

**ORDINANCE NO. 28  
LEBOEUF TOWNSHIP  
ERIE COUNTY, PENNSYLVANIA**

**A Ordinance to adopt an Intergovernmental Agreement for Administration and Enforcement of the Uniform Construction Code, for the purpose of appointing a Joint Board of Appeals, to be established and administered by the Erie County Association of Township Officials.**

**WHEREAS**, pursuant to the Pennsylvania Construction Code Act, Act 1999-45, as amended (the "Act"), LeBoeuf Township (the "Township") has elected to administer and enforce the Uniform Construction Code (the "UCC") within the Township; and

**WHEREAS**, under Section 501(c) of the Act, the Township is required to establish a Board of Appeals to review decisions of the Code Official and review requests for variances; and

**WHEREAS**, under Section 501(b)(3) of the Act, the Township is empowered to join with other municipalities in the establishment of Joint Board of Appeals; and

**WHEREAS**, the Erie County Association of Township Officials ("ECATO") has agreed to establish and administer a Joint Board of Appeals (the "ECATO UCC Board") to serve as a UCC Board of Appeals for those municipalities within and without Erie County that have chosen to appoint the ECATO UCC Board as their UCC Board of Appeals (the "Member Municipalities"), and

**WHEREAS**, it is likely and desirable that subsequent to the enactment of this Ordinance, additional municipalities may elect to appoint the ECATO UCC Board as their UCC Board of Appeals (the "Additional Member Municipalities"); and

**WHEREAS**, the Supervisors of the Township have determined that it is in the best interests of their residents to enter into an Intergovernmental Agreement for the establishment and administration of a UCC Joint Board of Appeals.

**NOW THEREFORE**, be it ordained and enacted by the Board of Supervisors of LeBoeuf Township, Erie County, Pennsylvania, and it is hereby ordained and enacted as follows:

1. The recitations set forth above are incorporated hereby as if fully set forth.
2. The Intergovernmental Agreement for the Establishment and Administration of a UCC Joint Appeals Board (the "Agreement") attached hereto as Exhibit IA is hereby approved.
3. The duration and of the Agreement shall be perpetual, unless the Township elects to withdraw from the Agreement as set forth therein.

4. The ECATO UCC Board is hereby appointed as the UCC Board of Appeals for the Township, and shall have all powers, duties, and obligations set forth in the Act and other applicable law.

5 The establishment and administration of the ECATO UCC Board shall be financed as set forth in the Agreement, and the Township Treasurer is hereby authorized to pay the initial assessment as set forth in the Agreement to ECATO, and such other sums, costs, and fees as set forth in the Agreement.

6. ECATO shall administer the ECATO UCC Board as set forth in the Agreement.

ADOPTED this 13<sup>th</sup> day of May, 2009, and effective in five (5) days.

ATTEST:

LEBOEUF TOWNSHIP  
ERIE COUNTY, PENNSYLVANIA

Catherine Wise  
Name, Secretary

[Signature]  
Richard Gilmore - Supervisor

James H. Glover  
James Glover - Supervisor

Jack Merry  
Jack Merry - Supervisor

