

ORDINANCE

AN ORDINANCE OF THE CITY OF COATESVILLE, CHESTER COUNTY, PENNSYLVANIA AUTHORIZING THE CITY COUNCIL OF THE CITY OF COATESVILLE TO ENTER INTO AN INTERGOVERNMENTAL COOPERATION AGREEMENT FOR THE ESTABLISHMENT AND OPERATION OF A REGIONAL PENNSYLVANIA UNIFORM CONSTRUCTION CODE BOARD OF APPEALS.

WHEREAS, Atglen Borough, Caln Township, East Brandywine Township, East Fallowfield Township, Honey Brook Township, Newlin Township, South Coatesville Borough, Valley Township, West Caln Township, West Nantmeal Township, West Pikeland Township, Modena Borough and West Grove Borough ("Members") have previously entered into an Intergovernmental Cooperation Agreement dated June 17, 2009 for the establishment and operation of a regional board of appeals to serve as the respective Members' individual board(s) of appeals pursuant to the Pennsylvania Construction Code Act, 35 P.S. §7210.101-1103; and

WHEREAS, the Members' Intergovernmental Cooperation Agreement ("the Existing Agreement") authorized the formation and administration of the multi-municipal regional board of appeals identified as the Western Chester County Regional Uniform Construction Code Board of Appeals ("Board of Appeals"); and

WHEREAS, the City of Coatesville ("City") a Third Class City and Home Rule Charter Municipality desires to become a member municipality of the Board of Appeals for purposes of the City's enforcement of the Pennsylvania Uniform Construction Code ("UCC") in accordance with 22 Pa.Code §403.121(d); and

WHEREAS, the City may become a member municipality of the Board of Appeals by virtue of the authority set forth in Paragraph 9 of the Existing Agreement; and

WHEREAS, the City's joinder into the Board of Appeals is in accordance with and authorized by the Pennsylvania Intergovernmental Cooperation Act of 1996, 53 Pa.C.S. §2301, *et seq.*; and

WHEREAS, a true and correct copy of the Existing Agreement is attached hereto as Exhibit "A" and incorporated herein by reference.

NOW THEREFORE, BE IT ENACTED AND ORDAINED by the City Council of the City of Coatesville as follows:

1. The background set forth in the Whereas clauses above is incorporated herein as if set forth at length.

2. The City shall request, by proper application, to be accepted as a member municipality in the Board of Appeals established by the Existing Agreement.
3. The City is hereby authorized to participate in the Board of Appeals in accordance with the provisions of the Existing Agreement attached hereto as Exhibit "A", and the by-laws of the Board of Appeals attached hereto as Exhibit "B", as such may be amended from time to time.
4. The City Manager and/or the City Council President is hereby authorized to execute all documents necessary for the City's joinder into the Board of Appeals, upon the review of same by the City Solicitor.
5. The City staff and Solicitor are hereby authorized to prepare and file all necessary and appropriate documents for the City's joinder into the Board of Appeals, as well as incorporation of this Ordinance, including its exhibits, into the Code of the City of Coatesville.
6. The City representative(s) to the Board of Appeals shall be appointed upon appropriate motion at an advertised public meeting of the City Council.
7. The City's expenditure of all funds necessary and appropriate for City's participation in the Board of Appeals is hereby authorized, including without limitation, any initial contribution, annual Board of Appeals member municipality general budget obligation and City-generated Board of Appeals' hearing expenses.
8. This Ordinance replaces any other Ordinance or other legislation by the City utilized for addressing UCC Appeals and acts to disband the City's UCC Board of Appeals.
9. This Ordinance shall be effective thirty (30) days after publication following final adoption in accordance with the City Charter and the Third-Class City Code.

ENACTED AND ORDAINED this 23rd day of April, 2018.



Linda Lavender Norris, President
City Council

ATTEST:



Michael T. Trio, City Manager

CERTIFICATION

I HEREBY CERTIFY that the foregoing Ordinance was introduced on the 9th day of April, 2018, and was duly enacted by the Council of the City of Coatesville, Chester County, Pennsylvania on the 23rd day of April, 2018, that the vote upon the said Ordinance has been recorded in the Minutes of the City Council and that the Ordinance has been fully recorded.



Michael T. Trio, City Manager