

ORDINANCE NO. 140

An Ordinance of the Borough of South New Castle, Lawrence County, Pennsylvania, Requiring All Persons, Partnerships, Businesses 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 Permits; and Providing for Penalties for any Persons who Fail or Refuse To Comply with the Requirements or Provisions of this Ordinance.

Be It Enacted and Ordained, and it is hereby enacted and ordained by the Council of the Borough of South New Castle, Lawrence County, Pennsylvania, 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 Borough Secretary.
- B. A building permit shall not be required for repairs to existing buildings or structures, provided that no structural changes or modifications are involved.

Section 2. Definitions

- 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 Borough Secretary on 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.
- 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.

Section 4. Issuance of Permit

The Borough Secretary 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 Borough Secretary, 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 Borough Secretary.

Section 6. Placards

In addition to the building permit, the Borough Secretary 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 Borough Secretary.

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 Borough Secretary. 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 structure or any part thereof on its pilings or foundation, or the affixing of any pre-fabricated 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 Borough Secretary 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 Borough Secretary 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 Borough Secretary shall revoke the building permit and report such fact to the Borough Council for whatever action is considered necessary.

Section 9. Fees

Applications for a building permit shall be accompanied by a fee of TEN (\$10.00) DOLLARS.

Section 10. Penalties

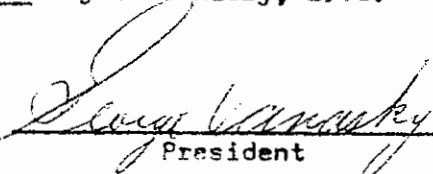
Any person who fails to comply with any or all of the requirements or provisions of this ordinance or who fails or refuses to comply with any notice, order or direction of the Borough Secretary or any other authorized employee of the municipality shall be guilty of a summary offense and, upon conviction, shall pay a fine of not less than TWENTY-FIVE (\$25.00) DOLLARS nor more than ONE HUNDRED (\$100.00) DOLLARS, plus costs 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 Borough Council to be a public nuisance and abatable as such.

Section 11. Severability Clause

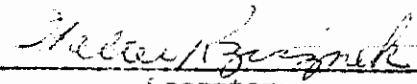
If any section, paragraph, sentence or phrase of this ordinance should be declared invalid for any reason whatsoever, such decision shall not affect the remaining portions of this ordinance which shall remain in full force and effect. For this purpose the provisions of this ordinance are hereby declared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

Enacted and Ordained this 5th day of January, 1976.



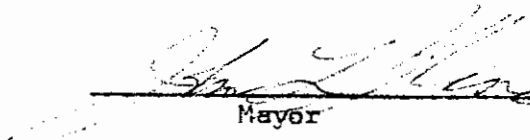
President

ATTEST:



Secretary

Examined and approved this 5th day of January, 1976.



Mayor