

PART 17

ADMINISTRATION

**§27-1701. Zoning Officer, Duties and Powers.**

The provisions of this Chapter shall be administered and enforced by the Zoning Officer who shall be appointed by the Borough Council. It shall be the duty of the Zoning Officer and he/she shall have the power to:

- A. Receive and examine all applications for zoning permits.
- B. Issue permits or certificates only where there is compliance with the provisions of this Chapter, with other Borough ordinances and with the laws of the Commonwealth and the Federal government. Permits for construction of uses requiring a special exception or variance shall be issued only upon order of the Zoning Hearing Board. Permits requiring approval by the Borough Council shall be issued only after receipt of approval from the Borough Council.
- C. Record and file all applications for zoning permits with accompanying plans and documents. All applications, plans and documents shall be a public record.
- D. Receive applications for special exceptions and variances and forward these applications and all pertinent information to the Zoning Hearing Board for action thereon.
- E. Receive applications for conditional uses, curative amendments and zoning changes, forwarding requests and all pertinent information to the Borough Council, the Planning Commission and other appropriate agencies.
- F. Following refusal of a permit, to receive applications for interpretation appeals and variances. These applications and all pertinent information will then be forwarded to the Zoning Hearing Board for action thereon.
- G. Conduct inspections to determine compliance or noncompliance with the terms of this Chapter.
- H. Institute civil enforcement proceedings in accordance with §27-2004.
- I. With the approval of the Borough Council or when directed by them, institute any appropriate action or proceedings to prevent unlawful erection, construction, reconstruction, alteration, repair, conversion, maintenance or use, to restrain, correct or abate such violation so as to prevent the occupancy of or use of any building, structure, landscaping or land, or to prevent any illegal act, conduct, business or use in or about such premises.

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- J. Revoke any order or zoning permit issued under a mistake of fact or contrary to the law or the provisions of this Chapter.
- K. Maintain a map or maps showing the current zoning classification of all land in the Borough.
- L. Register nonconforming structures, uses and lots in accordance with the provisions of §27-1601.

(Ord. 319-A, 3/21/2000, Art. 17, §114-149)

### **§27-1702. Zoning Permits Required.**

Hereafter, no use listed in §§27-406 and 27-407 may be established or changed, no structure shall be erected, constructed, reconstructed, altered, razed or removed and no building used or occupied or changed in use, until a zoning permit has been secured from the Zoning Officer. Upon completion of changes in use or construction, reconstruction, alteration or moving of structures, the applicant shall notify the Zoning Officer of such completion. No permit shall be considered as complete or as permanently effective until the Zoning Officer has noted on the permit that the work or occupancy and use have been inspected and approved as being in conformity with the provisions of this Chapter.

(Ord. 319-A, 3/21/2000, Art. 17, §114-150)

### **§27-1703. Application Requirements for Zoning Permits.**

1. All applications for zoning permits shall be made, in writing, by the owner, tenant, vendee under contract for sale or authorized agent on a form supplied by the Borough and shall be filed with the Zoning Officer. The application shall include the following information:
  - A. A statement as to the proposed use of the building or land.
  - B. An accurate site layout drawn to scale showing the location, dimensions and height of proposed buildings, structures or uses and any existing buildings in relation to property lines and street line. If the application relates to property scheduled to be developed in successive stages, such plans shall show the relationship of the portion scheduled for initial development to the proposed layout of the entire property.
  - C. The location, dimensions and arrangements of all open spaces, yards and buffer yards, including methods to be employed for screening.

- D. The locations, size, arrangement and capacity of all areas to be used for motor vehicle access, off-street parking, off-street loading and provisions to be made for lighting such areas.
  - E. For signs, the information specified in §27-1509(2)(B) shall be provided.
  - F. The location and dimensions of sidewalks and all other areas to be devoted to pedestrian use.
  - G. Provisions to be made for treatment and disposal of sewage and industrial wastes, water supply and stormwater management.
  - H. The capacity and arrangement of all buildings used or intended to be used for dwelling purposes, including the proposed density in terms of number of dwelling units per acre of land.
  - I. A description of any proposed industrial or commercial operations in sufficient detail to indicate effects of those operations in producing noise, glare, air pollution, water pollution, fire hazards, traffic congestion or other safety hazards.
  - J. Description of methods to be employed in controlling any excess noise, glare, pollution, smoke fumes, water pollution, fire hazards, traffic congestion or other safety hazards.
  - K. Any other information deemed necessary by the Zoning Officer, the Planning Commission or Borough Council to enable them to determine the compliance of the proposed development with the terms of this Chapter.
2. No permit for any new use or construction which will use public sewage facilities and no permit for a change in use or an alteration which will result in an increased volume of sewage shall be used until approval of the connection has been granted by the servicing authority.

(Ord. 319-A, 3/21/2000, Art. 17, §114-151)

**§27-1704. Fees.**

All applicants for zoning permits shall, at the time of making application, pay to the Zoning Officer for the use of the Borough a fee in accordance with the fee schedule adopted by resolution of the Borough Council upon the enactment of this Chapter or as such schedule may be amended by resolution of the Borough Council.

(Ord. 319-A, 3/21/2000, Art. 17, §114-52)

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### **§27-1705. Life of a Zoning Permit.**

Any erection, construction, reconstruction, alteration or moving of a building or other structure, including a sign, authorized by a zoning permit shall be commenced and any change in use of a building or land authorized by a zoning permit shall be undertaken within one year after the date of issuance of the permit. If not, the permit shall be considered null and void. However, in case of erection or construction of a building, the right to proceed with construction may be extended annually without additional fees for an aggregate period of not more than three years; provided, that the construction pursuant to said permit has commenced within the first one year period.

(Ord. 319-A, 3/21/2000, Art. 17, §114-153)

### **§27-1706. Certificate of Occupancy.**

1. Hereafter, no structure erected, constructed, reconstructed, extended or moved and no land or building changed in use under a zoning permit, shall be occupied or used in whole or in part for any use whatsoever, until the owner or authorized agent has been issued a certificate of occupancy by the Zoning Officer, indicating that the building or use complies with the terms of zoning as provided in this Chapter.
2. For businesses that are open to the public, a certificate of occupancy shall be obtained from the Pennsylvania Department of Labor and Industry in accordance with Pennsylvania Code, Title 34, Chapters 49 to 59, before the Zoning Officer issues a certificate of occupancy.
3. No certificate shall be issued until the premises in question have been inspected and found by the Zoning Officer to be in compliance with this Chapter. The issuance of a certificate of occupancy in no way absolves the owner or authorized agent from compliance with the intent of this Chapter.

(Ord. 319-A, 3/21/2000, Art. 17, §114-154)

### **§27-1707. [Reserved].**

(Ord. 319-A, 3/21/2000, Art. 17, §114-155)