

**ORDINANCE 2023-02
BOROUGH OF DOWNINGTOWN
CHESTER COUNTY, PENNSYLVANIA**

**AN ORDINANCE OF THE BOROUGH OF DOWNINGTOWN,
CHESTER COUNTY, AMENDING ORDINANCE 2004-01, BEING
THE DOWNINGTOWN BOROUGH UNIFORM CONSTRUCTION
CODE, IN ORDER TO INCLUDE ALL UPDATES CONTAINED
WITHIN THE 2018 UNIFORM CONSTRUCTION CODE.**

BE IT ENACTED AND ORDAINED by the Borough Council of Downingtown Borough, Chester County Pennsylvania, and it is hereby **ENACTED** and **ORDAINED**, as follows:

SECTION 1. Section 120-1 of the Downingtown Borough Code, “Local Administration and Enforcement” is hereby revised to read: “The Borough of Downingtown hereby elects to administer and enforce the provisions of the Pennsylvania Construction Code Act, Act 45 of 1999, 35 P.S. § 7210.101 et seq., as amended from time to time, and its regulations now contained in 34 Pa. Code, Chapters 401-405, as amended from time to time, including but not limited to the most recent revisions thereto, which went into effect on October 1, 2018.

SECTION 2. Section 120-3 of the Downingtown Borough Code, “Board of Appeals”, is hereby revised to read: “A Board of Appeals shall be established by resolution of Borough Council in conformity with the requirements of the code and for the purposes set forth therein. If at any time enforcement and administration is undertaken jointly with one or more other municipalities, the Board of Appeals shall be established by joint action of the participating municipalities. The Borough’s Board of Administrative Appeals, as governed by Chapter 4 of the Borough Code, is expressly designated to act as the Board of Appeals as described under this chapter.”

SECTION 3. 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 hereof. It is hereby declared as the intent of Borough Council that this Ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein.

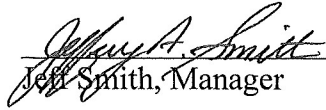
SECTION 4. This Ordinance shall become effective immediately upon approval.

SECTION 5. General Codes is hereby authorized to make non-substantive formatting and numbering changes necessary to clarify references to other sections of the Downingtown Borough Code and to bring the Ordinance into conformity with the Downingtown Borough Code.

ADOPTED by Borough Council this 5th day of July, 2023.

BOROUGH OF DOWNINGTOWN

ATTEST:

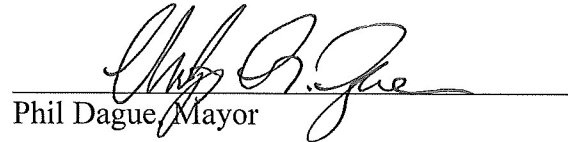


Jeff Smith, Manager



Alex Rakoff
President, Borough Council

APPROVED by the Mayor, this 5th day of July, 2023.



Phil Dague, Mayor

ENACTED this 5th day of July, 2023.