

ORDINANCE NO. 1977 -1

AN ORDINANCE REQUIRING ALL PERSONS, PARTNERSHIPS, BUSINESSES AND CORPORATIONS TO OBTAIN A BUILDING PERMIT FOR THE CONSTRUCTION, RECONSTRUCTION, ENLARGEMENT, 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.

The following is hereby enacted and ordained by the Board of Supervisors of the Township of White, Cambria County, Pennsylvania.

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, or relocation of any building or structure unless an approved building permit has been obtained from the Municipal Building Permit Officer.
- B. A building permit shall not be required for repairs to existing buildings or structures, provided that no structural changes are involved, or the changes do not involve an expenditure of more than Five Hundred Dollars (\$500.00).

Section 2. 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. Included shall be all mobile homes and trailers to be used for human habitation.
- B. Person - any person, persons, partnerships, 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.
- D. Flood Hazard Area - that area having a flood frequency of once every 100 years.

Section 3. 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 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.

Section 8. Inspection and Revocation

During the construction, 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 that 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 in the amount of Ten Dollars (\$10.00).

Section 10. Municipal Liability

The grant of a permit or approval of a subdivision plan in the identified flood-prone areas shall not constitute a representation, guarantee, or warranty of any kind by the municipality or by any official or employee thereof of the practicability or safety of the proposed use, and shall create no liability upon the municipality, its officials or employees.

Section 11. 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 appoint a three person Hearing Committee of impartial parties of which 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 Hearing Committee shall be final in all cases.

Section 12. 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 White of not less than Twenty-five Dollars (\$25.00) nor more than One Hundred Dollars (\$100.00) 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, or relocated, in non-compliance with this ordinance may be declared by the Township Supervisors to be a public nuisance and abatable as such.

Section 13. 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.

TOWNSHIP OF WHITE

BY

Richard E. Black  
John W. Latta  
Harry J. Hall

ATTEST:

John W. Latta  
Secretary

APPROVED:

March 4<sup>th</sup> 1977

LAW OFFICES  
ROBERT J. CASSIDY  
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