

CHAPTER 4

BUILDINGS

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Part 1
Building Permits

§101. Statement of Intent.

1. It shall be unlawful for any person, partnership, business or corporation to undertake or cause to be undertaken, the construction, reconstruction, enlargement, alteration, or relocation of any building or structure, unless an approved building permit has been obtained from the Municipal Building Permit Officer.

2. A building permit shall not be required for repairs to existing buildings or structures, provided that no structural changes or modifications are involved.

(Ord. 128, 10/1/1973, §1)

§102. Definitions. For the purposes of this Part, the following definitions shall apply:

BUILDING - a combination of materials to form a permanent structure, having walls and a roof. Included shall be all mobile homes and trailers to be used for human habitation.

PERSON - any person, persons, partnership, business or corporation.

STRUCTURE - a combination of materials to form anything permanently affixed to or in the ground or to any other building or structure permanently affixed to or in the ground. Included shall be such things as driveways, carports, porches, swimming pools, etc.

(Ord. 128, 10/1/1973, §2)

§103. Application Procedure. Application for such a building permit shall be made in writing, to the Building Permit Officer on forms supplied by the Municipality. Such application shall contain at least the following:

1. Name and address of applicant.
2. Name and address of owner of land on which proposed construction is to occur.
3. Name and address of contractor.
4. Site location.
5. Brief description of proposed work and estimated cost.
6. A plan of the site showing the exact size and location of the proposed construction, as well as any existing buildings or structures.

(Ord. 128, 10/1/1973, §3)

§104. Issuance of Permit. The Building Permit Officer shall issue a building permit only after it has been determined that the proposed construction will be in conformance with the applicable requirements and regulations. (Ord. 128, 10/1/1973, §4)

§105. Permit Changes. After the issuance of a building permit by the Building Permit Officer, no changes of any kind shall be made to the application, permit, or any of the plans, specifications or other documents submitted with the application, without the written consent or approval of the Building Permit Officer. (Ord. 128, 10/1/1973, §5)

§106. Placards. In addition to the building permit, the Building Permit Officer shall issue a placard, which shall be displayed on the premises during the time construction is in progress. This placard shall show the number of the building permit, the date of its issuance and be signed by the Building Permit Officer. (Ord. 128, 10/1/1973, §6)

§107. Start of Construction. Work on the proposed construction shall begin within six (6) months after the date of issuance of the building permit or the permit shall expire, unless a time extension is granted, in writing, by the Building Permit Officer. Construction shall be considered to have started with the first placement of permanent construction of the site, such as the pouring of slabs or footings or any work beyond the stage of excavation. For a structure without a basement or poured footings, the start of construction includes the first permanent framing or assembly of the structure or any part thereof on its pilings or foundation, or the affixing of any prefabricated structure or mobile home to its permanent site. Permanent construction does not include land preparation, land clearing, grading, filling, excavation for basement, footings, piers, or foundations, erection of temporary forms; the installation of piling under proposed subsurface footings; or the installation of sewer, gas, and water pipes, or electric or other service lines from the street. (Ord. 128, 10/1/1973, §7)

§108. Inspection and Revocation. During the construction period, the Building Permit Officer or other authorized official, may inspect the premises to determine that the work is progressing in compliance with the information provided on the permit application and with all applicable municipal laws and ordinances. In the event the Building Permit Officer discovers that the work does not comply with the permit application or any applicable laws and ordinances, or that there has been a false statement or misrepresentation by any applicant, the Building Permit Officer shall revoke the building permit and report such fact to the Borough Council for whatever action it considers necessary. (Ord. 128, 10/1/1973, §8)

§109. Fees. Application for a building permit shall be accompanied by a fee, payable to the Municipality, based upon the estimated cost of the proposed construction, as determined by the Building Permit Officer at the following rates:

<u>Estimated Cost</u>	<u>Fee</u>
\$ 0.00 to \$ 200.00	\$0.00
201.00 to \$1,000.00	\$5.00
Each additional \$1,000.00, or part thereof, beyond the first \$1,000.00	\$1.00

(Ord. 128, 10/1/1973, §9)

§110. Appeals. Any person aggrieved by the Building Permit Officer's estimate of the cost of the proposed construction, may appeal to the Borough Council. Such appeal must be filed, in writing, within thirty (30) days after the determination by the Building Permit Officer. Upon receipt of such appeal, the Borough Council shall set a time and place not less than ten (10) nor more than thirty (30) days for the purpose of hearing the appeal. Notice of the time and place of the hearing of the appeal shall be given to all parties at which time they may appear and be heard. The determination of the estimated cost of work¹ by the Borough Council shall be final in all cases. (Ord. 128, 10/1/1973, §10)

§111. Penalties. Any person, firm or corporation who shall violate any provision of this Part 1 shall, upon conviction thereof, be sentenced to pay a fine of not more than three hundred dollars (\$300.00); and/or to imprisonment for a term not to exceed ninety (90) days. Every day that a violation of this Part 1 continues shall constitute a separate offense. (Ord. 128, 10/1/1973, §11; as amended by Ord. 153, 2/2/1987)

¹ "and" in original.

Part 2

Removal or Repair of Dangerous Structures

§201. Investigation and Examination. Whenever it shall be reported to the Borough Secretary, that any structure, completed or in process of construction, or any portion thereof, is in a dangerous condition, the President and Secretary shall immediately cause an investigation and examination to be made of such structure. If such investigation or examination indicates such structure to be dangerous in any respect, the President and Secretary shall report, in writing, to the Mayor, specifying the exact condition of such structure, setting forth in such report whether and in what respect they consider such structure to be dangerous, and, if so, whether such structure is capable of being properly repaired or whether it shall be removed as a dangerous structure. (Ord. 98, 5/23/1963, §1)

§202. Notice. If any structure is reported by the President and the Secretary, as provided in the first section of the Part, to be in a dangerous condition, the Mayor shall forthwith cause written notice to be served upon the owner of such structure. Such notice shall require the owner of such structure to commence the repair or removal of such building within ten (10) days of such notice and to complete such repair or removal within thirty (30) days thereof, provided; in any case where the notice prescribes the repair of any structure, the owner thereof shall have the option to remove such structure, instead of making the repairs thereto, within the said time limit. (Ord. 98, 5/23/1963, §2)

§203. Serving of Notice. The notice required by the second section of this Part, shall be served personally upon the owner of a structure, if such owner resides in the Borough, or upon the agent of such owner, if such agent has a residence or place of business within the Borough. If neither, the owner nor the agent thereof can be served within the Borough, as hereby provided, such notice shall be sent to the owner of such structure by registered mail, at the last known address thereof. (Ord. 98, 5/23/1963, §3)

§204. Violations. If the owner of any dangerous structure, to whom or which a notice to repair or remove such structure shall be sent under the provisions of this Part, fails to commence or to complete such repair or removal within the time limit prescribed by such notice, he shall be guilty of a violation of this Part, and, upon conviction thereof, shall be subject to the penalties outlined in §206. (Ord. 98, 5/23/1963, §4; as amended by Ord. 153, 2/2/1987)

§205. Borough Empowered to Repair or Remove. If the owner of any dangerous structure, to whom or which a notice to repair or to remove such structure shall be sent, under the provisions of this Part, fails to limit prescribed by such notice, the Mayor shall be empowered to cause such work of repair or removal to be commenced and or completed by the Borough, and the cost and expense thereof, with a penalty of ten percent (10%) shall be collected from the owner of such structure in the manner provided by law.

Provided: the recovery of such cost and expense, together with the penalty, may be in addition to the penalty imposed, as provided for in §206 of this Part. (Ord. 98, 5/23/1963, §5; as amended by Ord. 153, 2/2/1987)

§206. Penalties. Any person, firm or corporation who shall violate any provision of this Part 2 shall, upon conviction thereof, be sentenced to pay a fine of not more than three hundred dollars (\$300.00); and/or to imprisonment for a term not to exceed ninety (90) days. (Ord. 98, 5/23/1963, §6; as amended by Ord. 153, 2/2/1987)