



TOWNSHIP OF WARWICK

Administration Building, 1733 Township Greene, Jamison, PA 18929-1621

phone: 215/343-6100

fax: 215/343-4407

www.warwick-bucks.org

Uniform Construction Code Appeals Board

General Information

1. Any person or entity shall have the right to appeal a decision of the UCC Code Official to the Appeals Board. An application for appeal must be filed with the Township no later than twenty (20) days following the decision of the Code Official. The Appeal shall be based on a claim that the true intent of this Code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this Code do not fully apply, or an equivalent form of construction is to be used.
2. Upon receipt of an application for appeal, the Township shall forward the application to the Chairperson of the Appeals Board.
3. The Chairperson of the Appeals Board shall schedule a public hearing no later than twenty (20) days following the Township's receipt of the Application for Appeal.
4. Notice of the hearing shall be given to the applicant at least seven (7) days prior to the hearing, and shall be published in a newspaper of general circulation in the Township at least one week prior to the hearing.
5. The hearing shall be conducted by the Appeals Board or the Appeals Board may appoint any member as hearing officer. The decision may be made by the Board; however, the applicant and the Code Officer may, prior to the decision of the hearing, waive the decision or findings by the Board and accept the decision or findings of the hearing officer as final.
6. The parties to the hearing shall be the municipality, represented by the Code Enforcement Official, the applicant, and any person affected by the application who has made a timely appearance of record before the Appeals Board. The Appeals Board shall have the power to require that all persons who wish to be considered parties enter appearances in writing on forms provided by the Board for that purpose.
7. The Chairperson of the Appeals Board shall have the power to administer oaths and issue subpoenas to compel the attendance of witnesses and the production of relevant documents and papers, including witnesses and documents requested by the parties.
8. The parties shall have the right to be represented by Counsel and shall be afforded the opportunity to respond and present evidence, make argument, and cross-examine adverse witnesses on all relevant issues.
9. Formal rules of evidence shall not apply, but irrelevant, immaterial and unduly repetitious evidence may be excluded.
10. The Appeals Board or hearing officer, as the case may be, shall keep a stenographic record of the proceedings. The appearance fee for a stenographer shall be paid by the applicant. The cost of the original transcript shall also be paid by the applicant. In the event additional copies of the

transcript are ordered, the cost of the additional copies shall be paid by the person requesting such copy or copies.

11. The Appeals Board or the hearing officer shall not communicate, directly or indirectly, with any party or his representatives in connection with any issue involved except upon notice and opportunity for all parties to participate, shall not take notice of any communication, reports, staff memorandum or other materials, unless the parties are afforded an opportunity to contest the materials so noticed and shall not inspect the site or its surroundings after the commencement of hearings with any parties or his representative unless all parties are given an opportunity to be present.
12. The Appeals Board or hearing officer, as the case may be, shall render a written decision, within thirty (30) days after the last hearing. Upon request of the applicant, the decision shall be accompanied by findings and facts and conclusions based on Code provisions. The hearing is conducted by a hearing officer and there has been no stipulation that his decisions or findings are final, the Board shall make the report and recommendations of the hearing officer available to the parties within thirty (30) days and the parties shall be entitled to make written representations thereon to the Appeals Board prior to the final decision, and the Appeal Board's decision shall be entered no later than thirty (30) days following the report of the hearing officer.
13. A copy of the final decision shall be delivered to the applicant no later than seven (7) days following the date of issuance. All other persons who have party status in the matter shall likewise be mailed copies of the decision within seven (7) days of issuance.
14. When no hearing examiner is appointed, and three members are not present to hear an appeal, either the applicant or the applicant's representative shall have the right to request a postponement of the hearing.
15. The applicant or any party to the proceeding before the Appeals Board shall have the right to apply to the Court of Common Pleas of Bucks County for a Writ of Certiorari to correct errors of law. Appeals to the Court of Common Pleas shall be filed no later than thirty (30) days of the date of the decision of the Appeals Board or hearing officer.



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Uniform Construction Code Appeals Application

Three (3) paper copies and one (1) electronic copy of this application, including all plans and drawings must be submitted to the Director of Planning and Zoning together with the application fee. No application will be accepted without an adequate plan or drawing of the subject premises/structure.

DOCKET NUMBER _____

1. The undersigned application hereby claims that: (check applicable letter)
 - a. _____ the true intent of this Code or the rules legally adopted thereunder have been incorrectly interpreted
 - b. _____ the provisions of this Code do not fully apply
 - c. _____ an equivalent form of construction is to be used

The following is a list of questions designed to assist you and the Uniform Construction Code Board in the review of your appeal. Please thoroughly answer all questions which are applicable to your appeal and return this form to the Director of Planning and Zoning when you file your application. Please type or print clearly.

2. Name and address of property owner: _____

 Telephone number: _____
 Email address: _____
3. Name and address of applicant: _____

 Telephone number: _____
 Email address: _____
4. If the applicant is not the owner, state applicant's authority to bring this application, full name and mailing address, and the specific interest in the appeal. (i.e. agent for owner, equitable interest, agreement of sale, etc.)
5. Address and TMP# of property affected by this appeal: _____

6. Has any previous application of appeal been filed in connection with these premises?: _____

7. If yes, what was the outcome of that appeal?: _____

8. What was the date of acquisition of the subject premises by the owner?

9. What Code section/ordinance is the basis for this appeal? _____

UPON WHAT GROUNDS DO YOU BASE THIS APPEAL?

(Complete that which applies for your appeal)

10. If your appeal is based on that the true intent of this Code or the rules legally adopted thereunder have been incorrectly interpreted...
a. How was the Code incorrectly interpreted? _____

11. If your appeal is based on that the provisions of this Code do not fully apply...
a. Why should they not apply? _____

b. How should they be applied? _____

12. If your appeal is based on that an equivalent form of construction is to be used...
a. What is your equivalent form of construction? _____

b. How does your form differ from the approved form? _____

c. Include proof from a design professional that your form of construction is equivalent.

13. Include any other information pertinent to your appeal: _____

14. By filing this application, applicant agrees to reimburse Warwick Township for all costs incurred by the Township in the processing of this application to the extent that those costs exceed the filing fee.

15. Please check the appropriate letter as it pertains to your legal representation:

a. _____ I am not represented by an attorney in connection with the application.

b. _____ In connection with this application, I am represented by:

Address _____

Telephone Number: _____

I HEREBY CERTIFY THAT ALL THE ABOVE STATEMENTS CONTAINED IN ANY PAPER OR PLOT PLAN SUBMITTED HERewith ARE TRUE TO THE BEST OF MY KNOWLEDGE AND BELIEF.

APPLICANT: _____

DATE: _____

(SEAL)

COMMONWEALTH OF PENNSYLVANIA

ss.

COUNTY OF BUCKS

The undersigned, being duly sworn according to law, deposes and says that he/she is the above-named applicant, that he/she is authorized to, and does, take this affidavit on behalf of the owner, and the foregoing facts are true and correct.

(Applicant)

Sworn and subscribed before me this

_____ day of _____ 2 _____

(Notary Public)

(Date Received)

(Director of Planning and Zoning)