

Chapter 9

Grading and Excavating

Part 1

Grading and Excavating Regulations

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Part 1**Grading and Excavating Regulations****§9-101. Statement of Intent.**

It shall be unlawful for any person, partnership, business, or corporation to undertake or cause to be undertaken, the excavation, filling, and/or grading of any land within the municipality unless an approved permit has been obtained from the Building Official.

(Ord. 288, 9/11/1975, §1)

§9-102. Definitions.

For the purposes of this Part, the following definitions shall apply:

Earth material—any rock, natural soil or fill and/or any combination thereof.

Excavation—the mechanical removal of earth material.

Filling—the deposition of earth material.

Grading—any excavating or filling or combination thereof.

Person—any person, persons, partnership, business, or corporation.

(Ord. 288, 9/11/1975, §2)

§9-103. Applications.

Application for such a permit shall be made in writing to the Building Permit Official on forms supplied by the municipality. Such applications shall contain all data enumerated in the Chalfant Borough Building Code, and at least the following data:

A. The name and address of:

- (1) The applicant.
- (2) The owner of the land on which the work will be performed.
- (3) The contractor performing the work.

B. An identification and description of the work to be covered by the permit for which application is made.

C. A description of the land on which the proposed work is to be done, by lot, block, tract, and house and street address, or similar description which will readily identify and definitely locate the proposed work.

D. An estimate of the value of the proposed work.

E. Such other information as reasonably may be required by the Building Permit Official.

(Ord. 288, 9/11/1975, §3)

§9-104. Issuance of Permit.

The Building Permit Official shall issue a permit only after it has been determined that the proposed work will be in conformance with all applicable requirements and regulations of this Part, the Chalfant Borough Building Code and all other Chalfant

Ordinances.

(*Ord 288, 9/11/1975, §4*)

§9-105. Permit Changes.

After the issuance of a permit by the Building Permit Official, no change of any kind shall be made to the application, permit, or any of the plans, specifications or other documents submitted with the application without the written consent or approval of the Building Permit Official.

(*Ord. 288, 9/11/1975, §5*)

§9-106. Placards.

In addition to the permit, the Building Permit Official shall issue a placard which shall be displayed on the premises during the time the work is in progress. This placard shall show the number of the permit, the date of its issuance and be signed by the Building Permit Official.

(*Ord. 288, 9/11/1975, §6*)

§9-107. Start of Work and Expiration of Permit.

1. The proposed work shall begin within 6 months after the date of issuance of the permit or the permit shall expire unless a time extension is granted, in writing, by the Building Permit Official.

2. All work shall be completed within 1 year of the date of issuance of the permit. If any work is to be performed beyond this period a new permit must be obtained under the conditions and requirements cited in §§9-103 and 9-104 of this Part.

(*Ord. 288, 9/11/1975, §7*)

§9-108. Inspection and Revocation.

During the permitted work period, the Building Permit Official or other authorized official may inspect the premises to determine that the work is progressing in compliance with the information provided on the permit application and with all applicable municipal laws and ordinances. In the event the Building Permit Official discovers 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 Official shall revoke the permit and report such fact to the Borough Council for whatever action it considers necessary.

(*Ord. 288, 9/11/1975, §8*)

§9-109. Fees.

Applications for a permit shall be accompanied by a fee, payable to the Borough, based upon the estimated cost of the proposed work as determined by the Building Permit Official at the rates set forth and as are applicable in the Chalfant Borough Building Code.

(*Ord. 288, 9/11/1975, §9*)

§9-110. Appeals.

Any person aggrieved by the Building Official estimate of the cost of the proposed work may appeal to the Borough Council. Such appeal must be filed, in writing, within 30 days after the determination by the Building Official. Upon receipt of such appeal, the Borough Council shall set a time and place not less than 10 nor more than 30 days for the purpose of hearing the appeal. Notice of the time and place of the hearing of the appeal shall be given to all parties at which time they may appear and be heard. The determination of the estimated cost by Council shall be final in all cases.

(*Ord. 288, 9/11/1975, §10*)

§9-111. Penalties.

Any person, firm, or corporation who shall violate any provision of this Part, upon conviction thereof, shall be sentenced to a fine of not more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 30 days. Each day that a violation of this Part continues shall constitute a separate offense.

(*Ord. 288, 9/11/1975, §1; as amended by Ord. 328, 12/12/1984, §9-111; by Ord. 340, 9/14/1988, §1; and by Ord. 408, 8/11/2011*)

