are in effect as of the effective date of this ordinance and those requirements are less than the minimum requirements of the Code are hereby amended to conform with the comparable provisions of this Code;

C.) All relevant ordinances, regulations and policies of this Borough not governed by the Code shall remain in full force and effect.

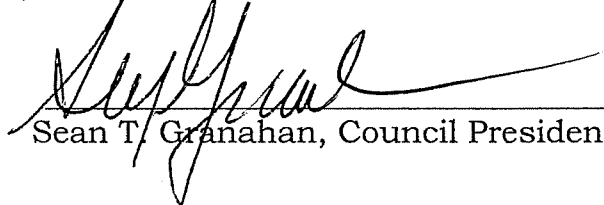
6. Fees assessable by the Borough for the administration and enforcement of the Code as undertaken pursuant to this ordinance or the Act shall be established and collected by this Borough, or its designated agent, for its use as allowed by law.

7. By the enactment of this ordinance, the Borough of Montrose hereby rescinds and repeals Montrose Borough Ordinance #040306-02 in its entirety.

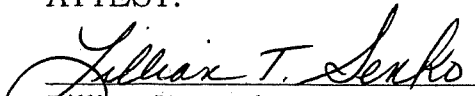
This Ordinance shall be effective this 7<sup>th</sup> day of November, 2016

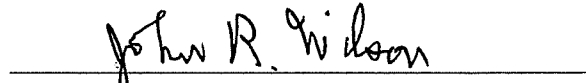
If any section, subsection or clause of this ordinance is held for any reason to be invalid, such decision or decisions shall not affect the validity of the remaining portions of this Ordinance.

Duly enacted and ordained this 7<sup>th</sup> day of November, 2016.

  
Sean T. Granahan, Council President

ATTEST:

  
Lillian T. Senko, Secretary

  
John R. Wilson, Mayor