

BOROUGH OF RED HILL

56 WEST 4TH STREET

RED HILL, PA 18076

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APPLICATION FOR OCCUPANCY INSPECTION TEMPORARY ACCESS PERMIT/TEMPORARY OCCUPANCY PERMIT

TEMPORARY ACCESS PERMIT TEMPORARY OCCUPANCY PERMIT

IMPORTANT PLEASE READ BEFORE COMPLETING APPLICATION

An **inspection fee of \$150** must be submitted at time of application. **Allow 15 days from the payment date** to receive your permit provided there are no violations. If violations are found then temporary permits are issued depending upon the type of violations. If the violation(s) does not make the property unfit for human habitation then a temporary occupancy permit is issued and the purchaser has 12 months to correct the violation(s). If the violation(s) makes the property unfit for human habitation then a temporary access permit will be issued and the purchaser has 12 months to correct the violation(s).

Once work is completed you will need to submit an application along with a \$150 inspection fee prior to rescheduling. **Allow 15 days from the payment date** to receive your permit provided there are no violations.

If sidewalks are one of the items that require work, you will receive a separate letter detailing the work that is needed to be completed. All sidewalks and curbs must be in compliance with current borough codes, a sidewalk engineer will be out to perform an inspection and you will be notified within 3 business days of that inspection as to whether sidewalk work is need.

ONLY applicable for non-residential and multifamily residences of 5 or more. A fire safety inspection is required. Please contact John Lehr, Fire Marshal at 484-226-9918 at least 10 days prior settlement to schedule an appointment. A Use and Occupancy permit will not be issued until the Fire Marshal conducts an inspection, approves occupancy and an inspection fee is paid. A schedule of fees and a self-check list can be found following Chapter 27, Section 802.

If you have not been contacted to schedule an inspection **within 3 business days** of submitting an application and payment, please contact Brandon Pfaff at 484-280-3622 or email him at bpfaff@barryisett.com. All questions regarding inspections and issuance of permits should be submitted to Brandon Pfaff, the Borough **does not** schedule inspections or issue the permits.

A **sewer lateral inspection** is required by the Upper Montgomery Joint Authority (UMJA). To arrange an inspection, please call them directly at 215-679-5133.

THE FORM MUST BE SIGNED & DATED BY EITHER THE APPLICANT OR THE OWNER

PROPERTY ADDRESS: _____

NAME OF FUTURE OCCUPANT: _____

SETTLEMENT DATE: _____

OWNER NAME: _____

OWNER ADDRESS: _____

OWNER PHONE: _____ EMAIL: _____

IF APPLICATION IS NOT MADE BY OWNER, PLEASE COMPLETE

APPLICANT NAME: _____

APPLICANT ADDRESS: _____

APPLICANT PHONE: _____ EMAIL: _____

Application Date: _____

Signature of Applicant: _____

Printed Name: _____

BOROUGH OF RED HILL, PA MUNICIPAL CODE
CHAPTER 27 ZONING
SECTION 802

2 – OCCUPANCY PERMIT

A. Scope. An occupancy permit shall be secured from the Zoning Officer upon the completion of any structure and prior to the occupancy of that structure. An occupancy permit shall also be secured from the Zoning Officer prior to a change in occupancy of any residential or multiple-family dwelling, prior to a change in occupancy of any structure or land where a commercial or industrial use is to be located, and for any change of use of any existing building or land where a residential or multiple-family dwelling or a commercial or industrial use will be involved.
[Amended by Ord. 2012-489, 6/13/2012; and by Ord. No. 2018-545, 6/13/2018]

B. Application. All applications for an occupancy permit shall be in writing on a form furnished by the Zoning Officer.

C. Issuance.

(1) The Zoning Officer shall grant or refuse an application for an occupancy permit within 15 days after being notified of the completion of authorized construction or alteration or (where no construction or alteration is involved) within 15 days after receipt of such application.

(2) A copy of the occupancy permit shall be kept upon the premises and shall be displayed upon request made by any officer of the Borough.

(3) Other Permits. The Borough may require additional permits specified in other related chapters and laws.

D. Inspections.

(1) The following inspection shall not be required upon a change of title to a residential or commercial structure; however, upon a change of occupancy by an owner or a tenant, or a change in use of any residential or commercial structure, the following inspections shall be conducted, and every item shall comply with Borough standards before an occupancy permit may be issued from the Code Enforcement Officer:
[Amended by Ord. 2012-489, 6/13/2012]

(a) Exterior:

1) Gutters and downspouts.

2) All sidewalks and curbs must comply with current Borough ordinances in Chapter 21 Part 2.

3) No broken windows.

- 4) Interior and exterior guardrails for stairs and porches over 30 inches aboveground.
- 5) Four inches maximum spacing.
- 6) Guardrails must be 36 inches high on open porches and 34 inches high on stairs.
- 7) No tall grass and weeds.
- 8) No accumulation of trash.
- 9) Swimming pools.
 - a) Aboveground pools must have four-foot-high walls.
 - b) In-ground pools must have at least a four-foot-high fence with a self-closing gate, with a maximum fence/gate spacing of four inches.

(b) Electrical: [Amended by Ord. 472, 12/9/2009]

- 1) Proper grounding of panel box and outlets.
- 2) No exposed or dangerous wiring.
- 3) Missing covers on receptacle, switches and junction boxes.
- 4) Labeling of breakers at panel.
- 5) Open slots at panel box (sealed or capped).
- 6) Switched lighting at stairways, top and bottom except basements.
- 7) Outlets in all habitable rooms.
- 8) Vent above stove.
- 9) All one-hundred-twenty-five-volt, single-phase, fifteen- and twenty-ampere receptacles installed in bathrooms shall have ground-fault circuit-interrupter protection for personnel.
- 10) All one-hundred-twenty-five-volt, single-phase, fifteen- or twenty-ampere receptacles installed in garages and grade-level portions of unfinished accessory buildings used for storage or work areas shall have ground-fault circuit-interrupter protection for personnel.
 - a) Exceptions:
 - (i) Receptacles that are not readily accessible.

(ii) A single receptacle or a duplex receptacle for two appliances located within dedicated space for each appliance that in normal use is not easily moved from one place to another, and that is cord- and plug-connected.

11) All one-hundred-twenty-five-volt, single-phase, fifteen- and twenty-ampere receptacles installed outdoors shall have ground-fault circuit-interrupter protection for personnel.

12) Where a crawl space is at or below grade level, all one-hundred-twenty-five-volt, single-phase, fifteen- and twenty-ampere receptacles installed in such spaces shall have ground-fault circuit-interrupter protection for personnel.

13) All one-hundred-twenty-five-volt, single-phase, fifteen- and twenty-ampere receptacles installed in unfinished basements shall have ground-fault circuit-interrupter protection for personnel. For purposes of this Section, unfinished basements are defined as portions or areas of the basement not intended as habitable rooms and limited to storage areas, work areas, and the like.

a) Exceptions:

(i) Receptacles that are not readily accessible.

(ii) A single receptacle or duplex receptacle for two appliances located within dedicated space for each appliance that in normal use is not easily moved from one place to another, and that is cord- and plug-connected.

14) All one-hundred-twenty-five-volt, single-phase, fifteen- and twenty-ampere receptacles that serve countertop surfaces shall have ground-fault circuit-interrupter protection for personnel.

15) All one-hundred-twenty-five-volt, single-phase, fifteen- and twenty-ampere receptacles that serve a countertop surface, and are located within six feet (1,829 mm) of the outside edge of a wet-bar sink shall have ground-fault circuit-interrupter protection for personnel. Receptacle outlets shall not be installed in a face-up position in the work surfaces or countertops.

16) The outlet(s) that supplies a self-contained spa or hot tub, or a packaged spa or hot tub equipment assembly, or a field-assembled spa or hot tub with a heater load of 50 amperes or less, shall be protected by a ground-fault circuit-interrupter.

17) All pools shall have ground fault protection.

18) Notwithstanding the above, when the existing wiring is incompatible with installation of ground-fault circuit interruption outlets, the existing wiring shall be certified with a notation on the certificate that substandard wiring is present.

(c) Fire protection and safety:

- 1) Smoke detectors.
 - a) Battery type is proper in existing structures.
 - b) Located in basement.
 - c) Located outside bedrooms and in each bedroom and on each level of the house.
- 2) Fire separation between building and garage (i.e., 1/2 inch drywall).
- 3) Egress from all bedrooms (window size requirements should not apply here, check window operation).
- 4) Thumb latch dead bolts for doors (keyed type not permitted).
- 5) Continuous railing system at all staircases in house.

(d) Plumbing and heating:

- 1) Drip let on water heater relief valve (maximum of six inches from floor with one-inch air gap off floor, rigid pipe only).
- 2) Fix leaks in plumbing at faucets and taps.
- 3) Properly functioning toilets.
- 4) Heat to all habitable rooms.
- 5) Proper ventilation for bathrooms (window or fan).
- 6) Proper ventilation for dryers:
 - a) Flexible plastic duct shall not be concealed in walls.
 - b) Must vent directly to outside.
- 7) Gutters, downspouts, sump pumps, floor drains, or any other sources of stormwater inflow and infiltration may not be connected to the public sewer system. In the event an unauthorized connection is suspected, the Sewer Authority

shall have access to the property to conduct a dye test prior to issuance of a certificate of occupancy.

(2) Any change in use of any structure or any change in occupancy of any residential or commercial structure shall require written notice to the Borough two weeks prior to any such change. The inspections required in Subsection D(1) above shall be required prior to any change in use of any structure or any change in occupancy of any residential or commercial structure. In addition, all electrical outlets shall be upgraded, including GFCI requirements, following the use and occupancy inspection and prior to any change. [Amended by Ord. No. 2018-545, 6/13/2018]

E. Re-Occupancy. In the case where a structure is deemed uninhabitable, an inspection shall be required and an occupancy permit issued prior to the re-occupancy of such structure. [Added by Ord. No. 2018-545, 6/13/2018]

3. Temporary Occupancy Permit. [Added by Ord. 2012-489, 6/13/2012]

A. Scope; Conditions. In situations where (1) an existing residential dwelling or structure is being altered, rehabilitated and/or renovated, or (2) a new residential dwelling or structure is being constructed and all exterior on-lot work cannot be completed because of adverse weather conditions or other compelling circumstances, a temporary occupancy permit may be issued for the dwelling or structure, in the sole discretion of the Code Enforcement Officer, subject to the satisfaction of the following conditions: [Amended by Ord. 2017-538, 8/9/2017]

(1) The application for a temporary occupancy permit shall be in writing on a form furnished by the Borough.

(2) The portion or portions of the dwelling or structure to be occupied shall be fully completed, fully habitable, with all life and safety features completed and fully inspected, so that such portion or portions for which the temporary occupancy permit is issued shall be occupied safely.

(3) All fees for the initial inspection for issuance of a temporary occupancy permit shall be paid in full prior to the issuance of the temporary occupancy permit.

(4) All fees for the reinspection for issuance of a final occupancy permit shall be paid in full prior to the issuance of the temporary occupancy permit.

(5) All incomplete work required to obtain a final occupancy permit shall be completed within the time established in the temporary occupancy permit or as extended by the Code Enforcement Official.

(6) The applicant shall execute the temporary occupancy permit acknowledging and identifying that the incomplete work listed on the temporary occupancy permit is the applicant's responsibility or that of the lot owner/purchaser.

B. Conditions for Resale of Property. In situations where a residential or nonresidential building or structure contains one or more code violations that are not substantial (as defined in § 27-802, Subsection 4A) and the property is being sold or transferred in "as is" condition, a temporary occupancy permit shall be issued for the building or structure by the Code Enforcement Officer, subject to the satisfaction of the following conditions:

[Added by Ord. 2017-538, 8/9/2017[1]]

(1) The application for a temporary occupancy permit shall be in writing on a form furnished by the Borough.

(2) The portion or portions of the building or structure to be occupied shall be fully completed, fully habitable, with all life and safety features completed and fully inspected, so that such portion or portions for which the temporary occupancy permit is issued shall be occupied safely.

(3) All fees for the initial inspection for issuance of a temporary occupancy permit shall be paid in full prior to the issuance of the temporary occupancy permit.

(4) All fees for the re-inspection for issuance of a final occupancy permit shall be paid in full prior to the re-inspection. Re-inspection shall be requested by the owner prior to the expiration of the temporary occupancy permit.

(5) All incomplete work required to obtain a final occupancy permit shall be completed within 12 months of the issuance of the temporary occupancy permit, unless extended in writing by the Code Enforcement Officer.

(6) The owner shall execute the temporary occupancy permit acknowledging and identifying that the incomplete work listed on the temporary occupancy permit is the responsibility of the owner and that, should the owner fail to timely complete the work, the Borough may perform the work, file a municipal claim for repayment, and impose a fine against the owner as described in this § 27-802, Subsection 3.

[1] *Editor's Note: This ordinance also provided for the renumbering of former Subsections B through D as Subsections C through E, respectively.*

C. Additional Conditions for New Construction. The following additional conditions shall apply to issuance of a temporary occupancy permit for new construction:

(1) The driveway serving the dwelling or structure on the lot, as applicable, must be completed to the stone base.

D. Issuance.

(1) An application for a temporary occupancy permit shall be granted or denied by the Code Enforcement Officer within five days after the application and all required supporting documents have been submitted to the Borough.

(2) A copy of the temporary occupancy permit shall be kept on the premises and shall be displayed upon request made by any officer of the Borough.

(3) The issuance of a temporary occupancy permit is in no way a municipal warranty that the building is habitable or that there is no defect in the lot, building or other structure.

(4) The permit applicant is responsible for obtaining all zoning and construction permits required for the work to be performed, in accordance with all applicable Borough codes and ordinances.

E. Fees. The fee for a temporary occupancy permit shall be established by the Borough Council, as amended by resolution from time to time.

F. Failure to Complete Construction; Revocation; Extension Requests.
[Amended by Ord. 2017-538, 8/9/2017]

(1) In the event the work to obtain a final occupancy permit is not completed within the time established in the temporary occupancy permit, or as extended by the Code Enforcement Officer, then, in that event, the applicant shall be deemed in violation and, except where the permit has automatically terminated pursuant to Subsection F(4) below, the Borough may immediately revoke the temporary occupancy permit.

(2) The Code Enforcement Officer shall, in writing, suspend or revoke a temporary occupancy permit whenever the certificate is issued in error, or on the basis of incorrect information supplied, or where it is determined that the residential dwelling or structure or portion thereof is in violation of any ordinance, resolution or regulation of the Borough.

(3) Any extension of time requested by the applicant to complete the work may be granted or denied in writing by the Code Enforcement Officer in his or her sole discretion.

(4) A temporary occupancy permit issued pursuant to § 27-802, Subsection 3B, shall automatically terminate and expire 12 months from the date of its issuance, unless extended in writing by the Code Enforcement Officer prior to its expiration.

(5) In the event the owner does not complete the work, the Borough may, at its discretion, proceed to perform such work and assess the owner for the cost of the work that it performs, plus an additional 10% of such costs, together with all charges and expenses incurred by the Borough, including attorneys' fees, and seek reimbursement from the owner. The Borough may file a municipal claim therefor, collect the same by action in assumpsit or seek reimbursement by any other lawful means. In addition, the Borough may, at its discretion, impose a fine against the owner of not less than \$1,000 and not more than \$10,000 pursuant to 68 P.S. § 1083(b).

4. Temporary Access Permit.[Added by Ord. 2017-538, 8/9/2017[2]]

A. Scope; Conditions. In the event an inspection report issued by the Borough relating to the resale of property identifies one or more substantial violations (as defined below), the Borough inspection report shall note each substantial violation and a temporary access permit shall be issued by the Code Enforcement Officer for the building or structure, subject to the satisfaction of the following conditions:

(1) The application for a temporary access permit shall be in writing on a form furnished by the Borough.

(2) No portion of the building or structure shall be occupied by any person during the term of the temporary access permit.

(3) The owner shall be permitted to store personal items on the property, provided the personal items are related to the proposed use or occupancy of the property or are needed to repair the substantial violations.

(4) All fees for the initial inspection for issuance of a temporary access permit shall be paid in full prior to the issuance of the temporary access permit.

(5) All fees for the re-inspection of the property shall be paid in full prior to the re-inspection. Re-inspection shall be requested by the owner not more than 12 months from the date of issuance of the temporary access permit.

(6) The owner shall execute the temporary access permit acknowledging and identifying that the incomplete work listed on the temporary access permit is the responsibility of the owner and that, should the owner fail to

timely complete the work, the Borough may perform the work, file a municipal claim for repayment, and impose a fine against the owner as described in this § 27-802, Subsection 4.

(7) For purposes of this § 27-802, "substantial violation" shall be defined as a violation of an adopted building, housing, property maintenance or fire code or maintenance, health or safety nuisance ordinance that makes a building, structure or any part thereof unfit for human habitation (as hereinafter defined) and is discovered during the course of a Borough inspection of the property and disclosed to the record owner or prospective purchaser of the property through the issuance of a Borough inspection report.

(8) For purposes of this § 27-802, "unfit for human habitation" shall be defined as a condition which renders a building or structure, or any part thereof, dangerous or injurious to the health, safety or physical welfare of an occupant or the occupants of neighboring dwellings. The condition may include substantial violations of a property that show evidence of: a significant increase to the hazards of fire or accident; inadequate sanitary facilities; vermin infestation; or a condition of disrepair, dilapidation or structural defects such that the cost of rehabilitation and repair would exceed 1/2 of the agreed-upon purchase price of the property.

B. Issuance.

(1) An application for a temporary access permit shall be granted or denied by the Code Enforcement Officer within five days after the application and all required supporting documents have been submitted to the Borough.

(2) A copy of the temporary access permit shall be kept on the premises and shall be displayed upon request made by any officer of the Borough.

(3) The permit applicant is responsible for obtaining all zoning and construction permits required for the work to be performed, in accordance with all applicable Borough codes and ordinances.

C. Fees. The fee for a temporary access permit shall be established by the Borough Council, as amended by resolution from time to time.

D. Failure to Complete Construction; Revocation; Extension Requests.

(1) All work required to obtain a final occupancy permit shall be completed within 12 months of the issuance of the temporary access permit. If re-inspection reveals at least one violation, but no substantial violations, the Code Enforcement Officer shall issue a temporary occupancy permit to be valid for the period of time remaining on the

original temporary access permit. If re-inspection reveals no violations, the Code Enforcement Officer shall issue a final occupancy permit.

(2) In the event a re-inspection conducted 12 months after the issuance of the temporary access permit reveals one or more substantial violations exist, the applicant shall be deemed in violation and the temporary access permit shall automatically terminate and expire.

(3) The Code Enforcement Officer shall, in writing, suspend or revoke a temporary access permit whenever the certificate is issued in error or on the basis of incorrect information supplied.

(4) Any extension of time requested by the applicant to complete the work may be granted or denied by the Code Enforcement Officer in his or her sole discretion.

(5) In the event the owner does not complete the work, the Borough may, at its discretion, proceed to perform such work and assess the owner for the cost of the work that it performs, plus an additional 10% of such costs, together with all charges and expenses incurred by the Borough, including attorneys' fees, and seek reimbursement from the owner. The Borough may file a municipal claim therefor, collect the same by action in assumpsit or seek reimbursement by any other lawful means. In addition, the Borough may, at its discretion, impose a fine against the owner of not less than \$1,000 and not more than \$10,000 pursuant to 68 P.S. § 1083(b).

5. Certificate of Nonconforming Use or Structure.
[Amended by Ord. 2012-489, 6/13/2012]

A. The owner of the premises occupied by a lawful nonconforming use or structure may secure a certificate of nonconforming use or structure from the Zoning Officer.

B. Such certificate shall be authorized by the Zoning Officer and shall certify to the owner his right to continue such nonconforming use or structures.

Red Hill Borough Fire Inspection Fee Schedule

The fee for a fire safety inspection is based upon a fee schedule that takes into consideration the type of occupancy, the usage and the square footage of the facility.

COMMERCIAL PROPERTIES:

0 -2999 SQUARE FEET \$60.00

3000 – 5999 SQUARE FEET \$80.00

6000 – 9999 SQUARE FEET \$ 120.00

10,000 – 24,999 SQUARE FEET \$ 200.00

25,000 – 49,999 SQUARE FEET \$ 300.00

50,000 – 99,999 SQUARE FEET \$ 400.00

100,000 – 499,999 SQUARE FEET \$ 500.00

>500,000 SQUARE FEET \$ 600.00

Based on the square footage for the occupancy multiple building in the same complex constitute a separate fire inspection.

MULTI-RESIDENTIAL / APARTMENT BUILDINGS:

5- 100 units \$75.00

➤ 100 units \$125.00

EDUCATIONAL/ ASSEMBLY PROPERTIES

0 – 500000 SQ FEET \$ 75.00

>500000 SQUARE FEET \$125.00

