

ARTICLE X
ADMINISTRATION

Section 1000 ZONING OFFICER

- A. Appointment:
The position of Zoning Officer for Charleston Township, is hereby created and the Board of Supervisors shall appoint a Zoning Officer pursuant to the provisions of Section 614 of Act 247, as amended, the "Pennsylvania Municipalities Planning Code."
- B. Powers and Duties:
The Zoning Officer shall administer this Ordinance in accordance with its literal terms, and shall not have the power to permit any construction or any use or change of use which does not conform to the requirements of this Ordinance. Within this power, the Zoning Officer shall have duties as follows:
1. The Zoning Officer shall receive applications for, and issue zoning and sign permits, certificates of use and occupancy and stopwork orders in accordance with the provisions of this Ordinance.
 2. The Zoning Officer shall make all the required inspections or he may, subject to the approval of the Board of Supervisors, engage such expert opinion as he may deem necessary to report upon unusual technical issues that may arise.
 3. At least annually, the Zoning Officer shall submit to the Board of Supervisors a written statement of all zoning and sign permits, certificates of use and occupancy issued, and notices and orders issued.
 4. An official record shall be kept of all business and activities of the office of the Zoning Officer specified by provisions of this Zoning Ordinance and all such records shall be open to public inspection at all appropriate times.

Section 1001 PERMITS

- A. Zoning Permit:
A zoning permit shall be required prior to the erection, addition or alteration of any building or portion thereof; prior to the use or change in use of a building or land; and prior to the changes or extension of a non-conforming use. It shall be unlawful for any person to commence work for the erection or alteration of any building or for a change in land use, until a permit has been duly issued therefore. No zoning permit shall be required in cases of normal maintenance activities, minor repairs and alterations which do not structurally change a building or structure.

1. Application for permits - All applications for permits shall be accompanied by plans in duplicate, drawn to scale, showing the actual shape and dimensions of the lot to be built upon, the exact size and location of any buildings.
 - a. No building or structure shall be erected, re-modeled, added to or structurally altered until a permit therefore has been issued by the Zoning Officer. All applications for zoning permits shall be in accordance with the requirements of this Zoning Ordinance, and unless upon written order of the Zoning Hearing Board, no such zoning permit shall be issued for any building where said construction, addition or alteration for use thereof would be in violation of any of the provisions of this Ordinance.
 - b. Remodeling or improvement of existing buildings which does not alter the basic structure, create additional lot area coverage, or change the use of the parcel or building is exempt from this specific requirement provided the estimated cost of such activities does not exceed fifty (50) percent of the fair market value.
 - c. All requests for building permits shall be made in writing by the owner or his authorized agent and shall include a statement of the use as intended of the building and shall be accompanied by two (2) copies of a layout or plat plan drawn to scale showing the actual dimensions of the lot to be built upon, the exact size and location of the lot of the building and accessory buildings to be erected and such other information as may be necessary to determine and provide for the enforcement of this Zoning Ordinance. When complete and accurate information is not readily available from existing records, the Zoning Officer may require an applicant to furnish a survey of the lot by a registered engineer or registered surveyor.
 - d. One (1) copy of such layout or plat plan shall be returned when approved by the Zoning Officer together with the permit to the applicant upon payment of a fee as predetermined from a fee schedule adopted by the Board of Supervisors.

B. Occupancy Permit:

1. A certificate of occupancy, either for the whole or for a part of a new building or for the structural alteration of an existing building shall be applied for coincident with the application for a building permit and shall be issued within ten (10) days after the erection or alteration of such building or part of a building shall have been completed and after due inspection shows the same to be in conformance with the provisions of this Zoning Ordinance.

2. A certificate of occupancy for the use or occupancy of vacant land or for a change of use in an existing building shall be applied for and issued before any such land or building shall be occupied, used or changed in use and such certificate of occupancy shall be issued within ten (10) days after application has been made, provided such proposed use is in conformance with the provisions of this Ordinance.
3. No fee shall be charged for an application for a certificate of occupancy as required herein; but for the issue of each copy of said certificate of occupancy, there will be a charge as per a fee schedule adopted by the Board of Supervisors.
4. Refusal by the Zoning Officer to issue an occupancy permit shall include a written statement to the applicant containing reasons for such denial.
5. Occupancy permits are required for the following:
 - a. Occupancy of a new building.
 - b. Occupancy and use of a building hereafter moved or altered so as to require a zoning permit.
 - c. Change in the use of an existing building other than to a use of the same type.
 - d. Occupancy and use of unimproved or vacant land.
 - e. Change in the use of land except to another use of the same type.
 - f. Any change in use of nonconforming use to a conforming use.
 - g. Any vacant, public, commercial or industrial building.
6. Occupancy permits shall state that the building or the proposed use of a building or land complies with all provisions of law and of this Zoning Ordinance and all other ordinances of the municipality. They are deemed to authorize and are required for both initial and continued occupancy and use of the building and land so long as such building and use is in full conformity with the provisions of the Ordinance.

C. Sign Permit:

1. No permanent or temporary sign as described in this Ordinance shall be erected until a permit therefore has been issued by the Zoning Officer.
2. Application to the Zoning Officer shall be processed within one (1) week upon receipt of the written request to erect a sign and payment of a fee as predetermined from a fee schedule adopted by the Board of Supervisors, provided the size and nature of the sign is in conformity with the provisions of this Ordinance, and all other effective and applicable ordinances. Refusal for a sign permit shall include a written statement to the applicant containing the reasons for denial.

3. Negligence to apply for a sign permit is punishable by a fine as prescribed by this Ordinance. Payment of said fine does not grant approval to erect a sign.

D. Temporary Permit:

1. Temporary permits are required where it is intended that a mobile, temporary or seasonal use be located anywhere within the Township for a very short period of time. Temporary permits are limited to a one (1) week period renewable for a maximum of four (4) weeks during any one calendar year unless otherwise specified in this Ordinance.
2. Temporary permits are required for and in accordance with the following:
 - a. Selling of Christmas trees at churches, schools, clubs and lodges.
 - b. Carnival, circus or street fairs.
 - c. Mobile amusements and lighting equipment for promotion, advertisement and grand openings.
 - d. Temporary parking of camping or recreational equipment in Residential Districts.
3. No temporary permit shall be issued for any temporary use where said use would violate any of the provisions of this Zoning Ordinance except upon approval of the Board of Supervisors.
4. Written request to the Zoning Officer for a temporary permit shall be processed within one (1) week upon receipt of the request and payment of a fee as pre-determined from a fee schedule adopted by the Board of Supervisors provided the use does not violate any provisions of this Zoning Ordinance.

Section 1002 INSPECTION

It shall be the duty of the Zoning Officer, or his fully appointed representative, to make the following minimum number of inspections on property for which a permit has been issued.

A. At the Beginning of Construction:

A record shall be made indicating the time and date of the inspection and the finding of the Zoning Officer in regard to conformance of the construction with plans submitted with the application for the building.

1. If the actual construction does not conform to the application, a written notice of a violation shall be issued by the Zoning Officer, and such violation shall be discontinued. Upon proper correction of the violation and receipt of written notice from the Zoning Officer, construction shall proceed.

B. At the Completion of Construction:

A record shall be made indicating the time and date of the inspection; the findings of the Zoning Officer in regard to conformance to this Ordinance; and the opinion of the Zoning Officer in regard to the issuance of an occupancy permit.

ARTICLE XI
SEVERABILITY

Should any section or provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of this Ordinance as a whole or any part thereof, and the parts of or sections remaining shall remain in effect as though the part or section declared unconstitutional has never been a part thereof.

ARTICLE XII
INTERPRETATION, PURPOSE AND CONFLICT

The interpretation and application of the provisions of this Ordinance shall be held to be the minimum requirements for the promotion of the health, safety and general welfare of the Township of Charleston. This Ordinance is not intended to interfere with or abrogate or annul other rules, regulations or ordinances of the Township provided that where this Ordinance imposes a greater restriction upon the use of a building or premises, or upon the height of a building, or requires larger open spaces than are imposed by other such rules, regulations or ordinances the provision of this Ordinance shall prevail.

ARTICLE XIII
REMEDIES

In case any building or structure is erected, constructed, reconstructed, altered, repaired, converted or maintained, or any building, structure or land is used in violation of this Ordinance or prior laws, the Township Board of Supervisors may instruct an officer of the Township, in addition to other remedies, to institute in the name of the Township any appropriate action or proceedings to prevent, restrain, correct or abate such violation, structure or land, or to prevent, in or about such premises any act, conduct or use constituting a violation.

ARTICLE XIV
PENALTIES

Any person, partnership or corporation who or which shall violate the provisions of this Zoning Ordinance enacted under Act 247 as amended shall, upon conviction thereof in a summary proceeding, be sentenced to pay a fine of not more than five hundred dollars (\$500.00). In default of payment of the fine such person, the members of such partnership, or other officers of such corporation shall be liable to imprisonment for not more than sixty (60) days. Each day that a violation is continued shall constitute a single and separate offense. All fines collected for the violation of this Zoning Ordinance shall be paid over to the Board of Supervisors and deposited in the General Fund.

ARTICLE XV
REPEALER

All Ordinances or parts of Ordinances inconsistent herewith are
hereby repealed.

Passed and enacted this 31 day of May, 19 75.

BOARD OF SUPERVISORS OF THE
TOWNSHIP OF CHARLESTON,
TIOGA COUNTY, PENNSYLVANIA

Walter E. Vandergift *jet*
Chairman
James Gilliland *jet.*
Reffard Abghans *jet.*

ATTEST:

Dora Gilliland *jet*
Secretary

(Seal)