

ORDINANCE NO. 7

BUILDING PERMITS

AN ORDINANCE REQUIRING ALL PERSONS, PARTNERSHIP, BUSINESS AND CORPORATIONS TO OBTAIN A BUILDING PERMIT FOR THE CONSTRUCTION, RECONSTRUCTION, ENLARGEMENT, ALTERATION, OR RELOCATION OF ANY BUILDING OR STRUCTURE. PROVIDING FOR THE ISSUANCE OF SUCH BUILDING PERMIT; AND PROVIDING FOR PENALTIES FOR ANY PERSONS WHO FAIL OR REFUSE TO COMPLY WITH THE REQUIREMENTS OR PROVISIONS OF THIS ORDINANCE, AND ALL AS REQUIRED BY THE NATIONAL FLOOD INSURANCE PROGRAM.

The following is hereby enacted and ordained by the Board of Supervisors of Farmington Township in Tioga County, Pennsylvania.

SECTION 1. Statement of Intent. 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. A building permit shall not be required for repairs to existing buildings or structures, provided that no structural changes or modifications are involved. Also, exempt from this Ordinance are all agricultural structures, not intended or used for human habitation, existing on the effective date of this Ordinance, provided that they lie entirely outside of any flood-prone area.

SECTION 2. Definitions. For the purpose of this Ordinance, the following definitions shall apply.

- A. 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.
- B. Person - any person, persons, partnership, business or corporation.
- C. 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.

SECTION 3. Application Procedure. Application for such a building permit shall be made in writing to the Building Permit Officer or forms supplied by the municipality. Such application shall contain at least the following:

- A. Name and address of applicant.
- B. Name and address of owner of land on which proposed construction is to occur.

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- C. Name and address of contractor.
- D. Site location.
- E. Brief description of proposed work and estimated cost.
- F. A plan of the site showing the exact size and location of the proposed construction as well as any existing buildings or structures.
- G. A sewer permit shall be presented with all applications for building permits.

SECTION 4. 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 all applicable requirements and regulations.

SECTION 5. 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 6. 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.

SECTION 7. 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.

SECTION 8. 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 ordinance. 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 Board of Supervisors for whatever action it considers necessary.

SECTION 9. Fees. Applications 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: Estimated Cost - \$500.00 to \$1,000.00, fee is \$5.00. Each additional \$1,000.00 or part thereof beyond the first \$1,000.00 is 50 cents.

SECTION 10. Appeals. Any person aggrieved by the Building Permit Officer's estimate of the cost of the proposed construction may appeal to the 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) 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 11. 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 employee of the municipality shall be guilty of an offense and, upon conviction, shall pay a fine to the Township of not less than Twenty-Five Dollars (\$25.00) nor more than Three Hundred Dollars (\$300.00) plus cost of prosecution.

In default of such payment, such person shall be imprisoned in county prison for a period not to exceed ten (10) days. Each day during which any violation of this Ordinance 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 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-compliances within a reasonable time. Any structure or building constructed, reconstructed, enlarged, altered, or relocated, in non-compliance with this Ordinance may be declared by the Board of Supervisors to be a public nuisance and abatable as such.

SECTION 12. Severability Clause. 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 13. Effective Date. This Ordinance shall become effective five (5) days after its passage.

Passed this 1 day of Sept., 1975.

Supervisor

Richard Smith  
Supervisor

Kenneth E. Butler  
Supervisor

ATTEST:

Madeline Smith  
Secretary