

SUMMIT TOWNSHIP SUPERVISORS

Public Hearing 2

April 2, 2018

Chairperson Lee called a second public hearing of the Board of Supervisors to order immediately following the first public hearing at 6:37 p.m.

CALL TO ORDER

Zoning Administrator Miller explained that Summit Township is currently an "Opt-Out" Municipality regarding the administration of the Uniform Construction Code (UCC). Commercial and industrial construction has to be reviewed by PA Labor and Industry (L&I). Residential construction requires home owners to hire their own licensed, third party inspectors. As an "Opt-out" community, disreputable inspectors can leave homeowners abandoned with no occupancy permit, or bad workmanship. Another negative side of opting out is that L&I has recently more than tripled their building permit fees. Miller further explained the process to "Opt-In" requires the municipality to hire or contract a licensed Building Code Inspector to perform the duties regulated under the PA UCC as a service to the municipality. An agreement with Builders Inspection Underwriters (BIU) to provide the inspection services for Summit Township is an appendix to the proposed ordinance to provide these services. Also required is a provision to provide an avenue for Building Code appeals. An agreement with Erie County Association of Township Officials (ECATO) is also an appendix to the proposed Ordinance to provide an appeals Board and process.

PURPOSE OF HEARING:

UCC OPT-IN

Jim Chojnacki, 9481 Old French Road, asked if any Summit Township residents are members of the ECATO Appeals Board. Miller responded, no; he had researched the possibility of joining with Harborcreek, Millcreek, and Fairview who have joined together to form their own joint appeals board. Each of those member municipalities have (2) residents each as members. However, Summit Township would not be able to join this consortium until 2020 at the earliest. Supervisor Welka asked how often is the Appeals Board utilized? Miller responded, not often. Solicitor Sennett added that the ECATO UCC Appeal Board fee is \$3,000 which discourages anything but the most legitimate of challenges.

PUBLIC INPUT

Supervisor Welka asked Miller if most municipalities are "Opt-In". Miller responded; yes, of municipalities our size we are an outlier by being opt-out.

Tim Will, 2255 Dorn Road, expressed concern expressed concern that different interpretations of the code are still possible even with one designated inspection provider. He added that he opposes uses BIU as the sole inspector adding that BIU is creating a monopoly with the potential to raise inspection costs. Miller responded that BIU has a reputation for enforcing the rules consistently, and a continuing relationship depends on how BIU works with Summit Township. Miller added that BIU has not increased their fees since 2004.

Zoning Administrator Miller added that BIU meets the needs of this Board, and is a company that has a sufficient staff to adequately cover Summit's needs, and has all required certifications to inspect commercial, industrial and residential projects.

Solicitor Sennett added that it is possible that another firm could under bid BIU in the future and compete for this contract with the Township upon expiration of the current Agreement with BIU on July 8, 2020.

Mr. Chojnacki asked when the agreement with BIU expires, and if Summit Township will have the same inspector. Chojnacki expressed concern that even two different inspectors from the same company can interpret the Code differently. Miller responded that the BIU contract expires July 8, 2020 at which time BIU will be re-evaluated by the Board of Supervisors. Miller added that Bill White will generally be the Summit Township main inspector, but Bill Baker will also perform work in Summit for BIU.

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With no further input from the public, Chairman Lee closed the hearing at 6:55 p.m.

HEARING CLOSED

Respectfully submitted,

Christene S. Yeast
Recording Secretary
4/9/2018