

**BOROUGH OF AVALON  
RESOLUTION NO. 996**

**A RESOLUTION OF THE BOROUGH OF AVALON, COUNTY OF ALLEGHENY AND COMMONWEALTH OF PENNSYLVANIA, ADOPTED PURSUANT TO 35 P.S. § 7210. 501 (RELATING TO ADMINISTRATION AND ENFORCEMENT), BOROUGH OF AVALON ORDINANCE NO. 907 AND ORDINANCE NO. 1285, DESIGNATING UNDER THE PENNSYLVANIA CONSTRUCTION CODE, 35 P.S. §§ 7210.101 - 7210.1103, THE ALLEGHENY COUNTY DEPARTMENT OF HEALTH, PLUMBING SECTION, TO CONTINUE TO CONDUCT PLUMBING INSPECTIONS IN THE BOROUGH OF AVALON AND TO ACT ON BEHALF OF THE BOROUGH FOR THE ADMINISTRATION AND ENFORCEMENT OF THE ACT; AUTHORIZING THE PROPER OFFICERS OF THE BOROUGH TO EXECUTE ANY AGREEMENTS DEEMED NECESSARY WITH THE ALLEGHENY COUNTY DEPARTMENT OF HEALTH, PLUMBING SECTION, TO CONTINUE TO CONDUCT SUCH INSPECTIONS; AND REPEALING ALL INCONSISTENT RESOLUTIONS.**

WHEREAS, Borough Council of the Borough of Avalon is authorized by the Pennsylvania Construction Code Act, 35 P.S. § 7210.501 (relating to administration and enforcement) to enter into a contract with the proper authorities of another municipality for the administration and enforcement of the Act; and

WHEREAS, the Borough of Avalon on September 7, 1956, enacted Ordinance No. 907 and granted the Allegheny County Department of Health any and all public health functions formerly possessed by the Borough, including but not limited to plumbing inspections and elected to become subject to its jurisdiction and its Rules and Regulations; and

WHEREAS, the Allegheny County Department of Health has been providing plumbing plan reviews, plumbing inspections and issuing plumbing permits for the Borough of Avalon; and

WHEREAS, the Borough of Avalon also has enacted Ordinance No. 1285, authorizing the Borough to enter into a contract with the proper authorities of another municipality for the administration and enforcement of the Act; and

WHEREAS, Borough Council is now desirous of designating under the Pennsylvania Construction Code, 35 P.S. §§ 7210.101 - 7210.1103, the Allegheny County Department of Health, Plumbing Section, to continue to conduct plumbing inspections in the Borough and to act on behalf of the Borough for the administration and enforcement of the Act.

**NOW THEREFORE, BE IT RESOLVED** by Borough Council of the Borough of Avalon and it is hereby resolved with the authority of the same that:

1. **Designation and Appointment of Municipal Entity.** The following municipal entity is hereby designated and appointed to continue to conduct plumbing plan reviews, plumbing inspections, to issue permits and to collect fee in all plumbing matters in the Borough of Avalon pursuant to the Pennsylvania Construction Code, 35 P.S. §§

7210.101 - 7210.1103 and to act on behalf of the Borough for the administration and enforcement of the Act:

**Allegheny County Department of Health  
Plumbing Section  
3901 Penn Avenue  
Building No. 5  
Pittsburgh, Pennsylvania 15224-1318**

2. **Authorization to Execute Agreement.** The proper officers of the Borough are hereby authorized to execute any and all documents deemed necessary or advisable designating and contracting with the Allegheny County Department of Health, Plumbing Section, to conduct plumbing inspections, conduct plan reviews, inspections and issue permits and collect fees in the Borough pursuant to the Pennsylvania Construction Code, 35 P.S. §§ 7210.101 - 7210.1103, and to act on behalf of the Borough for the administration and enforcement of the Act.

3. **Severability.** If a final decision of a court of competent jurisdiction holds any provision of this Resolution, or the application of any provisions of any circumstances of this Resolution to be illegal or unconstitutional, the other provisions of this Resolution, or the application of such provision to other circumstances, shall remain in full force and effect. The intention of the Borough Council is that the provisions of this Resolution shall be severable and that this Resolution would have been adopted if any such illegal or unconstitutional provisions had not been included.

4. **Conflict with Other Resolutions.** Any other Resolution or parts of Resolutions conflicting herewith be and the same are hereby repealed insofar as they conflict herewith.

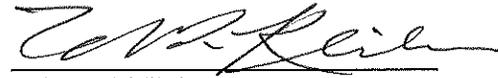
5. **Effective Date.** The provisions of this Resolution shall be effective July 1, 2004 and shall remain effective until repealed.

**RESOLVED this 15<sup>th</sup> day of June, 2004.**

**ATTEST:**

**BOROUGH OF AVALON**

  
Harry W. Dillmore  
Secretary

  
Edward Klicker  
President  
Borough Council

SEAL

THIS RESOLUTION examined and approved by me

this 15<sup>th</sup> day of June, 2004.

  
Mayor Daniel K. Bricmont, Esq.