

Chapter 69

BUILDING CONSTRUCTION

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[HISTORY: Adopted by the Borough Council of the Borough of Westfield as indicated in article histories. Amendments noted where applicable.]

ARTICLE I

Building Permits

[Adopted 6-29-1954 by Ord. No. 127]

§ 69-1. Definitions.

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

ALTERATION — Any enlargement of any building or any work of repair, rearrangement, removal or replacement of any exterior or interior wall, roof, floor or support or any part thereof of any building.

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

§ 69-2. Building permits required. [Amended 11-11-1974 by Ord. No. 127; 11-10-1980 by Ord. No. 201; 8-13-2003 by Ord. No. 289]

No person shall cause or permit any building to be erected, razed or any alteration to be made therein upon any property owned by such person or upon any ground rented by him or her, in the case of a ground rented arrangement, without first having obtained a permit therefor. Such permit shall be issued by the Mayor, upon the filing of an application with him or her, submission of plans and specifications in the case of erection or alteration of any building, payment of a fee as set forth from time to time by resolution of the Borough Council,¹ and furnishing of evidence of intended compliance with the requirements of the law and of all other ordinances of the Borough affecting building construction and use thereon, such evidence to be given by specific information as may be prescribed by the application form.

1. Editor's Note: See Ch. A137, Fees.

§ 69-3. Completion of work; inspections.

Upon completion of the work of erection, razing or alteration of any building under a permit granted as aforesaid, the holder of such permit shall report such completion to the Mayor. The Mayor may, after completion or at any time during the course of the work for which the permit shall have been 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, he or she shall report such fact to the proper Borough official, 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.

§ 69-4. Time limits.

If any work authorized by any permit issued under this article shall not have been commenced within six months after the issuance of such permit, the Mayor shall require the permit holder to relinquish such unused permit, which shall thereupon become invalid, and under such conditions, 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 or she shall follow the same procedure and pay the same fee as if no previous permit had been issued.

§ 69-5. Violations and penalties. [Amended 11-11-1974 by Ord. No. 127; 8-13-2003 by Ord. No. 289]

Any person who shall violate this article shall, upon summary conviction thereof, be sentenced to a fine of not more than \$1,000 and costs of prosecution and, in default of payment of such fine and costs, shall be subject to imprisonment in the County Jail for not more than 30 days. Each day's violation of this article shall be deemed a separate offense.

ARTICLE II**Mobile Homes****[Adopted 5-25-1970 by Ord. No. 169]****§ 69-6. Definitions.**

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

ALTERATION — Any enlargement of any mobile home or house trailer or any work of repair, rearrangement, removal or replacement of any exterior or interior wall, roof, floor or support or any part thereof of any mobile home or house trailer.

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

§ 69-7. Permit required. [Amended 11-10-1980 by Ord. No. 201; 8-13-2003 by Ord. No. 289]

No person shall cause or permit any mobile home or house trailer to be erected, razed or any alteration to be made therein upon any property owned by such person or upon any ground rented by him or her, in the case of a ground rented arrangement, without first having obtained a permit thereof. Such permit shall be issued by the Mayor and the Borough Council, upon the filing of an application with him or her, submission of plans and specifications in the case of erection or alteration of any mobile home or house trailer, payment of a fee as set from time to time by resolution of the Borough Council,² and furnishing of evidence of intended compliance with the requirements of the law and of all other ordinances of the Borough affecting building construction and use thereon, such evidence to be given by specific information as may be prescribed by the application form.

§ 69-8. Completion of work; inspections.³

Upon completion of the work or erection, razing or alteration of any mobile home or house trailer under a permit granted as aforesaid, the holder of such permit shall report such completion to the Mayor and the Borough Council. The Mayor and the Borough Council may, after completion or at any time during the course of the work for which the permit shall have been granted, cause an inspection of such mobile home or house trailer to be made. If there is evidence that any requirement of the law or of any applicable ordinance has not been complied with, he or she shall report such fact to the proper Borough official, 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.

§ 69-9. Time limits.

If any work authorized by any permit issued under this article shall not have commenced within six months after the issuance of such permit, the Mayor and the Borough Council shall require the permit holder to relinquish such unused permit, which shall thereupon become invalid, and under such conditions, 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 or she shall follow the same procedure and pay the same fee as if no previous permit had been issued.

§ 69-10. Violations and penalties.⁴

Any person who shall violate or fail to comply with any of the provisions of this article shall, upon summary conviction thereof, be sentenced to pay a fine of not more than \$1,000 and costs of prosecution and, in default of payment of such fine and costs, shall be subject to imprisonment in the County Jail for not more than 30 days. Each day's violation hereof shall be a separate offense.

2. Editor's Note: See Ch. A137, Fees.

3. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

4. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).