

ARTICLE 1324

ADMINISTRATION, PERMITS AND PENALTIES

1324.01 Enforcement

The provisions of this ordinance shall be administered and enforced by the Zoning Officer who shall be appointed by the City Council.

It shall be the duty of the Zoning Officer and he shall have power to:

- (a) Review all applications for zoning-building permits, and issue permits when there is compliance with the provisions of this Ordinance and other applicable City regulations.
- (b) Receive applications for special exceptions, variances, and special use permits and forward these applications to the Zoning Hearing Board for action thereon.
- (c) Following disapproval of a zoning-building permit or certificate of occupancy, to receive applications for appeals from the decision of the Zoning Officer and forward these applications to the Zoning Hearing Board for action thereon.
- (d) Conduct inspections and surveys to determine compliance or non-compliance with the terms of this Ordinance.
- (e) Order in writing correction of all conditions found to be in violation of the provisions of this Ordinance. Such written orders shall be served personally or by certified mail upon persons, firms or corporations deemed by the Zoning Officer to be violating the terms of this Ordinance.
- (f) Record and file all applications for certificates of occupancy with accompanying plans and documents, and all certificates and permits issued. All applications, plans, and documents shall be a public record.
- (g) Maintain a map or maps showing the current zoning classification of all land in the City.
- (h) Upon the request of City Council, the Planning Commission or the Zoning Hearing Board, present facts, records or reports which they may request to assist such body in making decisions.
- (i) Review and approve or deny temporary permits which shall be issued by the office of the Bureau of Inspections for a period not to exceed one (1) year and which may be renewed annually for the following two (2) years.

- (1) For non-conforming uses incidental to housing and construction projects and including such structures and uses as storage of building supplies and machinery, and a real estate office located on the tract being offered for sale, provided such permits are issued only upon agreement by the owner to remove the structure upon expiration of permit.
- (2) For structures or uses which are deemed by the Zoning Office to be beneficial to the public health and necessary to the public welfare.

1324.02 Zoning-Building Permits

All requests for zoning-building permits shall be made in writing by the owner or his authorized agent to the office of the Bureau of Inspections on application forms furnished by the City.

Zoning-building permits shall be secured from the office of the Bureau of Inspections prior to starting any construction, erection or alteration of any building, structure or portion thereof. Issuance of a zoning-building permit shall be subject to review and approval by all City Departments noted on the permit. The Inspections Office shall require that the application of a zoning-building permit and any additional material requested by the various City Departments shall contain all the information necessary to enable them to ascertain whether the proposed structure complies with the provisions of this Ordinance. A zoning-building permit shall be granted or denied within thirty (30) days of receipt of written application, provided that the curb line and grade have previously been established and no warrant of survey is necessary.

No zoning-building permit for construction, erection or alteration of any building, structure or portion thereof, shall be valid for more than six (6) months unless work at the site has commenced within such period.

The Building Inspector shall be given at least forty-eight (48) hours notice by the owner or applicant prior to commencement of work at the site under a zoning-building permit.

1324.03 Fees

Fees for zoning-building permits shall be paid in accordance with the Fee Schedule set forth in Ordinance No. 2999 which adopts for the City of Bethlehem the Basic Building Code of the Building Officials and Code Administrators International, Inc. Fees for appeals to the Zoning Hearing Board shall be paid in accordance with the following:

- Appeals for dimensional variances for single family residences occupied by the owner-----\$ 75.00
- Appeals for portable sidewalk signs-----\$ 50.00
- Appeals for all other signs-----\$150.00

All other appeals-----\$300.00

Refunds shall be granted only if requested before legal ad is submitted to the local newspaper.

1324.04 Violations and Penalties

For any and every violation of the provisions of this Ordinance: The owner, general agent, architect, contractor of a building or premises where such a violation has been committed or shall exist, or any other person who commits, takes part or assists in any such violation or who maintains any buildings or premises in which any such violation shall exist, shall be liable on conviction thereof to a fine or penalty not exceeding five hundred dollars (\$500.00), which shall be paid over to the City Treasurer or imprisonment for a period not to exceed ninety (90) days, if the fine is not paid.

- (a) Such fines and penalties may be collected by suit or summary proceedings brought in the name of the City before any Magistrate.
- (b) Whenever any such person specified above shall have been notified by the Zoning Officer in writing that he is violating this Ordinance, such person shall commence correction of all violations within five (5) days after notice and correct all violations within thirty (30) days of notice. If corrections are not commenced within five (5) days or completed within thirty (30) days, each day that a violation continues shall be considered a separate offense punishable by the like fine.

1324.05 Cancellation of Permit

The Zoning Officer may cancel or revoke a permit previously granted for violation of this Zoning Code or of any order of the Zoning Officer.

1324.06 One (1) Year Limitation on Approvals

- (a) The holder of any approval by the City Planning Commission or approval or variance granted by the Zoning Hearing Board under the provisions of Ordinance 1390 adopted November 22, 1955, shall be required to commence and proceed with substantial construction of the improvement authorized within a period of one (1) year from the effective date of this Ordinance.
- (b) If the holder of any approval by the City Planning Commission or approval or variance granted by the Zoning Board of Adjustment's Ordinance 1390, adopted November 22, 1955, fails to commence and proceed with substantial construction pursuant to such approval or variance within one (1) year of the effective date of this Ordinance, said approval or variance shall lapse and no construction shall thereafter be commenced in reliance on such approvals or variances.