

Part 2

Administration

§201. Building Permits Required. Building permits shall be required before any construction or development is undertaken within any area of the Borough. (Ord. 219, 6/2/1981, §2.00)

§202. Issuance of Building Permit.

1. The Building Permit Officer shall issue a building permit only after it has been determined that the proposed work to be undertaken will be in conformance with the requirements of this Chapter and all other applicable codes and ordinances.

2. Prior to the issuance of any building permit the Building Permit Officer shall review the application for permit to determine if all other necessary governmental permits such as those required by State and Federal laws have been obtained, such as those required by Act 537, the Pennsylvania Sewage Facilities Act, 35 P.S. §§750.1-750.20; the Dam Safety and Encroachments Act, 32 P.S. §693.1 et seq.; the U.S. Clean Water Act, §404, 33 U.S.C. §1334; and the Pennsylvania Clean Streams Act, 35 P.S. §691.1 et seq.

3. No encroachment, alteration or improvement of any kind shall be made to any watercourse until all adjacent municipalities which may be affected by such action have been notified by the Borough and until all required permits or approvals have been first obtained from the Department of Environmental Resources, Bureau of Dams and Waterway Management.

4. In addition, the Federal Insurance Administrator and Pennsylvania Department of Community Affairs, Bureau of Community Planning, shall be notified by the Borough prior to any alteration or relocation of any watercourse.

(Ord. 219, 6/2/1981, §2.01)

§203. Application Procedures and Requirements.

1. Application for such a building permit shall be made, in writing, to the Building Permit Officer on forms supplied by the Borough. Such application shall contain the following:

A. Name and address of applicant.

B. Name and address of owner of land on which the proposed construction is to occur.

C. Name and address of contractor.

D. Site location.

E. Listing of other permits required.

F. Brief description of proposed work and estimated cost.

G. A plan of the site showing the exact size and location of the proposed construction as well as any existing buildings or structures.

2. If any proposed construction or development is located within, or partially within, any identified floodplain area, applicants for building permits and special permits shall also provide the following specific information:

A. A plan of the entire site, drawn at a scale of one (1") inch being equal to one hundred (100') feet or less, showing the following:

(1) North arrow, scale and date.

(2) A location map showing the vicinity in which the proposed activity or development is to be located within the municipality.

(3) Topography based upon the National Geodetic Vertical Datum showing existing and proposed contours at intervals of two (2') feet.

(4) All property and lot lines including dimensions, and the size of the site expressed in acres or square feet.

(5) The location of all existing streets, drives, and other accessways with information concerning widths, pavement types, construction and elevations.

(6) The location of any existing bodies of water or water-courses, buildings, structures and other public or private facilities, and any other natural or man-made features affecting, or affected by, the proposed activity or development.

(7) The location of the identified floodplain area boundary line, floodway line if available, information and spot elevations concerning the one hundred (100) year flood elevations, and information concerning the flow of water including direction and velocities.

(8) A general plan of the entire site accurately showing the location of all proposed buildings, structures, and any other improvements, including the location of any existing or proposed subdivision and land development in order to assure:

(a) All such proposals are consistent with the need to minimize flood damage.

(b) All utilities and facilities, such as sewer, gas, electrical and water systems are located and constructed to minimize or eliminate flood damage.

(c) Adequate drainage is provided so as to reduce exposure to flood hazards.

B. Plans of all proposed buildings, structures and other improvements, drawn at suitable scale showing the following:

(1) Detailed architectural or engineering drawings including building size, floor plans, sections, and exterior building size, floor plans, sections, and exterior building elevations, as appropriate.

(2) The proposed lowest floor elevations of any proposed building based upon National Geodetic Vertical Datum.

(3) Complete information concerning flood depths, pressures, velocities, impact and uplift forces and other factors associated with a one hundred (100) year flood.

(4) Detailed information concerning any proposed floodproofing measures.

(5) Cross-section drawings for all proposed streets, drives and other accessways and parking areas showing all rights-of-way and pavement widths.

(6) Profile drawings for all proposed streets, drives and vehicular accessways including existing and proposed grades.

(7) Plans and profiles of all proposed sanitary and storm sewer systems, water supply systems and any other utilities and facilities.

(8) Soil types.

C. The following data and documentation:

(1) A document, certified by a registered professional engineer or architect, which states that the proposed construction has been adequately designed to withstand the one hundred (100) year flood elevations, pressures, velocities, impact, and uplift forces and other hydrostatic, hydrodynamic and buoyancy factors associated with the one hundred (100) year flood. Such statement shall include a description of the type and extent of floodproofing measures which have been incorporated into the design of the structure and/or the development.

(2) Detailed information needed to determine compliance with §403(G), "Storage," and §404, "Development Which May Endanger Human Life," including:

(a) The amount, location and purpose of any materials or substances referred to in §§403 and 404 which are intended to be used, produced, stored or otherwise maintained on site.

(b) For any proposed structure regulated under §404, a description of the safeguards incorporated into the design of the structure to prevent leaks or spills of the above-mentioned materials or substances during a one hundred (100) year flood.

(3) The appropriate component of the Department of Environmental Resources' "Planning Module for Land Development."

(4) Where any excavation or grading is proposed, a plan meeting the requirements of the Department of Environmental Resources, to implement and maintain erosion and sedimentation control.

(Ord. 219, 6/2/1981, §2.02)

§204. Review by County Conservation District. A copy of all applications and plans for any proposed construction or development in any identified floodplain area to be considered for approval shall be submitted by the Building Permit Officer to the County Conservation District for review and comment prior to the issuance of a building permit. The recommendations of the Conservation District shall be considered by the Building Permit Officer for possible incorporation into the proposed plan. (Ord. 219, 6/2/1981, §2.03)

§205. Review of Application by Others. A copy of all plans and applications for any proposed construction or development in any identified floodplain area to be considered for approval may be submitted by the Building Permit Officer to the Borough Planning Commission and the Borough Engineer for review and comment. (Ord. 219, 6/2/1981, §2.04)

§206. 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. Requests for any such change shall be in writing, and shall be submitted by the applicant to the Building Permit Officer for consideration. (Ord. 219, 6/2/1981, §2.05)

§207. 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. 219, 6/2/1981, §2.06)

§208. Start of Construction.

1. Work on the proposed construction and/or development shall begin within one (1) month 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 and/or development shall be considered to have started with the preparation of land, 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 electrical or other service lines from the street. [Ord. 263]

2. Time extensions shall be granted only if a written request is submitted by the applicant which sets forth sufficient and reasonable cause for the Building Permit Officer to approve such a request. In the event the building permit expires and no extension is granted, the permit fee shall not be returned to the permit holder, and if at any future time such permit holder shall make application for another permit for the same construction, he shall follow the same procedure and pay the required fee as if no previous permit had been issued. [Ord. 263]

(Ord. 219, 6/2/1981, §2.07; as amended by Ord. 263, 4/7/1992)

(3) Complete information concerning flood depths, pressures, velocities, impact and uplift forces and other factors associated with a one hundred (100) year flood.

(4) Detailed information concerning any proposed floodproofing measures.

(5) Cross-section drawings for all proposed streets, drives and other accessways and parking areas showing all rights-of-way and pavement widths.

(6) Profile drawings for all proposed streets, drives and vehicular accessways including existing and proposed grades.

(7) Plans and profiles of all proposed sanitary and storm sewer systems, water supply systems and any other utilities and facilities.

(8) Soil types.

C. The following data and documentation:

(1) A document, certified by a registered professional engineer or architect, which states that the proposed construction has been adequately designed to withstand the one hundred (100) year flood elevations, pressures, velocities, impact, and uplift forces and other hydrostatic, hydrodynamic and buoyancy factors associated with the one hundred (100) year flood. Such statement shall include a description of the type and extent of floodproofing measures which have been incorporated into the design of the structure and/or the development.

(2) Detailed information needed to determine compliance with §403(G), "Storage," and §404, "Development Which May Endanger Human Life," including:

(a) The amount, location and purpose of any materials or substances referred to in §§403 and 404 which are intended to be used, produced, stored or otherwise maintained on site.

(b) For any proposed structure regulated under §404, a description of the safeguards incorporated into the design of the structure to prevent leaks or spills of the above-mentioned materials or substances during a one hundred (100) year flood.

(3) The appropriate component of the Department of Environmental Resources' "Planning Module for Land Development."

(4) Where any excavation or grading is proposed, a plan meeting the requirements of the Department of Environmental Resources, to implement and maintain erosion and sedimentation control.

(Ord. 219, 6/2/1981, §2.02)

§209. Inspection and Revocation. During the construction period, the Building Permit Officer or other authorized official shall inspect the premises to determine that the work is progressing in compliance with the information provided on the permit application and with all applicable Borough laws and ordinances. He shall make as many inspections during and upon completion of the work as are necessary. Upon completion of the work, the holder of the permit shall report such completion to the Building Permit Officer. The fact of completion of such work shall be noted upon the original application for the permit, which shall be kept on file. The Building Permit Officer may, after receipt of notification of completion, cause an inspection of such building to be made before noting completion upon the original application for the permit. [Ord. 263]

2. In the discharge of his duties, the Building Permit Officer shall have the authority to enter any building, structure, premises or development in the identified floodplain area, upon presentation of proper credentials, at any reasonable hour to enforce the provisions of this Chapter.

3. 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. 263]

4. A record of all such inspections and violations of this Chapter shall be maintained.

5. If any work authorized by any permit issued under this Part shall have been commenced within one (1) month after issuance of such permit, but such work shall not have been completed within one (1) year from the date of issuance of such permit, the Building Permit Officer shall require the permit holder to relinquish such permit at the end of said one (1) year period, unless a time extension is granted, in writing, by the Building Permit Officer for sufficient and reasonable cause shown in writing by the applicant. [Ord. 263]

(Ord. 219, 6/2/1981, §2.08; as amended by Ord. 263, 4/7/1992)

§210. Fees. Applications for a building permit shall be accompanied by a fee, in an amount as established from time to time by resolution of the Borough Council, payable to the Borough based upon the type of building or structure and the character of the proposed work as determined by the Building Permit Officer. (Ord. 219, 6/2/1981, §2.08; as amended by Ord. 237, 6/4/1985, §§1,2; and by Ord. 263, 4/7/1992)

§211. Enforcement.

1. Notices. Whenever the Building Permit Officer or other authorized municipal representative determines that there are reasonable grounds to believe that there has been a violation of any provisions of this Chapter, or of any regulation adopted pursuant hereto, the Building Permit Officer shall give notice of such alleged violation as hereinafter provided. Such notice shall:

- A. Be in writing.
- B. Include a statement of the reasons for its issuance.
- C. Allow a reasonable time not to exceed a period of thirty (30) days for the performance of any act it requires.
- D. Be served upon the property owner or his agent as the case may require; provided, however, that such notice or order shall be deemed to have been properly served upon such owner or agent when a copy thereof has been served with such notice by any other method authorized or required by the laws of this State.
- E. Contain an outline of remedial action which, if taken, will effect compliance with the provisions of this Chapter.

2. Penalties. Any person who fails to comply with any or all of the requirements or provisions of this Chapter or who fails or refuses to comply with any notice, order or direction of the Building Permit Officer or any other authorized employee of the municipality shall be guilty of an offense and, upon conviction, shall be sentenced to a fine of not more than one thousand (\$1,000.00) dollars plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed thirty (30) days. Each day during which any violation of this Chapter continues shall constitute a separate offense. In addition to the above penalties, all other actions are hereby reserved including an action in equity for the proper enforcement of this Chapter. The imposition of a fine or penalty for any violation of, or noncompliance with, this Chapter shall not excuse the violation or noncompliance nor permit it to continue; and all such persons shall be required to correct or remedy such violations and noncompliances within a reasonable time. Any development initiated or any structure or building constructed, reconstructed, enlarged, altered or relocated in noncompliance with this Chapter may be declared by the Borough Council to be a public nuisance and abatable as such. [Ord. 263]

(Ord. 219, 6/2/1981, §2.10; as amended by Ord. 263, 4/7/1992)

§212. Appeals.

1. Any person aggrieved by any action or decision of the Building Permit Officer, refusing to grant a modification to the provisions of this Chapter covering the development of land or the manner of construction or materials to be used in the erection, alteration, modification, etc., of a building or structure, may appeal to the Borough Council. Such appeal must be filed, in writing, within thirty (30) days after the decision or action of the Building Permit Officer.

2. Upon receipt of such appeal the Borough Council shall set a time and place, within thirty (30) days, for the purpose of considering the appeal. Notice of the time and place at which the appeal will be considered shall be given to all parties. [Ord. 263]

3. Any person by any decisions of the Borough Council may seek relief therefrom by appeal to court, as provided by the laws of this Commonwealth including the Pennsylvania Floodplain Management Act. [Ord. 263]

(Ord. 219, 6/2/1981, §2.11; as amended by Ord. 263, 4/7/1992)