

ORDINANCE NO. 05-01

TOWNSHIP OF WEST BRADFORD

CHESTER COUNTY, PENNSYLVANIA

**AN ORDINANCE OF THE TOWNSHIP OF WEST BRADFORD,
CHESTER COUNTY, PENNSYLVANIA, AMENDING PROVISIONS
OF ACT 93 OF 2004 WHICH AMENDED Act 45 of 1999, OTHERWISE
KNOWN AS THE UNIFORM CONSTRUCTION CODE ACT.**

BACKGROUND

WHEREAS, on March 23, 2004, the Board of Supervisors of West Bradford Township enacted Ordinance No **04-02** and opted into enforcement of the Pennsylvania Uniform Construction Code (“Act 45 of 1999”) by adopting the International Building Code, 2003 Edition, and its successor codes published by International Code Council, Inc., as the Townships Building Code; and

WHEREAS, on July 15, 2004, Act 93 was enacted which amends certain provisions in Act 45 of 1999 (“Act45”); and

WHEREAS, among other things, Act 93 makes the following amendments to Act 45: (i) excludes from the requirements of Act 45 alterations to residential buildings which do not make structural changes or changes to a means of egress; (ii) excludes from Act 45 repairs to residential buildings; and (iii) revises the definition of a “utility and miscellaneous use structures” (found in Section 103 of Act 45 of 1999) which are exempt from Act 45 to include accessory structures such as garages, greenhouses, and sheds accessory to a detached single family dwelling which are less than 1,000 square feet in area; and

WHEREAS, Act 93 allows the Township to require compliance with the Building Code for all repairs and alterations to residential buildings and construction of utility and miscellaneous use structures if the Township regulated such alterations and utility and miscellaneous use structures in its Building Code prior to July 1 of 1999; and

WHEREAS, the Townships Building Code as of July 1, 1999 required compliance with the Building Code and issuance of a building permit for repairs and alterations to residential buildings and construction, alteration, enlargement, replacement, repair, removal and demolition of utility and miscellaneous use structures.

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

SECTION 1. Provisions of the Building Code, which Shall Remain in Effect.

A. The Township shall keep in full force and effect the following requirements in its Building Code, which provisions were in effect as of July 1, 1999:

(i) All repairs and alterations to residential buildings and all repairs and alterations that increase habitable area shall comply with the Townships Building Code adopted on March 24, 2004 and any successor code adopted by the Township pursuant to Act 45 of 1999.

(ii) Construction, alteration, enlargement, replacement, repair, removal and demolition of utility and miscellaneous use structures which are greater than 500 square feet in area shall comply with the Townships Building Code adopted on March 24, 2004 and any successor code adopted by the Township pursuant to Act 45 of 1999.

SECTION 2. 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, sentence's, clauses, sections or parts hereof. It is hereby declared as the intent of the Board of Supervisors of West Bradford Township that this ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein.

SECTION 3. Repealer. All ordinances or parts of Ordinances conflicting with any provision of this ordinance are hereby repealed insofar as the same affects this Ordinance.

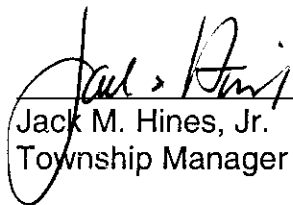
SECTION 4. Saving Clause. That nothing in this ordinance or in the Building Code hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action required or existing, under any act or ordinance hereby repealed as cited in Section 3 of this ordinance; nor shall any just or legal right of remedy of any character be lost, impaired or affected by this Ordinance.

SECTION 5. Effective Date. This Ordinance shall become effective upon enactment as provided by law.

ENACTED AND ORDAINED THIS 8th DAY OF February, 2005.

ATTEST:

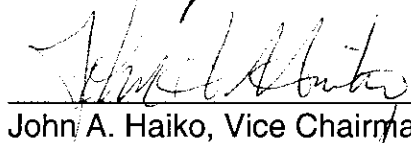
**TOWNSHIP OF WEST BRADFORD
BOARD OF SUPERVISORS**



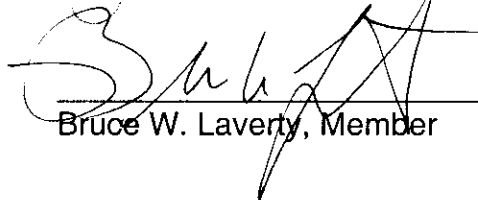
Jack M. Hines, Jr.
Township Manager



Mark J. Blair, Chairman



John A. Haiko, Vice Chairman



Bruce W. Lavery, Member