

ARTICLE 22.00

ADMINISTRATION AND ENFORCEMENT

Section 22.01 -- ENFORCEMENT

Except where herein otherwise stated, the Building Inspector or his authorized representative shall enforce the provisions of this Ordinance and shall issue appearance tickets for violations of this Ordinance.

Section 22.02 -- DUTIES OF BUILDING INSPECTOR OR BUILDING DIRECTOR

The Building Inspector shall have the power to grant building and occupancy permits and to make inspections of buildings or premises necessary to carry out his duties in the enforcement of this Ordinance. It shall be unlawful for the Building Inspector to approve any plans or issue any permits or certificates of occupancy for any excavation or construction until he has inspected such plans in detail and found them to conform with this Ordinance.

The Building Inspector shall record all non-conforming uses existing at the effective date of this Ordinance for the purpose of carrying out the provisions of Article XVIII - Nonconformity.

Under no circumstances is the Building Inspector permitted to make changes to this Ordinance nor to vary the terms of this Ordinance in carrying out his duties as Building Inspector.

The Building Inspector shall not refuse to issue a permit when conditions imposed by this Ordinance are complied with by the applicant despite violations of contracts, such as covenants or private agreements, which may occur upon the granting of said permit.

Section 22.03 -- PLOT PLAN

The Building Inspector shall require that all applications for building permits shall be accompanied by plans and specifications including a Plot Plan in triplicate, drawn to scale, showing the following:

- (a) The actual shape, location, and dimensions of the lot.
- (b) The shape, size and location of all buildings or other structures to be erected, altered, or moved and of any building or other structure already on the lot.
- (c) The existing and intended use of the lot and of all such structures upon it, including, in residential areas, the number of dwelling units the building is intended to accommodate.
- (d) The location, to scale, of all structures and setbacks within twenty-five (25) feet of all lot lines.
- (e) Such other information concerning the lot or adjoining lot as may be essential for determining whether the provisions of this Ordinance are being observed.

Section 22.04 -- RESERVED

Sections 22.05 -- PERMITS

The following shall apply in the issuance of any permit:

- (a) **Permits Not to be Issued.** No building permit shall be issued for the erection, alteration or use of any building or structure, or part thereof, or for the use of any land which is not in accordance with all provisions of this Ordinance.
- (b) **Permits for New Use of Land.** No land heretofore vacant shall hereafter be used, nor shall an existing use of land be hereafter changed to a different class or type, unless a certificate of occupancy is first obtained for the new or different use.
- (c) **Permits for New Use of Buildings.** No building or structure, or part thereof, shall be changed to a new use, nor occupied by a use of a different class or type, unless a certificate of occupancy is first obtained for the new or different use.
- (d) **Permits Required.** No building or structure, or part thereof, shall be hereafter erected, altered, moved, or repaired unless a building permit shall have been first issued for such work. The terms "altered and repaired" shall include any changes in structural parts, stairways, type of construction, type, class or kind of occupancy, light or ventilation, means of egress and ingress, or other changes affecting or regulated by the Building Code, or by this Ordinance, except for minor repairs or changes not involving any of the aforesaid features.

Section 22.06 -- CERTIFICATES OF OCCUPANCY

No land or building, or part thereof, shall be occupied by or for any use unless and until a Certificate of Occupancy shall have been issued for such use. The following shall apply in the issuance of any certificate:

- (a) **Certificates Not to be Issued.** No certificates of occupancy shall be issued for any building, structure, or part thereof, or for the use of any land, which is not in accordance with all the provisions of this Ordinance.
- (b) **Certificates Required.** No building or structure, or part thereof, which is hereafter erected or altered shall be occupied or used unless and until a certificate of occupancy shall have been issued for such building or structure.
- (c) **Certificates and Building Code.** Certificates of Occupancy required by the Building Code for new buildings or structures, or parts thereof, or for alterations to or changes of use of existing buildings or structures, shall also constitute Certificates of Occupancy as required by this Ordinance.
- (d) **Certificates for Existing Buildings.** Certificates of Occupancy shall be issued for existing buildings or structures, or parts thereof, or existing uses of land if, after inspection, it is found that such buildings or structures, or parts thereof, or such use of land, are in conformity with the provisions of this Ordinance.
- (e) **Records of Certificates.** A record of all certificates issued shall be kept on file in the office of the Building Inspector, and copies shall be furnished upon request to any person.
- (f) **Certificates for Dwelling Accessory Buildings.** Buildings or structures accessory to dwelling units shall not require separate certificates of occupancy but may be included in the certificate of occupancy for the dwelling units when shown on the plot plan and when completed at the same time as such dwelling units.

- (g) **Application for Certificates.** Applications for certificates of occupancy shall be made in writing to the Building Inspector on forms furnished by that Department, and such certificates shall be issued within five (5) days after receipt of such application if it is found that the buildings or structures, or parts thereof, or the use of land, is in accordance with the provisions of this Ordinance.

If such certificate is refused for cause, the applicant therefore shall be notified of such refusal and cause thereof, within the aforesaid five (5) day period.

- (h) **Issuance not a waiver.** The issuance of any Certificate of Occupancy shall not be construed as a waiver of any provision of this Ordinance.

Section 22.07 -- FINAL INSPECTION

The holder of every building permit for the construction, erection, alteration, repair, or moving of any building, structure, or part thereof, shall notify the Building Inspector immediately upon the completion of the work authorized by such permit, for final inspection.

Section 22.08 -- FEES

Fees for inspection and the issuance of permits or certificates, or copies thereof, required or issued under the provisions of this Ordinance may be collected by the Building Inspector in advance of issuance. The amount of such fees shall be established by the Council and shall cover the cost of inspection and supervision resulting from enforcement of this Ordinance.

Section 22.09 -- PLANNING COMMISSION

The Planning Commission shall perform all of the duties of such Commission as are set forth in the ordinance creating said Planning Commission, any amendments thereto and this Ordinance.