

## Article 8

### 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.

(Ordinance No. 1973-2, approved April 16, 1973)

#### **102. Definitions.**

Certain words and terms used in this Ordinance are defined for the purpose thereof.

3. **Building or Structure:** Anything enclosing a volume of twenty- five (25) cubic feet or more constructed or erected, the use of which demands a location on the soil, or attachment to something located in or on the soil.
4. **Dwelling:** Any building which is designed for or occupied in whole or in part as a home or residence.
5. **Private Garage:** A building or structure or any part thereof used appurtenant to a dwelling house primarily for the storage of motor vehicles.
6. **Commercial or Industrial Building:** Any building or structure designed, built or altered for use entirely or in part for commercial or industrial purposes.
7. **Roads:** Roads and road rights-of-way include all lands established by dedication, usag , Borough Ordinances, or laid out upon Borough plans as highways, and shall be synonymous with "streets," applied to public highways.
8. **Mobile Home Park:** A mobile home park is two (2) or more mobile homes or trailers or a parcel of land held in single ownership.

9. **Person:** Any person, persons, partnership or corporation.
10. **Building Permit Officer:** The person appointed by the Borough Council to enforce the provisions of this Ordinance.

(Ordinance 1973-2, approved April 16, 1973)

**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 the following:

11. Name and address of applicant.
12. Name and address of owner of land on which proposed construction is to occur.
13. Name and address of contractor, if any.
14. Site location.
15. Brief description of proposed work and estimated cost and completion date.
16. A plan of the site showing the exact size and location of the proposed construction as well as any existing buildings or structures.

(Ordinance 1973-2, approved April 16, 1973)

**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 all applicable requirements and regulations.

(Ordinance No. 1973-2, approved April 16, 1973)

**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.

(Ordinance No. 1973-2, approved April 16, 1973)

## **106. Building Permits.**

17. No excavation for the construction of a dwelling, private garage, commercial or industrial building to be erected or moved; and no excavation or construction altering or enlarging a dwelling, private garage, commercial or industrial building, which when completed will change the exterior dimensions of the dwelling, private garage, commercial or industrial building, shall be begun until or unless the person excavating, constructing, erecting or moving the same shall be issued by the Building Permit Officer, providing the plot and plan accompanying the application for the building permit indicated that the construction, alteration or enlargement will conform with the requirements of this, and other Ordinances of the Borough and that a sewage permit is obtained. The fee to be charged for said permit shall be Two Dollars (\$2.00) plus One Dollar (\$1.00) for each One Thousand Dollars (\$1,000.00). If there is no cash contract price for labor or materials, an estimate shall be based on the current market price for said labor and materials, or on other evidence which may be supplied by the applicant showing actual cost of the same.
18. Each application for a building permit shall be accompanied by a plot in duplicate, showing the actual dimensions of the lot to be built upon, the size and location of the building to be erected or in the case of a building already in existence which is being altered or enlarged, its present size and its enlargement, and any other information necessary for the Building Permit Officer to determine whether or not the requirements of the Borough will be satisfied. A file of such application and plots and plans together with a notation indicating whether or not a permit was issued therefore shall be kept in the office of the Building Permit officer.
19. After the issue of a permit for any construction as covered by this Ordinance, and before any excavation or construction shall be begun, the permit for said excavation or construction shall be posted conspicuously at the front of said construction and the permit shall remain posted until the construction is complete .
20. The lot area and dimension shall conform to the Subdivision and Land Development and/or Zoning Ordinance of the Borough.
21. The required setbacks in the Borough Subdivision and Land Development and/or Zoning Ordinance shall prevail.

(Ordinance No. 1973-2, approved April 16, 1973)

**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 state 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 mobilehome 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.

(Ordinance No. 1973-2, approved April 16, 1973)

**108. Mobilehomes and Their Appurtenances.**

- 22. All provisions of the Borough Subdivision and Land Development Ordinance and appendices thereto shall apply to any mobile home used as a home or residence or for commercial purposes. All applicable provisions shall apply when the mobilehome is located in an approved mobilehome park.
- 23. The construction or alteration for any additions or any storage building uses as an adjunct to or in conjunction with a mobilehome uses as a residence shall be subject to the provisions of this Ordinance.

(Ordinance No. 1973-2, approved April 16, 1973)

**109. Non-Residential and Non-Commercial Buildings.**

Sheds, outbuildings, and other non-residential or non-commercial buildings shall not be placed upon a lot prior to the erection of a residential or commercial structure thereon.

(Ordinance No. 1973-2, approved April 16, 1973)

**110. Set-Back Regulations.**

All new residences erected after the enactment of this Ordinance on any avenue or street shall not be erected closer to the center line of said avenue or street than any existing structure immediately to the left or to the right of the building proposed to be constructed.

(Ordinance No. 1973-2, approved April 16, 1973)

**111. 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 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 of Alexandria Borough for whatever action it considers necessary.

(Ordinance No. 1973-2, approved April 16, 1973)

**112. Penalties.**

24. Any person partnership or corporation who or which shall violate any provision of this Ordinance shall, upon conviction thereof in a summary proceeding, pay fine or penalty of not less than Ten Dollars (\$10.00), nor more than Three Hundred Dollars (\$300.00), to the Borough of Alexandria. Every day that the violation exists, after notification to the person in violation , shall constitute a separate violation of this Ordinance. In default of the payment of any penalty, fine or costs imposed under the provisions of this Ordinance, the person **or** persons so convicted may be committed to the County Jail for a period not exceeding ten (10) days.
  
25. In addition to the penalty set forth in paragraph one above, the Borough Council is hereby authorized or their properly\* appointed agents are hereby authorized to issue stop, cease or desist orders, to any person, partnership or corporation, who or which shall violate any provisions of this Ordinance by the instituting of appropriate action or proceedings, at law or in equity, to enjoin any such person, partnership or corporation from violating any of the provisions of this Ordinance.

(Ordinance No. 1973-2, approved April 16, 1973)

**113. Floodproofing Measures for Areas Subject to Inundation by Stream Overflow.**

26. Building Elevation.
  - a. No structures or any portion thereof shall be erected unless the finished surface of the ground is

higher than, or is raised by filling, to an elevation of at least one (1) foot above the elevation of the one hundred (100) year flood.

\*spelled "property" in original Ordinance.

- b. No first floor, or opening below the first floor, of any building shall be constructed at an elevation of less than one (1) foot above the elevation of the one hundred (100) year flood.
- 27. Structural Anchoring. Any structure permitted shall be firmly anchored to prevent the structure from floating away and thus threaten life or property downstream or to further restrict bridge openings and other restricted sections of the creek.
- 28. Structural Effect. Any structures permitted shall be constructed and placed on the lot so as to offer the minimum obstruction to the flow of water, and shall be designed to have a minimum effect upon the flow and height of flood water.
- 29. Obstructions. The following shall not be placed or caused to be placed in the flood hazard area: fences except two-wire fences, other structures or other matter which may impede, retard or change the direction of the flow of water, or that will catch or collect debris carried by such water, or that is placed where the natural flow of the stream or flood waters would carry the same downstream to the damage or detriment of either public or private property adjacent to the floor plain.
- 30. On-Site Sewage Disposal Systems. No part of an on-site sewage disposal system shall be constructed within this area.
- 31. Storage of Materials. Materials that are buoyant, flammable, explosive, or in times of flooding, could be injurious to human, animal or plant life, shall not be stored below an elevation of (1) foot above the elevation of the one hundred (100) year flood.
- 32. Installation of Fill Materials. Fill shall consist of soil or rock materials only. Sanitary land fills shall not be permitted.
- 33. Recommendations of an Architect or Engineer. Plans for buildings and structures within this area shall incorporate the recommendations of a registered architect or certified engineer to provide for protection against predictable hazards.

(Ordinance No. 1973-2, approved April 16, 1973)

**114. Validity.**

34. Should any section or provision of this Ordinance be declared by the Courts to be invalid, the same shall not affect the validity of the Ordinance as a whole, or any part thereof, other than the part so declared to be invalid.
35. Any Ordinance or parts of Ordinances conflicting with the provisions of this Ordinance are hereby repealed so far as the same affect this Ordinance.

(Ordinance No. 1973-2, approved April 16, 1973)