

**CHELTENHAM TOWNSHIP
MONTGOMERY COUNTY, PENNSYLVANIA**

RESOLUTION NO. 46-17

**A RESOLUTION OF THE BOARD OF
COMMISSIONERS OF CHELTENHAM TOWNSHIP,
MONTGOMERY COUNTY, PENNSYLVANIA
EXPRESSING ITS OPPOSITION TO SENATE BILL
663 AND HOUSE BILL 1469 MANDATING
MUNICIPALITIES TO HIRE MULTIPLE THIRD
PARTY AGENCIES FOR UNIFORM
CONSTRUCTION CODE SERVICES**

WHEREAS, the Uniform Construction Code (UCC) was created to establish standards that can be applied to all types of construction throughout the Commonwealth of Pennsylvania to reduce the risk of substandard construction practices to life, health, property, and environment and to eliminate the need for individual municipalities to develop their own building codes; and

WHEREAS, the Pennsylvania Construction Code Act (35 P.S. §§7210.101 et. seq. (as amended July 2004) permits municipalities to administer and enforce the provisions of the UCC through the designation of one its own employees as a code official, hiring a third party agency to serve in this capacity, entering into a contract or an intermunicipal agreement with other municipalities for joint enforcement, or entering into a contract with the Department of Labor and Industry to provide such service; and

WHEREAS, on June 15, 2004, by Ordinance No. 2059-04, the Cheltenham Township Board of Commissioners adopted the UCC; and

WHEREAS, Cheltenham Township has on occasion contracted with third party agencies to assist with enforcement of the UCC; and

WHEREAS, Pennsylvania Senate Bill 663 proposes to mandate municipalities operating under the UCC who utilize third-party agencies to provide UCC enforcement services to hire three (3) third party agencies to provide choices for contractors and building owners, placing undue burden on municipalities to vet potential agencies and oversee their work; and

WHEREAS, House Bill 1469 further lessens local UCC enforcement powers by requiring municipalities who use third party inspectors to tell applicants that they may use an alternate agency not vetted by the municipality, requiring municipalities to accept the report of the alternate inspector; and

WHEREAS, this mandate causes municipalities and property owners to be vulnerable to abuse as it will encourage builders to “shop around” for the best result; and

WHEREAS, there is an effective complaint and appeals process at both the state and local level to address complaints regarding improper decisions or excessive fees.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of Cheltenham Township, Montgomery County, Pennsylvania, hereby opposes both Senate Bill 663 and House Bill 1469 which place additional and unnecessary labor and cost on the municipalities and have potential for abuse, counter to the main goal of the UCC, to reduce the risk of substandard construction practices to life, health, property, and environment.

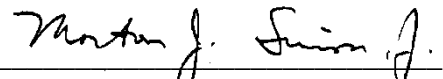
RESOLVED and adopted this **16th** day of **August 2017**, by the Board of Commissioners of the Township of Cheltenham, County of Montgomery, Commonwealth of Pennsylvania, at its public meeting held at Curtis Hall, 1250 West Church Road, Wyncote, Pennsylvania, 19095, under my hand and the Seal of the Township of Cheltenham, in the year of the Township of Cheltenham the one hundred eighteenth.

ATTEST:

**TOWNSHIP OF CHELTENHAM
BOARD OF COMMISSIONERS**



Bryan T. Havir
Township Manager and Secretary

By: 
Morton J. Simon, Jr., President