

**CATHARINE TOWNSHIP, BLAIR COUNTY, PENNSYLVANIA
ORDINANCE NO. 70**

AN ORDINANCE OF CATHARINE TOWNSHIP, BLAIR COUNTY, PENNSYLVANIA, ENTERING INTO AN INTERMUNICIPAL AGREEMENT BY AND AMONG CERTAIN MUNICIPALITIES WITHIN THE COUNTY OF BLAIR (COLLECTIVELY "MUNICIPALITIES") WHEREIN SAID MUNICIPALITIES HAVE APPROVED "JOINT ARTICLES OF AGREEMENT" (HEREINAFTER "AGREEMENT") FOR THE ESTABLISHMENT OF A BLAIR REGION CODE ADMINISTRATION COMMITTEE (HEREINAFTER "CODE COMMITTEE") AND BY SAID AGREEMENT DELEGATED THE RESPONSIBILITY TO ADMINISTER AND ASSIGN TO THE CODE COMMITTEE THE RESPONSIBILITY TO CREATE THE BLAIR REGION UNIFORM CONSTRUCTION CODE BOARD OF APPEALS (HEREINAFTER "BOARD OF APPEALS") AND APPOINTED MEMBERS OF THE BOARD OF APPEALS, ALL PURSUANT TO SAID AGREEMENT WHICH IS ATTACHED TO AND INCORPORATED INTO THIS ORDINANCE. SAID ORDINANCE ALSO SETS FORTH, WITH REGARD TO SAID AGREEMENT: THE CONDITIONS; TERMS OF MEMBERS; PURPOSE AND OBJECTIVES; MANNER OF FINANCING; AND ORGANIZATIONAL STRUCTURE INVOLVED AND AN EFFECTIVE DATE.

The Township of Catharine in Blair County, Pennsylvania, hereby ordains:

SECTION 1. APPROVAL OF JOINT ARTICLES OF AGREEMENT – UCC APPEALS APPEALS.

Inasmuch as the Blair Region Code Administration Committee (Code Committee) was formed by and among certain Blair County municipalities (Municipalities) in 2004, by Joint Articles of Agreement; and pursuant to Section 6.2 of the said Joint Articles of Agreement at least two thirds (2/3) of said Municipalities, by resolution, have approved the request of Catharine Township to join said Code Committee, the Joint Articles of Agreement by and among the Municipalities and Catharine Township, (hereinafter the term Municipalities shall now include Catharine Township) which is attached hereto as Exhibit "A" and made part hereof, is hereby approved and the appropriate Municipal officials shall execute the same.

A. Purpose and Objective

1. Purpose. The purpose of the Agreement continues to be delegation to the said Code Committee the responsibility to create a Blair Region Uniform Construction Code Board of Appeals and to appoint and direct members of the Board of Appeals, all pursuant to said Agreement.
2. Objective. The objective of the Agreement is to have one uniform and qualified Board of Appeals to hear appeals from the Municipalities, on matters set forth under the Pennsylvania Uniform Construction Code, (Act 45 of 1999) and the regulations adopted pursuant thereto found in 34 Pennsylvania Code, Chapters 401 et seq. The purpose and objective of the said Agreement allows for a wider array of qualified candidates from the various Municipalities to serve on the said Board of Appeals all of which will satisfy each individual Municipality's obligation to establish such a Board of Appeals.

B. Powers and Scope of Authority Delegated.

1. Powers and Authorities Delegated. Pursuant to the terms of the Agreement, the Municipalities are delegating to the Code Committee the power and authority to create a Blair Region Uniform Construction Code Board of Appeals and to appoint and direct members of the Board of Appeals, all pursuant to said Agreement.

C. Organizational Structure.

The Code Committee shall be governed by members appointed by the Municipalities with each such Municipality appointing one (1) person who may be an elected official of the governing board of such Municipality. The Code Committee shall

establish its own form of organization and appropriate rules and regulation for the conduct of its business.

D. Duration of Terms, Manner of Financing, Ownership of Real and Personal Property and Insurance.

1. **Duration of Term.** Members of the Code Committee shall serve for a term of three years and may be removed by the Code Committee for cause or by the Municipality making such appointment, without cause at any time, all as set forth in the said Agreement.
2. **Manner of Financing.** The Code Committee is not expected to incur any financial liabilities in that if an appeal is filed to the Appeals Board to be established by the Code Committee, the Municipality from which the appeal is filed shall be responsible for payment of cost involved with the said appeal.
3. **Ownership of Real and Personal Property.** The Code Committee shall own no real or personal property.
4. **Insurance.** The Code Committee members shall be insured by their respective Municipalities. If the Code Committee determines that the Board of Appeals should have errors and omissions insurance, the cost of the same shall be paid by the Municipalities.

SECTION 3. INCORPORATION OF AGREEMENT AND FEE AUTHORIZATION.

The "Joint Articles of Agreement" attached hereto as Exhibit "A", is hereby incorporated herein as if fully set forth at length. Said Agreement sets forth in more detail the terms of understanding of the parties hereto. The Township of Catharine shall establish a fee, from time to time (by Resolution), for individuals desiring to file an

appeal hereunder. Said fee shall be in an amount deemed appropriate by the Township of Catharine.

SECTION 4.

The Blair Region Uniform Construction Code Board of Appeals is hereby designated by Catharine Township to hear and decide appeals brought under the codes and standards promulgated in the most current version of the Uniform Construction Code (Act 45 of 1999) of the Commonwealth of Pennsylvania as amended by the participants, and as subsequently adopted in Title 34 PA Code Chapters 401, 403 and 405, as amended from time to time.

SECTION 5. SEVERABILITY.

If any sentence, clause, section or part of this Ordinance 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 Ordinance. It is hereby declared as the intent of the Township of Catharine that this Ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein.

SECTION 6. REPEALER.

Any resolution or ordinance or part of any resolution or ordinance conflicting with the provisions of this Ordinance is repealed insofar as the conflict exists.

SECTION 7. EFFECTIVE DATE.

This Ordinance shall become effective upon the earliest date provided by law.

ORDAINED AND ENACTED as an Ordinance of the Township of Catharine this

8 day of SEPTEMBER, 2014.

CATHARINE TOWNSHIP

ATTEST:

Eleanor K Haclerode
Secretary

Ralph F. Rispoli

Marie Danielle Kenney
