

MUNICIPALITY OF MONROEVILLE

ORDINANCE NO. 2334

**AN ORDINANCE OF THE MUNICIPALITY OF
MONROEVILLE, ALLEGHENY COUNTY,
PENNSYLVANIA, A HOME RULE CHARTER
COMMUNITY, AMENDING ORDINANCE NOS.
2300 AND 2313, COMMONLY REFERRED TO AS
THE CONSTRUCTION CODE ORDINANCE.**

WHEREAS, the Municipality of Monroeville currently has in place a Construction Code Ordinance conforming to the requirements of the Pennsylvania Uniform 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 Municipality of Monroeville desires to amend the exclusions with respect to utility and miscellaneous use structures under Code pursuant to Act 45, Chapter 5. Adoption and Enforcement by Municipalities, Section 503. Changes in Uniform Construction Code.

NOW, THEREFORE, BE IT ENACTED AND ORDAINED, the MUNICIPALITY OF MONROEVILLE makes the following amendments to its Construction Code Ordinance:

SECTION 1. Section 104. Application, subsection (b) Exclusions, subpart (3) of the Construction Code Ordinance is amended to read as follows:
Any utility and/or miscellaneous structure that has a building area of 120 square feet or less and is accessory to a detached one-family dwelling shall be excluded. However, the permitting requirements

set forth in the Code shall apply to any utility and/or miscellaneous structure, including but not limited to, carports, detached private garages, greenhouses, and sheds, that are accessory to detached one-family dwellings with an area greater than 120 square feet.

SECTION 2. If gas, electric, or plumbing are installed in any utility and/or miscellaneous structure, regardless of its size, the permitting requirements of the Code are applicable. See International Residential Code, §§ G2401.1, P2501, E3301, and E3303.

SECTION 3. The Municipality of Monroeville has enacted this Ordinance in accordance with the requirements set forth in Section 503. Changes in Uniform Construction Code (b) through (k). See 35 P.S. § 7210.503.

SECTION 4. Aggrieved parties shall have 30 days from the date of enactment of this Ordinance to file a written challenge with the Department of Labor and Industry (hereinafter the “Department”) and the Municipality of Monroeville. The challenge shall state the reason or reasons for the challenge.

SECTION 5. This Ordinance shall not take effect for a period of 35 days following its enactment.

SECTION 6. If a challenge is filed in writing with the Department within 30 days, the Department has five business days from the end of the 30-day filing period to notify the Municipality of Monroeville of the challenge. There may be no enforcement of this Ordinance

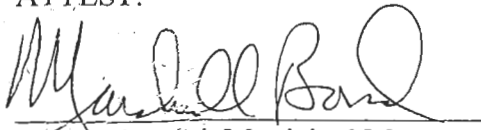
until a ruling is issued by the Secretary or 45 days after the filing date of the last challenge to this Ordinance, whichever occurs first.

SECTION 7. All Ordinances or parts of Ordinances which are inconsistent herewith are hereby repealed.

SECTION 8. 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 Board of Commissioners that this Ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein.

ORDAINED and ENACTED this 10th day of May, 2005.

ATTEST:


Marshall Bond, Municipal Manager


James J. Lomeo, Mayor

ENTERED INTO LEGAL BOOK: May 20, 2005