

ORDINANCE APPROVING ESTABLISHMENT OF FEES TO BE
ASSESSED IN CONJUNCTION WITH BOARD OF APPEALS
HEARINGS IN THE ADMINISTRATION AND ENFORCEMENT
OF THE PENNSYLVANIA
CONSTRUCTION CODE ACT

WHEREAS, §7210.S01 (c) of the Pennsylvania Construction Code Act
requires municipalities which have adopted an ordinance for the administration
and

WHEREAS, Alexandria Borough Township/Borough elected to administer
and enforce the Construction Code Act of Pennsylvania; and
enforcement of said Act to establish a Board of Appeal and

WHEREAS, the municipality has determined that it is necessary for this
municipality to assess costs associated with hearings held before the Board of
Appeals; and

WHEREAS, the Municipality has reviewed the subject of advertising,
attorney fees, the cost of stenographic reproduction of all hearings held before
the Board of Appeals and other related costs and fees, and has determined that
the fees and costs set forth in the schedule hereby adopted are reasonable in
amount for the services herein described.

NOW, THE FORE IT IS HEREBY ORDAINED AND ENACTED by the
governing body of Alexandria Borough Township/Borough as follows:

1. Statement of Policies. The Municipality hereby approves the schedule of costs and fees for hearings before the Board of Appeals in the administration and enforcement of the Pennsylvania Construction Code Act.
2. Schedule of Fees and Costs. The Municipality hereby approves the schedule of fees and costs in connection with hearings before the Board of Appeals all in accordance with the principles set forth in the Pennsylvania Construction Code Act and 2003 BOCA National Building Code, as amended. Said schedule of fees and costs are set forth in a resolution approved by the governing body of this municipality on this date.
3. Fees and Costs shall be collected at the time the appeal is filed with the Municipality.
4. To the extent the actual costs exceed the amount collected in connection with the appeal, the individual or entity demanding the appeal shall be assessed the outstanding balance within thirty (30) days of the conclusion of the hearing.
5. The Municipality may, from time to time, adjust the fees and costs set forth in this Ordinance by Resolution; to reflect any increases in costs and fees

associated with hearings mandated by the Pennsylvania Construction Code Act.

6. In the event the Municipality is a party to an agreement for the joint administration and enforcement of the Pennsylvania Construction Code Act, the Municipality shall, by Resolution, authorize the collection of fees and costs by the intermunicipal body responsible for hearing all appeals pursuant to said Act.
7. The proper officials of the Municipality are hereby authorized and empowered to take such additional action as they may deem necessary or appropriate to implement this Ordinance.
8. The Municipality by means of a complaint in equity may compel the owner to do so or seek such other relief as such court is empowered to afford.
9. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction such portion shall be deemed a separate, distinct and independent provision and such holdings shall not affect the validity of the remaining portions hereof
10. This Ordinance shall become effective five (5) days after the adoption hereof.

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RESOLUTION# 2005-3

WHEREAS, **Alexandria Borough** Township has enacted an Ordinance (No 2005-3) approving the establishment of fees and costs to be assessed in conjunction with Board of Appeals Hearings in the Administration and Enforcement of the Pennsylvania Construction Code Act; and

WHEREAS, **Alexandria Borough** Township has agreed to participate in third-party inspection services with Guardian Inspection Services, Inc.; and

WHEREAS, **Alexandria Borough** Township has agreed that said services should be administered jointly with other member municipalities of the Huntingdon County Council of Governments (HCCOG):

NOW, THEREFORE, BE IT RESOLVED, this 11th day of July, 2005, Alexandria Borough adopts the attached fee and costs schedule authorizes the collection of costs by the Huntingdon County Council of Governments.

ATTEST:

By: Secretary

Alexandria Township/
Borough
Carl Walther
Chairman

CERTIFICATE

I, the undersigned, Secretary of the Township/Borough of
Alexandria

(the "Municipality"), certify; that the foregoing is a true and correct copy of an Ordinance which duly was enacted by affirmative vote of a majority of all members of the Board of Supervisors/Borough Council of the Municipality at a meeting of said Board/Council duly convened and held according to law on July 11, 2005, at

which meeting a quorum was present; said Ordinance duly has been recorded in the Ordinance Book of the Township/Borough; said Ordinance duly has been published as required by law; and that said Ordinance is in full force and effect, without amendment, alteration or repeal, as of the date of this Certificate.

I further certify that the Board/Council met the advance notice requirements of the Sunshine Act No. 1986-84 of the General Assembly of the Commonwealth of Pennsylvania, approved July 3, 1986, by advertising said meeting and by posting prominently a notice of said meeting at the principal office of the Township/Borough or at the public building in which said meeting was held, all in accordance with such Act.

IN WITNESS WHEREOF, I set my hand and
affix the official seal of the Township/Borough, this
11th day of July ,
2005

(SEAL)

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ANDREA L. LEHMAN, ESQUIRE

June 17, 2005

ALL MEMBERS - AND THEIR SOLICITORS
Huntingdon

County Council of

Governments RE:

Appeals

Process

Dear Sir or Madam:

Please find enclosed a REVISED template ordinance, resolution and fee schedule, which I am providing at the request of the Huntingdon County Council of Governments. As you already know, the purpose of these documents is to place the cost associated with appeals to the Board on the Applicant/Appellant. I have placed an advertisement to The Daily News stating that this Ordinance will be considered at your July meeting [in Mill Creek's case, the meeting is June 30].

One big ad will cost a lot less than 17 small ads.

After they are passed at your meeting, please send me a copy of the signed Ordinance and Resolution for my records.

Please advise immediately if you have any questions or concerns.

Sincerely,

BAXTER & KIPPHAN BY:

Revised
copy
sent
7/12/05

MMK/bjh

Enclosures

*Michael M:
Kipphan*

Michael M. Kipphan