

**WARREN BUILDING CODES DEPARTMENT
JOINT BOARD OF APPEALS**

**INSTRUCTIONS FOR COMPLETING
UCC BUILDING CODES APPEAL APPLICATION**

1. There is an application fee for submitting an Application for Review (Application) to the Uniform Construction Code (UCC) Joint Board of Appeals (Board). The fee can be found in the City of Warren fee schedule. This fee must be paid at the time the Application is submitted. Payment can be in the form of cash, certified check, money order or check from an attorney's account. Checks are to be made payable to the City of Warren.
2. Sections 1, 2, and 6 must be completed in full. Select and complete at least one of the following Sections (3, 4, or 5) to indicate the exact nature of your request (appeal, extension of time or variance).
3. Section 1- Complete information for the permit application. Attach to your application a copy of the building permit at issue, or other building permit-related materials.
4. Section 2- The contact person with whom the relevant correspondence should be sent.
5. Section 3- If you wish to appeal a Building Code Official's decision, this section is to be used. The Application must be based upon one or more of the following grounds:
 - The true intent of the Pennsylvania Construction Code Act (Act) and/or the Pennsylvania Uniform Construction Code (Code) have been incorrectly interpreted;
 - The provisions of the Act or Code do not fully apply; OR
 - An equivalent form of construction should be permitted.

YOU MUST DEMONSTRATE, EITHER THROUGH DOCUMENTATION, OR THROUGH WRITTEN DOCUMENTATION AND/OR ORAL TESTIMONY AT AN IN-PERSON HEARING, THAT YOUR REQUEST SATISFIES THE RELEVANT CRITERIA FOR GRANTING THE REQUEST.

Attach appropriate written explanation/arguments that demonstrate how your request meets one of the three reasons for the application. Attach appropriate drawings, plans, and/or illustrations, which help explain your request. Eight (8) copies of any document over 8.5" X 11" are required. Only one (1) print of each photograph exhibit is necessary. All materials submitted with this application or entered as Exhibits during the hearing become the property of the Board and the City of Warren Building Code Department and are kept with the Application.

6. Section 4- Use this section if you desire a time extension.
7. Section 5- Use this section to request a variance. The Board will consider the following when deciding upon a variance request.
 - The reasonableness of the UCC's application in a particular case.
 - The extent to which the granting of a variance or an extension of time will pose a violation of the UCC or an unsafe condition.
 - The availability of professional or technical personnel needed to come into compliance.
 - The availability of materials and equipment needed to come into compliance.
 - The efforts being made to come into compliance as quickly as possible.
 - Compensatory features that will provide an equivalent degree of protection to the UCC.
8. Section 6- The Board may decide an appeal, request for extension of time or variance by reviewing documents or written brief or argument unless the owner or owner's agent requests a hearing. Please check this box if you request a hearing. The applicant and owner if not the applicant, must sign and date the application. If a hearing is desired, then the box should be checked requesting such. If no hearing is requested, the Board will meet and decide the issue on the information submitted.
9. Section 7- Should be completed by the applicant and property owner before a recognized Notary.
10. Section 8- This section should be completed if you are requesting a Hearing and persons will appear in-person at the Hearing.

GENERAL INFORMATION

The Board meets upon application request and will schedule a hearing within sixty (60) days of the application filing date. The post marked date or the date of professional service will establish the filing date of the appeal and request for variance or extension of time. The date, place and time of the meeting or hearing during which the Application is being reviewed or heard will be confirmed by mail. An appeal or request for variance or extension of time to the Board will automatically suspend an action to enforce an order to correct until the matter is resolved. Only an action relating to an unsafe building, structure or equipment may not be stayed.

The Board may modify or reverse the decision of the Code Official only by a concurring vote of at least three (3) Board members, or by a majority of a quorum present if fewer than five (5) members present.

The Board may hold more than one (1) meeting on an application. If a hearing is requested, the hearing may be held over several dates.

Where the Board's decision will be based upon review and consideration of the relevant written materials and exhibits, the Board's decision will be made and presented at a public Board meeting within sixty (60) days of the post marked or the date of professional service when submitted with the exception of the construction of a one-or two- family residential building which decision shall be rendered with thirty (30) days of receipt of an Application. The Board may extend this period if the Applicant agrees in writing to an extension of time. A written decision will be issued to the parties involved.

Where the Board's decision will be based upon its review and consideration of relevant written materials, exhibits and testimony offered during a hearing, the hearing will be held within sixty (60) days of the post marked or the date of professional service when submitted with the exception of the construction of a one-or two- family residential building which decision shall be rendered with thirty (30) days of receipt of an Application. The Board's decision will be made and presented at a public Board meeting within sixty (60) days of the date of the hearing and within five (5) business days, if request involves the construction of a one- or two- family residential building. The Board may extend this period if the Applicant agrees in writing to an extension of time. A written decision will be issued to the parties involved.

The signed Application, Instructions for Completing, all pertinent documents and plans must be delivered to the City of Warren Building Codes Dept. along with the payment before any consideration for review can be started.

The Board may:

- Deny the request in whole or in part;
- Grant the request in whole or in part;
- Grant the request upon certain conditions being satisfied.

I/ We have read and understand the foregoing instructions and general information:

Applicant (s):

Signature Date

Signature Date

Property Owner (if different from Applicant)

Signature Date _____

Signature Date _____

Building Code Official Signature:

Building Code Official for Municipality Date _____