

## **Chapter 61**

### **BUILDING CONSTRUCTION**

**§ 61-1. Definitions.**

**§ 61-2. Permit required; fees.**

**§ 61-3. Inspection.**

**§ 61-4. Time limit.**

**§ 61-5. Violations and penalties.**

**[HISTORY: Adopted by the Borough Council of the Borough of South Greensburg 10-8-1979 as §10.21 through 10.26 of Ch. 10 of the Code of Ordinances. Sections 61-2, 61-3, 61-4 and 61-5 amended at time of adoption of Code; see Ch. 1, General Provisions, Art. I. Other amendments noted where applicable. Amended 4-12-2004 by Ord. No. 2004-02, effective 4-12-2004. Amended 4-9-2012 by Ord. No. 2012-04, effective 4-9-2012]**

#### **GENERAL REFERENCES**

Fire prevention — See Ch. 79.

Fire suppression systems — See Ch. 82.

Flood damage prevention — See Ch. 86.

Mobile homes — See Ch. 114.

Property maintenance — See Ch. 125.

Smoke and heat detectors — See Ch. 138.

Zoning — See Ch. 163.

**§ 61-1. Definitions.**

As used in this chapter, the following terms shall have the meanings indicated:

PERSON — Any natural person or persons, an association, partnership, firm or corporation.

**§ 61-2. Permit required; fees. [Amended 6-14-1982 by Ord. No. 82-10. Amended by Ord. No. 2002-04 on 7-8-2002, effective 7-8-2002]**

No person shall cause or permit any building or part of a building to be erected or razed or any addition or enlargement to be made to any building upon any property owned by such person or upon any ground rented by him, in the case of a ground rental arrangement, without first having obtained a permit therefor. Such permit shall be issued by the South Greensburg Zoning Officer, upon the filing of an application with him, together with a description of the work to be done in the case of razing, erection, addition or enlargement to any building and the furnishing of evidence of intended compliance with the requirement of the law and of all other ordinances of the borough affecting building construction or razing and the use therein, such evidence to be given by specific information as may be prescribed by the application form. Notwithstanding the

foregoing, prior to any building permit being issued by the South Greensburg Zoning Officer, the person requesting the issuance of the building permit must have secured a sewage tap from the Greater Greensburg Sewage Authority or other applicable sewage authority as a condition to the issuance of the building permit. The fee for the issuance of such permit shall be as designated by Council pursuant to §1-16 herein.

**§ 61-2.1. Uniform Construction Code.**

1. The Borough of South Greensburg hereby elects to administer and enforce the provisions of the Pennsylvania Construction Code Act, Act 45 of 1999, 35 P.S. §§ 7210.101-7210.1103, as amended from time to time, and its regulations.
2. The Uniform Construction Code, contained in 34 Pa. Code, Chapters 401-405, as amended from time to time, is hereby adopted and incorporated herein by reference as the Municipal Building Code of the Borough of South Greensburg.
3. Administration and enforcement of the Code within the Borough of South Greensburg shall be undertaken in any of the following ways as determined by the governing body of the Borough of South Greensburg from time to time by resolution:
  - a. By the designation of an employee of the Borough of South Greensburg to serve as the municipal code official to act on behalf of the Borough of South Greensburg.
  - b. By the retention of one or more construction code officials or third-party agencies to act on behalf of the Borough of South Greensburg.
  - c. By agreement with one or more other municipalities for the joint administration and enforcement of this Act through an intermunicipal agreement.
  - d. By entering into a contract with another municipality for the administration and enforcement of this Act on behalf of the Borough of South Greensburg.
  - e. By entering into an agreement with the Pennsylvania Department of Labor and Industry for plan review, inspections and enforcement of structures other than one-family or two-family dwelling units and utility and miscellaneous use structures.
4. A Board of Appeals shall be established by resolution of the governing body of the Borough of South Greensburg in conformity with the requirements of the relevant provisions of the Code, as amended from time to time, and for the purposes set forth therein. If at any time enforcement and administration is undertaken jointly with one or more other municipalities, said Board of Appeals shall be established by joint action of the participating municipalities.
5. a. All building code ordinances or portions of ordinances which were adopted by the Borough of South Greensburg on or before July 1, 1999, and which equal or exceed the requirements of the Code shall continue in full force and effect until such time as such provisions fail to equal or exceed the minimum requirements of the code from

time to time.

- b. All building code ordinances or portions of ordinances which are in effect as of the effective date of this Ordinance and whose requirements are less than the minimum requirements of the Code are hereby amended to conform with the comparable provisions of the Code.
- c. All relevant ordinances, regulations and policies of the Borough of South Greensburg not governed by the Code shall remain in full force and effect.

**§ 61-3. Inspection. [Amended 8-10-1992 by Ord. No. 92-6]**

Upon completion of the work of the erection, razing or addition or enlargement of any building under a permit granted as aforesaid, the holder of such permit shall report such completion or, at any time during the course of the work for which the permit shall have granted, cause an inspection of such building to be made. If there is evidence that any requirement of the law or of any applicable ordinance has not been complied with, the Zoning Officer shall report such fact to the Mayor, who shall commence prosecution under such law or ordinance or take the necessary steps to secure compliance otherwise. The fact of completion of such work shall be noted upon the original application for the permit, which shall be kept on file.

**§ 61-4. Time limit. [Amended 8-10-1992 by Ord. No. 92-6; 12-12-1994 by Ord. No. 94-91]**

- A. If any work authorized by any permit issued under this chapter shall not have been commenced and completed within six (6) months after the issuance of such permit, the Zoning Officer shall require the permit holder to relinquish such unused permit, which shall thereupon become invalid; provided, however, that the Zoning Officer shall have authority to grant extensions as follows:
  - (1) On residential property: an extension of thirty (30) days upon finding by the Zoning Officer that unusual circumstances prevail which warrant the granting of an extension of time of thirty (30) days.
  - (2) On commercial property: an extension for such time as the Zoning Officer deems reasonable upon finding that unusual circumstances prevail which warrant the granting of an extension of time for a reasonable period of time.
- B. The Zoning Officer shall make the determination as to existence of said unusual circumstances.
- C. Upon the expiration of the six-month period or the expiration of the extension period as granted by the Zoning Officer as herein provided, neither the permit fee nor any part thereof shall be returned to such permit holder, and if at any future time such permit holder shall make application for another permit for the same work, he shall follow the same procedure and pay the same fee as if no previous permit had been issued.

**§61-5. Enforcement Fees [Amended 4-9-12 by Ord. No. 2012-04.]**

Any person, firm or corporation that violates any of the provisions of the Ordinance, the Code, Act and/or Regulations commits a summary offense and shall, upon conviction, be sentenced to pay a fine of not more than Six Hundred (\$600.00) Dollars in costs incurred by the Borough in enforcement of said violation. Each day that a violation exists and continues shall be a separate violation.

