

ORDINANCE NO. 209

AN ORDINANCE OF THE TOWNSHIP OF AMITY, BERKS COUNTY, PENNSYLVANIA, AMENDING CHAPTER VI, ENTITLED "CODE ENFORCEMENT" OF THE TOWNSHIP OF AMITY CODE OF ORDINANCES TO REVISE THE UNIFORM CONSTRUCTION CODE TO REQUIRE A BUILDING PERMIT FOR ALL UTILITY AND MISCELLANEOUS USE STRUCTURES WITH A BUILDING AREA OF MORE THAN FIVE HUNDRED SQUARE FEET

WHEREAS, the purpose of this Ordinance is to promote the general health, safety and welfare of the citizens of the Township of Amity, Berks County, Pennsylvania and to conform to the requirements of the Pennsylvania Construction Code Act and regulations to the Act promulgated by the Pennsylvania Department of Labor and Industry (hereinafter sometimes collectively referred to as the "Code"); and

WHEREAS, the Pennsylvania Construction Code Act 45 of 1999, as amended by Act 92 of 2004, authorizes municipalities to adopt stricter code requirements for utility and miscellaneous use structures.

NOW, THEREFORE, BE IT ENACTED AND ORDAINED by the Board of Supervisors of the Township of Amity, Berks County, Pennsylvania, and it is hereby ENACTED AND ORDAINED by the authority of the same as follows:

SECTION 1. Section 103, entitled "Revisions to the Uniform Construction Code, of Part 1, entitled "Administration and Government" of Chapter VI, entitled "Code Enforcement" of the Township of Amity Code of Ordinances is hereby amended to add the following:

"(l) Section 403.1(a) of the Uniform Construction Code is hereby amended by adding the following subsection:

(1) The Uniform Construction Code shall also apply to all residential utility and miscellaneous use structures with a building area of more than 500 square feet. "

SECTION 2. Severability. If any sentence, clause, section or part of this Part is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts of this Part. It is hereby declared as the intent of the Board of Supervisors of the Township that this Part would have been adopted had such

unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein."

SECTION 3. All ordinances or parts of ordinances conflicting with the provisions of this Ordinance are hereby repealed insofar as they are inconsistent with this Ordinance.

SECTION 4. This Ordinance shall become effective thirty-five (35) days from the date of enactment.

SECTION 5. That nothing in this Ordinance, the Uniform Construction Code, or the Property Maintenance Code hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or cause of action acquired or existing, under any act or ordinance hereby repealed; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this Ordinance.

SECTION 6. The Township of Amity Code of Ordinances, Berks County, Pennsylvania, as amended, shall be and remain unchanged and in full force and effect except as amended, supplemented and modified by this Ordinance. This Ordinance shall become a part of the Township of Amity Code of Ordinances, Berks County, Pennsylvania, as amended, upon adoption.

DULY ENACTED AND ORDAINED this 18 day of January, 2005.

TOWNSHIP OF AMITY
BOARD OF SUPERVISORS

Richard J. Foley
Louis A. Stover
Joseph King
Robert R. Ym
K. G. Matlock

Attest: [Signature]
Secretary