

**RUSH TOWNSHIP SCHUYLKILL COUNTY, PENNSYLVANIA
RESOLUTION NO. 2005- 09**

**A RESOLUTION REPEALING RUSH TOWNSHIP RESOLUTION 04-09, AND
WITHDRAWING FROM THE EASTERN SCHUYLKILL CODE COUNCIL**

WHEREAS, Rush Township, Schuylkill County, Pennsylvania, as a second class township organized under the laws of the Commonwealth of Pennsylvania situate in Schuylkill County, Pennsylvania; and,

WHEREAS, the Commonwealth of Pennsylvania adopted the Uniform Construction Code setting forth various building codes enforceable throughout the Commonwealth of Pennsylvania, including Rush Township; and,

WHEREAS, in order to better administer the code, Rush Township, on July 2, 2004, adopted Resolution 2004-09 authorizing the township to enter into an agreement with a consortium of neighboring municipalities to be known as the Eastern Schuylkill Code Council for the enforcement of the UCC; and,

WHEREAS, Rush Township anticipated other neighboring municipalities who had indicated their intentions or interests in joining said Code Council to do so in a timely manner; and,

WHEREAS, as of the date of this Resolution, no other municipalities has joined the said ESCC and several municipalities have indicated their intentions not to participate in the consortium; and

WHEREAS, Rush Township must therefore provide for its own enforcement and has made arrangements to do so;

NOW THEREFORE, at a duly advertised public meeting, the Rush Township Board of Supervisors hereby resolve as follows:

1. That Rush Township formally withdraws from and shall not participate further in the Eastern Schuylkill Code Council for the enforcement of the Uniform Construction Code in Rush Township, the said ESCC never actually having come into being; and

2. The Supervisors shall send any requisite notices to the Council indicating that Rush Township considers the Council as never having existed and therefore is no longer a participant; and,

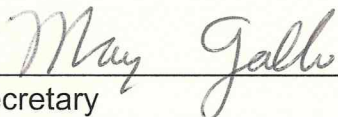
3. That Rush Township hereby accepts the offer of the Borough of Tamaqua to use their Appeals Council for appeals from any decisions involving the Rush Township Code Enforcement Officer's decisions; and,

4. The township is hereby authorized to complete and forward all necessary documentation and filings required by law regarding the change of the enforcement of the UCC in Rush Township.

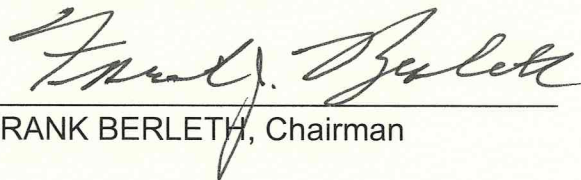
ADOPTED BY THE RUSH TOWNSHIP BOARD OF SUPERVISORS this 18th

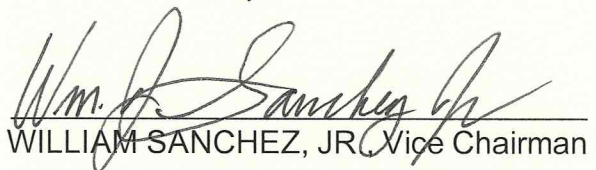
day of May, 2005.

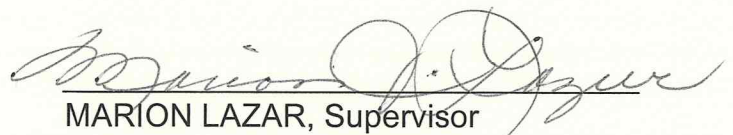
ATTEST:


Secretary

RUSH TOWNSHIP BY:


FRANK BERLETH, Chairman


WILLIAM SANCHEZ, JR., Vice Chairman


MARION LAZAR, Supervisor