



## **WHITEHALL TOWNSHIP BUILDING CODE BOARD OF APPEALS APPLICATION**

3219 MacArthur Road  
Whitehall, PA 18052  
610-437-5524 Ext. 1128  
[www.whitehalltownship.org](http://www.whitehalltownship.org)

### **GENERAL INFORMATION**

1. An appeal may be filed by an aggrieved party, with the consent of the Property Owner, regarding the application or interpretation of the various Whitehall Township Building, Plumbing, Electrical, Mechanical, and Property Maintenance Codes as well as the local amendments attached thereto.

All Pennsylvania Uniform Construction Code appeals for Whitehall Township must be submitted to the Bureau of Planning, Zoning & Development with the attached forms completed. Forms improperly completed will be returned to the Petitioner. Please consult the Inspector responsible for the decision you are appealing for the code(s) and version(s) that are applicable to the appeal.

2. The Building Code Board of Appeals meets on an as needed basis. Once application is received, the required hearing will be scheduled as soon as possible. Typically, meetings are held on the 3<sup>rd</sup> Wednesday of every month at 9:00 AM in the caucus room of the Whitehall Township Municipal Building. No meeting will be scheduled sooner than 10 days from submission. These meetings are public meetings and are advertised as such.

3. Fees required:

Pursuant to the Whitehall Township Fee Schedule, the following fees shall be paid to cover the costs of the filing of such an appeal:

- A. \$ 150.00 in the case of appeals involving single family residences.
- B. \$ 500.00 in the case of appeals involving other residences up to an including five (5) units.
- C. \$ 1,000.00 for all other appeals.

The appropriate fee shall be paid to the Township of Whitehall prior to the entry or filing of said appeal, and is intended to cover the costs of filing, docketing, and hearing, providing stenographic recording, or advertisement and notices in connection with the appeal.

4. Complete the attached forms as follows:
  - A. Complete the Petitioner, Property Owner and Property Location information.
  - B. Choose Appeals Meeting or Appeals Hearing:
    1. **Appeals Meeting:** Meeting format where the Appeals Board reviews the Appeal Application. It is recommended that the Applicant and Property Owner attend the meeting as questions may be asked of the applicants for clarification purposes. The decision rendered by the Appeals Board is based on the information presented in the application. This format does not provide for testimony of witnesses regard to the appeal.
    2. **Appeals Hearing:** Hearing format where the Petitioner and Property Owner presents the appeals request to the Board. This format provides for testimony from witnesses and/or counsel as deemed required by the applicant. All people who present information will be testifying under oath during the proceedings. The Appeals Board may have legal counsel present and a stenographer at the Hearing.
  - C. Select the appropriate ICC Code for which the appeal is requested. Attach a copy of the code section for which relief is being requested. Check the appropriate ICC Code and provide the code section number on the space provided.
  - D. Select reason for appeal. The Pennsylvania Uniform Construction Code Act contains justifications for appeal of the Pennsylvania Uniform Construction Code. These provisions for appeal are:
    - a) The true intent of the Act or Uniform Construction Code was incorrectly interpreted.
    - b) The provisions of the Act do not apply.
    - c) An equivalent form of construction is to be used.
  - E. Provide supporting documentation and/or the relief requested from the Pennsylvania Uniform Construction Code. Use a separate sheet if necessary.
  - F. Complete Certification Page with a Notary signature and seal.
  - G. Provide nine (9) copies of all documentation being submitted.
5. No hearing will be scheduled for those applications filed which are incomplete.
6. Subsequent to the appeal being considered by the Appeals Board, a written decision will be prepared by the Township Solicitor and forwarded to the Applicant.
7. A stenographic transcript is made of all appeals, and copies of same will be available for purchase through the Stenographer.
8. PLEASE NOTE THAT NO APPEALS MAY BE MADE TO THE TOWNSHIP FOR ISSUES PERTAINING TO ACCESSIBILITY. ALL SUCH APPEALS MUST BE DIRECTED TO PENNSYLVANIA DEPARTMENT OF LABOR & INDUSTRY (for more information see [www.dli.state.pa.us](http://www.dli.state.pa.us)).

**WHITEHALL TOWNSHIP  
BUILDING CODE BOARD OF APPEALS  
APPLICATION**

<b>FOR TOWNSHIP USE ONLY</b>
APPEAL NO. _____
FEE PAID \$ _____
MEETING DATE _____

PROJECT LOCATION: \_\_\_\_\_

- Parcel Identification Number (PIN): \_\_\_\_\_

What is the Flood Insurance Rate Map (FIRM) Information (*Required*):

- Map / Panel Number: \_\_\_\_\_
- FIRM Index Date: \_\_\_\_\_
- FIRM Panel Effective Date / Reviewed Date: \_\_\_\_\_
- Flood Zone(s): \_\_\_\_\_

PETITIONER:

Name: \_\_\_\_\_

Company: \_\_\_\_\_

Address: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

Telephone: \_\_\_\_\_ Email: \_\_\_\_\_

Relationship to Property Owner: \_\_\_\_\_

*(For appeal hearings, list witnesses on the Witness Registration Page)*

PROPERTY OWNER:

Name: \_\_\_\_\_

Company: \_\_\_\_\_

Address: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

Telephone: \_\_\_\_\_ Email: \_\_\_\_\_

**APPEAL METHOD:**

*(Check one)*

\_\_\_\_\_ Appeals Meeting - No testimony given

\_\_\_\_\_ Appeals Hearing - Testimony is presented

**ALL APPEALS:**

1. I / WE HEREBY APPEAL THE FOLLOWING: (ADDRESS SPECIFICALLY THE FINDINGS, CONDITIONS AND/OR POLICIES WITH WHICH YOU DISAGREE. ALSO, INCLUDE WHAT ACTION/CHANGES YOU DESIRE):

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2. STATE WHY YOU ARE APPEALING. BE SPECIFIC. REFERENCE ANY ERRORS OR OMISSIONS AND ATTACH ANY SUPPORTING DOCUMENTATION.

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**UNIFORM CONSTRUCTION CODE APPEALS:**

1. ICC Code for which appeal is requested:

*(List applicable Code section(s) behind Code and attach a copy of the text of the Code)*

\_\_\_\_\_ International Building Code \_\_\_\_\_

\_\_\_\_\_ International Residential Code \_\_\_\_\_

\_\_\_\_\_ International Existing Building Code \_\_\_\_\_

\_\_\_\_\_ International Fire Code \_\_\_\_\_

\_\_\_\_\_ International Mechanical Code \_\_\_\_\_

\_\_\_\_\_ International Plumbing Code \_\_\_\_\_

- \_\_\_\_\_ International Fuel Gas Code \_\_\_\_\_
- \_\_\_\_\_ International Property Maintenance Code \_\_\_\_\_
- \_\_\_\_\_ International Energy Conservation Code \_\_\_\_\_
- \_\_\_\_\_ International Urban-Wildland Code \_\_\_\_\_
- \_\_\_\_\_ ICC Electrical Code \_\_\_\_\_

2. Reason for Appeal:

- \_\_\_\_\_ The true intent of the Act or Uniform Construction Code was incorrectly interpreted.
- \_\_\_\_\_ The provisions of the Act do not apply.
- \_\_\_\_\_ An equivalent form of construction is to be used.

3. Supporting Documentation and/or Relief Requested:

*(Use a separate sheet of paper if necessary)*

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*(Please use one sheet per code appeal)*

**CERTIFICATION PAGE**

I, \_\_\_\_\_, hereby attest the attached information is true and accurate for the property located at \_\_\_\_\_ in \_\_\_\_\_ (Name of municipality).

\_\_\_\_\_ Signature of Applicant

\_\_\_\_\_ Print Name and Title

**SWORN AND SUBSCRIBE before me**

**This** \_\_\_\_\_ **day of** \_\_\_\_\_, **20** \_\_\_\_\_

\_\_\_\_\_  
Notary Public

**My Commission Expires** \_\_\_\_\_

I hereby authorize the Building Code Board of Appeals, Whitehall Township UCC Appeals Board and other Whitehall Building Officials to view and inspect the property which is the subject of this Application at any time during the pendency of said Application and the construction related thereto.

\_\_\_\_\_ Signature of Applicant \_\_\_\_\_ Date

\_\_\_\_\_ Signature of Property Owner \_\_\_\_\_ Date

**WITNESS REGISTRATION PAGE**

Witness Name: \_\_\_\_\_

Company: \_\_\_\_\_

Telephone: \_\_\_\_\_

Relationship to Property Owner (circle one):

Architect      Engineer      Contractor      Lawyer      Other \_\_\_\_\_

Witness Name: \_\_\_\_\_

Company: \_\_\_\_\_

Telephone: \_\_\_\_\_

Relationship to Property Owner (circle one):

Architect      Engineer      Contractor      Lawyer      Other \_\_\_\_\_

Witness Name: \_\_\_\_\_

Company: \_\_\_\_\_

Telephone: \_\_\_\_\_

Relationship to Property Owner (circle one):

Architect      Engineer      Contractor      Lawyer      Other \_\_\_\_\_

Witness Name: \_\_\_\_\_

Company: \_\_\_\_\_

Telephone: \_\_\_\_\_

Relationship to Property Owner (circle one):

Architect      Engineer      Contractor      Lawyer      Other \_\_\_\_\_

*(Use multiple sheets if required)*