

ORDINANCE NO. 15

BUILDING PERMIT ORDINANCE

AN ORDINANCE OF APOLACON TOWNSHIP, SUSQUEHANNA COUNTY, PENNSYLVANIA, PROVIDING THAT 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 OBTAIN A BUILDING PERMIT FROM THE APOLACON TOWNSHIP BUILDING PERMIT OFFICER.

BE IT ORDAINED and enacted by the Board of Supervisors of Apolacon Township, Susquehanna County, Pennsylvania, and it is hereby ordained and enacted by the authority of the same, as follows:

SECTION 1. Statement of Intent

- A. 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 Township Building Permit Officer.
- B. Building permits are not required for repairs to existing buildings or structures, provided that no structural changes or modifications are involved.

SECTION 2. Definitions

For the purposes of this ordinance, the following definitions shall apply:

- A. Building - A combination of materials to form a permanent structure having walls and a roof for the purposes of human occupancy both permanent and/or temporary. Included, but not limited to, shall be all mobile homes, trailers, modular homes, cabins, cottages and houses.
- B. Residence - Any structure used for permanent or temporary occupancy.
- C. Structure - a combination of materials to form anything permanently affixed to other buildings or structures above or below the ground. Included shall be, but not limited to such things as carports, porches, swimming pools, foundations, garages, utility buildings, sheds, pole barns, pre-fabricated metal buildings, mobile trailers (not for occupancy), converted busses, box cars and trucks.
- D. Garage - A combination of materials to form a structure capable of housing licensed vehicles used for common travel. Garage may be attached or detached to a building, residence or other structures.

### Section 3. Application Procedure

Application for a building permit shall be made in writing to the Building Permit Officer on forms supplied by the township. (See Enclosure 1 "Application for Building Permit").

### Section 4. Permit Fees

Applicants will pay a fee based on the square footage of structures/buildings based on the following rate:

Buildings - Living quarters for permanent or temporary occupancy (above ground structures); \$.06 per square foot, measured on outside dimensions.

Foundations - When enclosed (not open) in support of Buildings and having a useable space in excess of five (5) feet in height; \$.04 per square foot, measured on outside dimensions.

Garages - Attached or detached from living quarters; \$.04 per square foot, measured on outside dimensions

Structures - Anything not described above in excess of 120 square feet, measured on outside dimensions; \$.03 per square foot or \$10.00 whichever is greater.

### Section 5. 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 any other applicable requirements or regulations. For buildings which contain or will contain sewer facilities an approved Sewer Permit is required before a building permit is issued.

### Section 6. 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.

### Section 7. Placards

In addition to the building permit, the Building Permit Officer shall issue a placard which shall be displayed on the premises throughout the construction period.. This placard shall show the number of the building permit, the date of its issuance, the location of the construction, for what the permit is for and be signed by the Building Permit Officer. Placards will be affixed to the project for which issued or in close proximity to the actual construction site and easily visible.



## Section 8. 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 on 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 structures 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 roadway.

## Section 9. Inspection and Revocation

During the construction period, the Building Permit Officer or other designated official(s) 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 notify the individual(s) named on the permit placard of his/her findings and revoke the building permit. The Building Permit Officer will report any violations to the Board of Supervisors who will take whatever appropriate actions are required.

Once a permit has been revoked any and all work will stop until a determination by the Board of Supervisors has been made. A written notification to the permitted will be made within 30 days of revocation stating the boards findings and actions to be taken.

If the infraction results in additional fees to be paid by the permitted, the permit will remain in a revoked state until said additional fees are paid. Permitted will have 60 days from notification to pay any additional fees. If not paid within the 60 day period, all previously paid fees will be retained by the township and the permit will be considered permanently revoked. If further construction is required, a new permit must be reinitiated and appropriate fees paid.

## Section 10. Permit Period

A permit will remain in effect during the construction period but will not exceed one (1) year from its effective starting date. An extension in time may be requested, in writing to the board of supervisors. The supervisors will respond to the request within 30 days. There will be no additional fees for extensions to existing building permits.

#### **Section 11. Appeals**

Any person aggrieved by the Building Permit Officer's estimate of the cost of the proposed construction may appeal to the Apolacon Township Board of Supervisors. 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 Board of supervisors shall set a time and place not less than ten (10) days 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 by the Board of supervisors shall be final in all cases.

#### **Section 12. Penalties**

Any person who fails to comply with any or all of the requirements or provisions of this ordinance or who fails or refuses to comply with any notice, order or direction of the Building Permit Officer or any other authorized designate of the township shall be guilty of an offense and, upon conviction, shall pay a fine to Apolacon Township of not less than One Hundred Fifty Dollars (\$150.00) nor more than Three Hundred Dollars (\$300.00) plus costs of prosecution. In default of such payment, such person(s) shall be imprisoned in county prison for a period not to exceed ten(10) days. Each day after notification of a violation that a violation of this ordinance continues shall constitute a separate offense. The date and description of the violation will be notated on Apolacon Townships 'Notice of Violation', a copy of which will be sent by Registered Mail or delivered in person to the person/persons who are identified as being in violation of this ordinance.

In addition to the above penalties all other actions are hereby reserved including an action in equity for the proper enforcement of this ordinance. The imposition of a fine or penalty for any violation of, or non-compliance with, this ordinance shall not excuse the violation or non-compliance or permit it to continue; and all such persons shall be required to correct or remedy such violations and non-compliance or permit it to continue; and all such persons shall be required to correct or remedy such violations and non-compliance within a time set forth by the Board of Supervisors.

Any structure or building constructed, re-constructed, enlarged, altered, or relocated, in non-compliance with this ordinance may be declared by the Apolacon Township Board of supervisors to be a public nuisance and abatable as such.



If any section, paragraph, sentence or phrase of this ordinance should be declared invalid for any reason whatsoever, such decision shall not affect the remaining portions of this ordinance which shall remain in full force and effect. For this purpose the provisions of this ordinance are hereby declared to be severable.

Section 14. Effective Date

Ordinance, this Ordinance will be considered to be passed and effected in its place and supersedes as of this date Apolacon Township Ordinance Number 3, adopted September 8, 1975.

ENACTED AND ORDAINED this 21ST day of October, 1987 A.D.

ATTEST:

*John H. Hume*  
Secretary/Treasurer

*[Signature]*  
Chairman

*Allen P. Hana*  
Vice Chairman

*[Signature]*  
Supervisor