

ORDINANCE No. 10

AN ORDINANCE 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 by the Township of Union, Centre County, Pennsylvania, and it is hereby enacted and ordained by authority of the same that from and after the effective date of this ordinance it shall be unlawful for any person, firm, or corporation to construct, rebuild, enlarge or materially alter any building within the limits of the Township of Union, except in accordance with the following regulations:

SECTION ONE: Purpose -

(A) It shall be unlawful for any person, partnership, business or corporation to undertake or cause to be undertaken, the construction, reconstruction, removal, enlargement, alteration, or relocation of any building or structure unless an approved building permit has been obtained from the Township building permit officer; and

(B) No building permit shall be required for repairs to existing buildings or structures provided that no structural changes or modifications are used or are to be used.

SECTION TWO: 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 erected on or affixed to the

(b) Person: Any natural person or persons, associations, partnerships, businesses, firms or corporations; and

(c) Structure: A combination of materials to form anything constructed or erected on the ground or attached to the ground including, but not limited to building, factories, sheds, cabins, mobile homes, carports, porches, driveways, swimming pools, and other similar items.

SECTION THREE - Application Procedure and Form: Applications for building permits issued under this Ordinance shall be made in writing to the Township permit officer on forms supplied by the municipality. Such application shall be in writing and shall contain the following information:

(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; and project engineer if applicable;

(D) Site location;

(E) Brief description of proposed work and estimated costs;

(F) A plan of the site showing the exact size of location of the proposed construction, as well as any existing buildings and structures. Said plan may be prepared by the applicant and it is expressly provided that nothing contained herein shall require any applicant to obtain architectural or engineering drawings for any proposed project; and

(G) Such application shall be accompanied by a fee to be established by resolution of the Township Supervisors.

permit officer shall issue permits for the construction, erection or alteration of any building or buildings in the Township, only after it has been determined that the proposed construction will be in conformance with all applicable requirements and regulations, and such permit shall be granted or refused within two weeks after application for the same has been submitted.

SECTION FIVE: - 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 Township building permit officer.

SECTION SIX: Placards - In addition to the building permit, the Township building permit officer shall issue a placard which shall be displayed upon 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 SEVEN: 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 Township 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 structure, or any part there-

construction does not include land preparation, land clearing, grading, filling, excavation for basements, footings, piers or foundations, erection of temporary forms, the installation of piling under proposed sub-surface footings, or the installation of sewer, gas and water pipes, or electric or other service lines from the street.

SECTION EIGHT - 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 information provided on the permit application, and with all applicable municipal laws and ordinances. In the event that the Township 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 Township building officer shall revoke the building permit and report such fact to the Union Township Supervisors who may take whatever action it considers necessary as provided by this Ordinance and by the laws of the Commonwealth of Pennsylvania.

SECTION NINE: Fees - Applications for a building permit shall be accompanied by a fee as provided in Section Three payable to the municipality based upon the estimated cost of the proposed construction as determined by the Township building permit officer at the rates established by Resolution of the Township Supervisors.

SECTION TEN: Appeals - The Township Supervisors of Union Township shall appoint a Board of Adjustment consisting of

(a) To hear and decide special exceptions to the terms of this Ordinance in harmony with the general purposes and intent and in accordance with the general or specific rules therein initiated;

(b) To hear and decide appeals where it is alleged there is an error in any order, requirement, decision or determination made by the Township building permit officer or any other designated official of the Township of Union in the enforcement of this Ordinance; and

(c) To authorize upon appeal in specific cases such variance from the terms as will not be contrary to the public interests or where because of special conditions a literal enforcement of the provisions of this Ordinance will result in unnecessary hardship so that the spirit of this Ordinance shall be observed and subsequent changes made.

SECTION ELEVEN - Procedure: The Board of Adjustment shall make rules as to the manner of filing appeals or applications for special exceptions or for variance of the terms in this ordinance.

Upon the filing with the Board of Adjustment of an appeal or an application for special exceptions from the terms of this Ordinance, the Board of Adjustment shall fix a reasonable time for the hearing of the appeal on the application for special exception giving public notice thereof as well as due notice to the parties in interest and decide the same within fifteen (15) days. Said notice shall state the location of the building or lot and the general nature of the question involved.

Ordinance or who fails or refuses to comply with any notice, order or direction of the Township building permit officer or any other authorized employee of the municipality shall be guilty of an offense and upon conviction before a district magistrate shall pay a fine to the use of Union Township of not less than twenty-five dollars (\$25.00) nor more than one hundred dollars (\$100.00) plus the 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 noncompliance with this ordinance shall not excuse the violation or noncompliance or permit it to continue; and all such persons shall be required to correct or remedy such violations and noncompliances as they may occur within a reasonable time. Any structure or building constructed, reconstructed, removed, enlarged, altered or relocated in noncompliance with this ordinance may be declared by the Township of Union to be a public nuisance and abatable as such.

SECTION THIRTEEN - Severability Clause: If any section, paragraph, sentence or phrase of this Ordinance shall 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 FOURTEEN - Effective date: Adopted by the Board

1975. This Ordinance shall become effective July 1, 1975.

ATTEST:



Danna J. Fisher  
(Secretary)

TOWNSHIP OF UNION

BY Austin C. Lucas