

AN ORDINANCE TO BE KNOWN AS THE BUILDING ENERGY  
CONSERVATION ACT

WHEREAS: The Commonwealth of Pennsylvania enacted Act 222 on December 15, 1980 known and may be cited as the "Building Energy Conservation Act," and:

WHEREAS: The purpose of Act 222 is to grant to the Commonwealth of Pennsylvania and direct it and/or all units of local Government to exercise specific authority in building construction to assure that such construction is performed using materials and techniques that will provide for energy conservation in the future operation and maintenance of said buildings, and;

WHEREAS: Section 501 of Act 222 encourages and legally permits any municipality of the Commonwealth of Pennsylvania to administer the provisions of Act 222 relating to Use Group R-3 buildings, as defined in section 103, except for units subject to the act of May 11, 1972(P.L.286 No.70), known as the "Industrialized Housing Act" or those units subject to Title VI (Public Law 93-383) referred to as the Federal Manufactured Housing Construction and Safety Standards Act of 1974.

THEREFORE BE IT RESOLVED: that the borough of New Milford hereby elects to administer the provisions "Building Energy Conservation Act" for Use Group R-3 buildings as defined therein, and;

BE IT FURTHER RESOLVED; THAT THE BOROUGH OF New Milford in electing to administer the provision of Act 222 under section 501 shall exercise the same powers of Community Affairs by the Act, including the power to institute proceedings for violations of the act, with the exception of those specified in sections 301, 303 and in Chapter 4, and;

BE IT FURTHER RESOLVED: that the Borough of New Milford in addition may exercise such other administrative and enforcement procedures as it shall deem necessary to effect the purpose of Act 222, but not limited to, prior plan approval, building permit requirements and there shall be a Board of Variances established to make determinations on request for variance from the energy conservation standards contained in Act 222 or as promulgated by the Commonwealth with the approval of the State Building Energy Conservation Committee, and is authorized exclusive jurisdiction to grant such variances, section 307 (a) of Act 222 notwithstanding.

ENACTED AND ORDAINED THIS 2nd DAY OF DECEMBER 1982

ATTEST

James M. Jones SECRETARY

Russell D. Richardson MAYOR

James L. Carpentier PRESIDENT