

TOWNSHIP OF ELDRED

ORDINANCE NUMBER 1992-1

AN ORDINANCE REGULATING AND RESTRICTING THE PLACEMENT, ERECTION, CONSTRUCTION, RECONSTRUCTION, ALTERATION AND USE OF BUILDINGS, STRUCTURES, SIGNS OR ANY PART THEREOF IN ELDRED TOWNSHIP, JEFFERSON COUNTY; REQUIRING PERMITS THEREFORE; PROVIDING FOR THE APPOINTMENT OF A BUILDING INSPECTION OFFICER; AND PRESCRIBING PENALTIES FOR VIOLATION, WHICH ORDINANCE REVISES AND SUPERSEDES ALL PRIOR ORDINANCES RELATIVE TO BUILDING REQUIREMENTS FOR THE TOWNSHIP OF ELDRED, JEFFERSON COUNTY, PENNSYLVANIA.

ELDRED TOWNSHIP HEREBY ORDAINS AS FOLLOWS:

ARTICLE I. GENERAL PROVISIONS

SECTION 1.00 : Statement of Intent

This Ordinance is enacted for the purpose of promoting the health, safety, and general welfare of the citizens of Eldred Township: encouraging the utilization of appropriate construction practices to minimize danger to public health.

SECTION 1.01 : Applicability

A. It shall be unlawful for any person, partnership, business or corporation to undertake, or cause to be undertaken, any construction, reconstruction, alteration or development anywhere within Eldred Township unless a Building Permit has been obtained from the Eldred Township Supervisors or the duly appointed Building Inspector as their designated agent.

B. A Building Permit shall not be required for minor repairs to existing buildings or structures.

SECTION 1.02 : Definitions

A. Specific Definitions

(i) "Accessory" A building subordinate to the main building and used for purposes customarily

incidental to those of the main building.

(ii) "Alteration" Any enlargement or addition to any building, outbuilding, or garage, or any work of rearrangement, removal or replacement of any exterior wall, roof, floor or support or any part thereof.

(iii) "Construction" The construction reconstruction, renovation, extension, expansion, alteration or relocation of a building or structure, including the placement of mobile and modular homes.

(iv) "Development" Any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, placement of mobile and modular homes, streets and other paving, utilities, filling, grading, excavation and the subdivision of land.

(v) "Dwelling" A house or other building used primarily for human habitation. The work dwelling shall not include hotels, motels or other structures used for transient residence.

(vi) "Person" Any natural person or persons, business, association, partnership, form or corporation.

SECTION 1.03 : Severability

If any section, subsection, paragraph, sentence, clause 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, and for this purpose the provisions of this Ordinance are hereby declared to be severable.

ARTICLE II. ADMINISTRATION

SECTION 2.00 : Building Permits Required/Permit Officer

Building Permits shall be required before any construction or development is undertaken within any area of Eldred Township. The Board of Supervisors of Eldred Township shall cause to be appointed a Building Inspection Officer who shall act as their authorized agent in carrying out the issuance of permits as set forth in this Ordinance.

SECTION 2.01 : Issuance of Building Permit

A. The duly appointed Building Inspection Officer shall issue a Building Permit only after it has been determined that the proposed work to be undertaken will be in conformance with the requirements of this and all other applicable codes and ordinances.

B. Prior to the issuance of a Building Permit the application shall be reviewed to determine if all other necessary government permits required by local, state and federal laws have been obtained, including but not limited to a sewage permit in accordance with Eldred Township Ordinance and the Pennsylvania Sewage Facilities Act. No Building Permit shall be issued until all of the necessary permits have been obtained.

C. Prior to the issuance of a Building Permit a determination shall be made as to whether the application indicates compliance with the requirements set forth in this ordinance as to acreage, set back, frontage and the like, and further complies with the requirements as to content of the application. No Building Permit shall be issued unless and until all requirements as to form and substance have been met.

D. The permit shall be prepared in duplicate and shall contain (a) the name and address of the applicant; (b) the date of issue; (c) the purpose for which issued; (d) the location of the proposed structure; (e) the description of the proposed structure; (f) the signature of the Building Permit Officer, or Secretary of the Board of Supervisors. The original shall be delivered to the applicant and the duplicate retained and filed with the Township Secretary.

SECTION 2.02 : Application Procedures and Requirement

A. Application for a Building Permit shall be made, in writing, to the Township, on forms supplied by Eldred Township.

B. Every application for a Building Permit shall be accompanied by the required fee in accordance with the fee schedule as adopted by the Eldred Township Supervisors.

SECTION 2.03 : Permit Timeliness

Any work authorized by a permit issued under this Ordinance shall commence within two (2) years after issuance of such permit. If work has not commenced within two (2) years, a new permit will be required.

SECTION 2.04 : Inspection and Revocation

A. During the construction work, the Building Inspection Officer may inspect the premises to determine that the work is progressing in compliance with the information provided in the permit application and with all applicable Township laws and Ordinances.

B. In the event that the Building Inspection Officer determines 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 shall be revoked and prosecution may be commenced to secure compliance.

ARTICLE III. STANDARDS

SECTION 3.00 : Residential Dwellings and Accessory Structures

All residential dwelling houses or structures used as dwelling houses, including camps or part-time residences, hereinafter erected or constructed in Eldred Township shall meet minimum requirements as follows:

A. No such structure shall be erected or installed on a lot having an area of less than one (1) acre with a foot frontage of not less than one hundred fifty (150) feet.

B. All such dwelling structures shall be located at least 66-1/2 feet from the center of the road, parallel with it, and otherwise located so that all other dimensions of the building plan provide a free space of at least 25 feet from the boundaries of the lot.

C. All accessory structures which will have no plumbing facilities shall be located at least 36-1/2 feet from the center of the road, parallel with it, and otherwise located on the lot so that all other dimensions of the building plan provide a free space of at least 6 feet from the boundaries of the lot.

D. All buildings used as dwellings shall have at least two (2) exits.

E. No trees, shrubbery, fences, signs or other obstructions of any type may be placed within the area of Township Right of Ways or so as to obstruct the use of a roadway.

F. Driveway approaches opening onto public roads shall be constructed in a manner which results in no interference with the maintenance of the ditch line of

public roads. Driveway approaches shall be constructed in conformance with the specifications set forth on drawing ET 1-91, attached hereto.

G. No person shall use a dwelling or erect or move into Eldred Township for use as a dwelling any street car, semi-trailer, railroad car, passenger car, or bus.

H. Additions to and alterations of buildings currently in existence on lots of less than once acre prior to the enactment of this Ordinance shall be permissible upon obtaining a Building Permit provided all other requirements for said permit are met by the applicant. This exemption shall not apply to the replacement of a building currently in existence.

I. No structure located less than 66 1/2 feet from the center of the roadway or less than 25 feet from the boundaries of the lot can be used as or converted to a dwelling.

SECTION 3.01 : Mobile Homes / Travel Trailers

Mobile Homes or Travel trailers not registered for vehicle operation and having a valid current license plate may not be maintained in excess of thirty (30) days without obtaining a Building Permit.

SECTION 3.02 : Business (Commercial and Industrial) Establishments

All non-residential dwelling structures hereinafter erected or constructed in Eldred Township shall meet minimum requirements as follows:

A. Commercial Structures - no commercial structure shall be erected or installed on a lot having an area of less than one (1) acre with a foot frontage of not less than two hundred (200) feet. All such structures shall be located at least 116-1/2 feet from the center of the road, parallel with it, and otherwise located so that all other dimensions of the building plan provide a free space of at least 25 feet from the boundaries of the lot.

B. Industrial structures - No industrial structure or complex shall be erected or installed on a lot having an area of less than ten (10) acres. All such structures shall be located at least 216-1/2 feet from the center of the road, parallel with it, and otherwise located so that all other dimensions of the building plan provide a free space of at least 100 feet from the boundaries of the lot.

ARTICLE IV. ENFORCEMENT

SECTION 4.00 : Enforcement

Any person, partnership, business or corporation violating any of the provisions of this ordinance, or any regulation or restriction contained therein, shall be proceeded against by the Board of Supervisors, or by their authorized agents or attorneys in the following manner:

A. By the issuance of a notice to persons in violation directing them to abate the situation within ten (10) days;

B. By the issuance of stop, cease and desist Orders to violators;

C. By the instituting of appropriate actions or proceedings at law or in equity;

D. At the option of the Board of Supervisors, by recovery of the fine and remedies provided hereinafter in Section 4.01.

SECTION 4.01 : Penalties

Any person, partnership, business or corporation violating any provision of this Ordinance, or any regulation or restriction contained therein, or failing to obey any notice of abatement or stop, cease and desist Order issued shall, upon conviction thereof before a District Justice or the Court of Common Pleas, after hearing held, be subject to a fine of not more than Three Hundred Dollars (\$300.00), plus costs of prosecution and/or imprisonment for not more than thirty (30) days for each offense. Each day that a violation is continued shall constitute a separate offense.

ARTICLE V. REPEALER CLAUSE

This Ordinance hereby rescinds and supersedes Ordinance Numbers 1971-2, 1974-3, 1975-V, and 1982-I, relating to building requirements and permits.

ENACTED and ORDAINED by the Board of Supervisors of
Eldred Township, Jefferson County, Pennsylvania, this
7 day of October, 1992.

ATTEST:

ELDRED TOWNSHIP BOARD
OF SUPERVISORS

Deborah A. Gilberg
Secretary

Wesley D. Baer
Michael R. Caldwell
Donald E. Lucas