

**INSTRUCTION SHEET FOR APPEAL APPLICATION
UNIFORM CONSTRUCTION CODE APPEALS BOARD**

All Uniform Construction Code appeals in Middletown Township must be submitted to the Building and Codes Department with the attached forms completed. Forms improperly completed will be returned to the Applicant. Please consult the Building and Codes Department for the code(s) and version(s) that are applicable to your appeal.

Complete the attached forms as follows:

1. Complete the Applicant, Property Owner and Property Location Information
2. Select format for consideration of application:
 - (a) **Documentary:** An appeal pursuant to 34 Pa. Code § 403.122(d) where the Appeals Board decides an appeal or request for relief based on the application and documents submitted to the Board. This format does not provide for oral testimony by the Applicant or the Applicant's witnesses. A meeting will be scheduled during which the Appeals Board will deliberate as necessary and render a decision.
Fee: \$ (see current fee schedule)
 - (b) **Hearing:** An appeal pursuant to 34 Pa. Code § 403.122(e) where the Appeals Board decides an appeal or request for relief based on the application, other documents submitted to the Board, and testimony from witnesses and/or counsel for the Applicant and other interested parties. All people who present information will be testifying under oath during the proceeding. The Appeals Board may have legal counsel present and a stenographer will record the hearing.
Fee: \$ (see current fee schedule)
3. Identify the appropriate Township code, ICC code, or other applicable regulation from which the appeal request for relief is made. Attach a copy of the applicable code section for which relief is being requested.
4. Select basis for appeal or request for relief. The Pennsylvania Construction Code Act and Uniform Construction Code contain provisions for appeals and requests for relief. These provisions are:
 - (a) Appeal:
 - (i) The true intent of the Act or Code was incorrectly interpreted.
 - (ii) The provisions of the Act do not apply.
 - (iii) An equivalent form of construction is to be used.
 - (b) Request for variance.
 - (c) Request for extension of time.
5. Provide a written description of the Property, the proposed improvements to the Property and the relief requested.
6. Identify and attach supporting documentation. Provide eight (8) copies of all documentation provided.
7. Identify attorney who may represent the Applicant in the appeal.
8. Complete and notarize confirmation page.

The application fee is due at time of application.

Checks shall be made payable to: "Middletown Township"

Checks/Application mailed to: Middletown Township, P.O. Box 157, Lima, PA 19037-0504

**APPEAL APPLICATION
UNIFORM CONSTRUCTION CODE APPEALS BOARD**

Applicant:

Name: _____

Company: _____

Address: _____

City, State Zip: _____

Phone: _____

Email: _____

Relationship to Property Owner: _____

Property Owner:

Name _____

Company _____

Address _____

City, State Zip: _____

Phone: _____

Email _____

Relationship to Applicant: _____

Property Identification:

Street Address: _____

Tax Parcel Number: _____

Proceeding Method: (check one)

- Documentary pursuant to 34 Pa. Code § 403.122(d)
- Hearing pursuant to 34 Pa. Code § 403.122(e) (if known at time of application, identify witnesses on witness registration page)

----- Township Office Use Only -----

Date Submitted _____

Control Number _____

Fee _____

Permit Number _____

Received By _____

If this is an appeal from a decision of the Code Official seeking relief from the terms of the Act, UCC regulations and/or Township Code, state the specific sections of the Act, UCC and/or Township Code as to which the relief is being sought:

Basis for Appeal:

- The true intent of the Act, UCC or Township Code was incorrectly interpreted.
- The provisions of the Act, UCC or Township Code do not apply.
- An equivalent form of construction is to be used.

If this is a request for a variance from the terms of the Act, UCC and/or Township Code, state the specific sections of the Act, UCC and/or Township Code as to which the relief is being sought:

If this is a request for an extension of time under the Act, UCC and/or Township Code, for compliance with the terms of the Act, UCC and/or Township Code or from enforcement of the terms of the Act, UCC and/or Township Code, state the specific sections of the Act, UCC and/or Township Code as to which the relief is being sought:

Description of Existing Improvements on the Property:

Description of Proposed Improvements on the Property:

Description of Relief Requested: (use separate sheet if necessary)

Identification of attached supporting documentation:

- Plot Plan
- Building Plan
- Permits
- Photographs
- Written Brief or Argument

The following attorney will represent the Applicant:

Name: _____

Address: _____

Email: _____

Telephone Number _____

Fax Number _____

Signature of Applicant

Name: _____

Title _____

CERTIFICATION PAGE

I _____, hereby attest the attached information is true and accurate for the property located at _____ in Middletown Township.

Signature of Applicant

Print Name and Title

SWORN AND SUBSCRIBED before me this
day of __, 20

Notary Public

My Commission Expires

I hereby authorize the Middletown Township Uniform Construction Code Appeals Board and Township 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

Print Name and Title

Signature of Property Owner

WAIVER

I/We hereby voluntarily waive the provisions of the Construction Code Act and Uniform Construction Code that the proceeding before the Uniform Construction Code Appeals Board be held within sixty (60) days [thirty (30) days for one- and two-family dwellings] of the filing of the application. I understand that this waiver may be revoked by written notice to the Board in which case all required time periods will begin to run from the date of filing the notice of revocation.

Date

Signature of Applicant

Print Name and Title

WAIVER

I/We hereby voluntarily waive the provisions of the Construction Code Act and Uniform Construction Code that the Uniform Construction Code Appeals Board shall render a written decision, or when no decision is called for, make written findings on the application within forty-five (45) days [five (5) days for one- and two-family dwellings] after the last hearing before the Board. I understand that this waiver may be revoked by written notice to the Board in which case all required time periods will begin to run from the date of filing the notice of revocation.

Date

Signature of Applicant

Print Name and Title

WITNESS REGISTRATION PAGE

Witness Name: _____

Company: _____

Phone: _____

Relationship to Applicant (check one)

- Architect Engineer Contractor Attorney _____ Other _____

Witness Name: _____

Company: _____

Phone: _____

Relationship to Applicant (check one)

- Architect Engineer Contractor Attorney Other _____

Witness Name: _____

Company: _____

Phone: _____

Relationship to Applicant (check one)

- Architect Engineer Contractor Attorney Other _____

Witness Name: _____

Company: _____

Phone: _____

Relationship to Applicant (check one)

- Architect Engineer Contractor Attorney Other

Use multiple sheets if required