

HILLTOWN TOWNSHIP ORDINANCE NO. 88-2

AN ORDINANCE OF HILLTOWN TOWNSHIP ADOPTING A MECHANICAL CODE TO GOVERN THE SAFE INSTALLATION AND MAINTENANCE OF ALL MECHANICAL EQUIPMENT IN ORDER TO PROTECT THE PUBLIC SAFETY, HEALTH AND WELFARE, AND TO PROVIDE FOR ISSUANCE OF PERMITS, COLLECTION OF FEES, INSPECTIONS, AND PENALTIES FOR VIOLATION.

BE IT ENACTED AND ORDAINED BY THE BOARD OF SUPERVISORS OF HILLTOWN TOWNSHIP AS FOLLOWS:

SECTION I. Adoption of Mechanical Code - The Township of Hilltown hereby adopts, for the purpose of prescribing regulations governing the safe installation and maintenance of all mechanical equipment, the mechanical code known as the "BOCA Basic Mechanical Code, 1987 Edition," save and except such portions as are hereinafter deleted, modified or amended, and the same are hereby adopted and incorporated as fully as if set out at length herein. From the date hereinafter stated this ordinance shall take effect, the provisions thereof shall be controlling within the boundaries of Hilltown Township.

SECTION II. Amendments Made in Mechanical Code - The Mechanical code hereby adopted is amended as follows:

1. Hilltown Township shall be inserted wherever the words "Name of Municipality" appear in brackets therein.

2. Whenever the term "legal officer" or "legal representative" is used in this code, it shall be held to mean the Hilltown Township Solicitor.

3. Sections M-114.2, and Section M-114.3 are hereby amended to reflect that the Fee Schedule containing the appropriate filing fees for applications filed hereunder shall be prescribed by Hilltown Township by separate fee resolution.

4. Section M-117.4 is hereby amended to read as follows:

M-117.4 Penalties for Violations

Whenever any such person specified in the paragraph above who violates this ordinance or the Building Code will be issued a Cease and Desist form by the Building Inspector. The Cease and Desist form will list the violations and correction of the violation shall commence within five (5) days after notice and correct all violations within thirty (30) days, each day that a violation continues shall be considered a separate offense punishable by the like fine or penalty, and additional written notice shall not be necessary.

Any person who shall violate any provision of the Mechanical Code shall, for each and every violation, upon conviction thereof, be sentenced to pay a fine of not more than Six Hundred (\$600.00) Dollars and cost of prosecution, and, in default of payment of such fine and costs, to imprisonment for not more than thirty (30) days.

The application of the above penalties shall not be held to prevent the enforced removal of prohibited conditions, by an action at law or in equity instituted by the Township of Hilltown.

5. Section M-118.2 shall be deleted.

SECTION III. State Laws and Regulations - In all matters that are regulated by the laws of the Commonwealth of Pennsylvania or by regulations of departments or agencies of the Commonwealth promulgated by authority of law, such laws or regulations, as the case may be, shall control where the requirements thereof are the same as or more limiting than the provisions of this ordinance. The code shall control in all cases where the State requirements are not as strict as those contained in this ordinance.

SECTION IV. Validity - The invalidity of any section or part of this ordinance shall not affect the remaining sections.

SECTION V. Provisions to be Continuation of Existing Regulations - The provisions of this ordinance, so far as they are the same as those of ordinances and/or codes in force immediately prior to the enactment of this ordinance, are intended as a continuation of such ordinances and codes and not as new enactments. The provisions of this ordinance shall not affect any act done or liability

incurred, nor shall they affect any suit or prosecution pending or to be instituted to enforce any right or penalty or to punish any offense under authority of any of the repealed ordinances.

SECTION VI. Repealer - All ordinances or parts of ordinances which are inconsistent herewith are hereby repealed. The following ordinances or parts thereof are specifically repealed:

SECTION VII. Severability - 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 Hilltown Township that this ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein.

SECTION VIII. Effective Date - This ordinance shall become effective five (5) days after enactment hereof.

ENACTED AND ORDAINED this 22nd day of August, 1988 by the Board of Supervisors of Hilltown Township.

HILLTOWN TOWNSHIP
BOARD OF SUPERVISORS






