

ORDINANCE NO. 44

**AN ORDINANCE OF GERMANY TOWNSHIP, ADAMS COUNTY, PENNSYLVANIA,
AMENDING PORTIONS OF ORDINANCE NO. 2004-1 REQUIRING BUILDING
PERMIT IN COMPLIANCE WITH THE PA. UNIFORM CONSTRUCTION CODE (UCC)
FOR STORAGE, UTILITY AND MISCELLANEOUS USE STRUCTURES IN EXCESS OF 250
SQUARE FEET**

WHEREAS, Germany Township, Adams County, Pennsylvania, pursuant to the enactment of Ordinance No. 2004-1 which was enacted on May 10, 2004, elected to adopt, administer and enforce the UCC and Regulations to said Act as promulgated by the Pa. Department of Labor and Industry, (hereinafter sometimes collectively referred to as "The Code"); and

WHEREAS, pursuant to Section 503 of the UCC, a municipality may enact an Ordinance which equals or exceeds the minimum requirements of the UCC; and

WHEREAS, Senate Bill 1139 of 2004 and Act 45 allow municipalities to adopt stricter Code requirements for the regulation of construction; and

WHEREAS, this municipality believes that storage, utility and miscellaneous use structures having a building area in excess of 250 square feet should be subject to the provisions of the UCC and the Uniform Construction Code Regulations promulgated pursuant thereto.

NOW THEREFORE, be it enacted and ordained by the Board of Supervisors of Germany Township, Adams County, Pennsylvania, and it is hereby enacted and ordained by the authority of the same as follows:

1. Within Germany Township, Adams County, Pennsylvania, a building permit in compliance with the Uniform Construction Code shall be required for all storage, utility and miscellaneous use structures with a building area in excess of 250 square feet, which are defined respectively as follows:

a) Storage building – A structure not intended for residential occupancy which is necessary to the principal use of the property as a place to store personal property.

b) Utility and miscellaneous use structures – Buildings or structures of an accessory character and miscellaneous structures not classified by the Building Officials' and Code Administrators' International, Inc., in any specific use group. This term includes carports, detached private garages, greenhouse and sheds having a building area in excess of 250 square feet.

2. The provisions of this Ordinance are severable and if any provisions, sentence, clause, section or part thereof is held illegal, invalid, unconstitutional or inapplicable to any person or entity, such illegality, invalidity, unconstitutionality or inapplicability shall not affect or impair any of the remaining provisions, sentences, clauses, sections or part of this Ordinance.

3. All other provisions of Ordinance 2004-1 which adopted the Uniform Construction Code in Germany Township, Adams County, Pennsylvania, shall remain unchanged and in full force and effect.

4. This Ordinance shall be effective as soon as legally possible.

Duly enacted and ordained this _____ day of _____, 2010, by the Board of Supervisors of Germany Township, Adams County, Pennsylvania, in public session, duly assembled.

Attest:

BOARD OF SUPERVISORS OF GERMANY TOWNSHIP

By: _____

Secretary

Steven A. Bitzel – Chairman

Richard Valko

Jack Ketterman