

**Chapter 51**  
**CONSTRUCTION CODES, UNIFORM**

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**[HISTORY: Adopted by the Borough Council of the Borough of Delmont 4-13-2004 by Ord. No. 2004-1. Amendments noted where applicable.]**

**GENERAL REFERENCES**

Building permits and floodplain management — See Ch. 45.

Fire prevention and building construction — See Ch. 58.

Subdivision and land development — See Ch. 115.

Zoning — See Ch. 130.

**§ 51-1. Election to administer and enforce.**

This municipality hereby elects to administer and enforce the provisions of the Pennsylvania Construction Code Act, Act 45 of 1999, 35 P.S. §§ 7210.101-7210.103, as amended from time to time, and its regulations.

**§ 51-2. 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 this municipality.

**§ 51-3. Administration and enforcement.**

Administration and enforcement of the Code within this municipality 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; and

- 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.

**§ 51-4. 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.

**§ 51-5. Affect on other ordinances.**

- A. All building code ordinances or portions of ordinances which were adopted by this municipality 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; and
- C. All relevant ordinances, regulations and policies of this municipality not governed by the Code shall remain in full force and effect.

**§ 51-6. Fees to be established.**

Fees assessable by the municipality 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.