

## Application for Zoning Approval/Use and Occupancy Certificate

### §801. Zoning Approval.

1. Requirements. No building, structure or sign, except temporary fences such as snow fences and fences around construction sites, shall be erected, constructed, assembled, extended, reconstructed, replaced, demolished, converted, moved, added to or structurally altered nor shall land, buildings and structures be put to any use or have the use for which they are used changed, without an approval therefor issued by the Zoning Officer. No such approval shall be issued unless there is conformity with the provisions of this Chapter, except upon written order from the Zoning Hearing Board in the form of a variance or special exception, or upon order from any court of competent jurisdiction.
2. Application Procedures. The application for a zoning approval or building permit shall be submitted to the Borough in writing on the attached form. The application shall be submitted by the owner or lessee of any building, structure or land or the agent of either; provided, however, that if the application is made by a person other than the owner or lessee, it shall be accompanied by a written authorization from the owner or lessee authorizing the work and designating the agent. **The application shall be accompanied by two sets of at least the following information:**
  - A. A plan of the lot in question, drawn to scale, indicating the lot size and showing all dimensions of lot lines and the exact location(s) on the lot of all existing and proposed buildings, fences, signs, structures and alterations to buildings or structures.
  - B. The use, height, length, width and proportion of the total lot area covered of all proposed and existing buildings, structures and additions or alterations to buildings or structures, and the height, length, width and design of all signs.
  - C. A statement indicating the number of dwelling units and/or commercial or industrial establishments to be accommodated within existing and proposed buildings on the lot. In the case of commercial and industrial uses, the floor area to be devoted to each use shall be indicated.
  - D. The location, dimensions and design of parking and loading areas including the size and arrangement of all spaces and means of ingress, egress and interior circulation, recreation areas, screens, buffer yards and landscaping, means of egress from and ingress to the lot, routes for pedestrian and vehicular traffic and provisions for outdoor lighting.
  - E. The location of all utility lines.
  - F. All other information necessary for the Zoning Officer to determine conformance with and provide for enforcement of this Chapter.
3. Approval or Disapproval. Upon receipt of the zoning approval or building permit application and all accompanying information, the Zoning Officer shall examine them and determine compliance with this Chapter. Within 60 days from the date the Borough receives the application, a copy of the application and accompanying information containing the Zoning Officer's decision with respect to compliance with this Chapter shall be returned to the applicant. A copy shall be retained by the Zoning Officer. The zoning approval shall expire six months from the date of approval of the application by the Zoning Officer; provided, that it may be extended at the discretion of the Zoning Officer for a period not exceeding one year. If disapproved, the Zoning Officer shall attach a statement to the application explaining the reasons therefor, indicating the manner in which the application could be corrected and/or modified to obtain approval, and

informing the applicant of his/her rights to appeal. The Zoning Officer shall revoke an approval issued under the provisions of this Chapter in case of any false statement or misrepresentation of fact in the application on which the approval was based or for any other cause set forth in this Chapter.

**§802. Certificate of Use and Occupancy.**

1. Requirements. It shall be unlawful to use and/or occupy any building, structure or land or portion thereof for which zoning approval is required until a certificate of use and occupancy has been issued by the Borough. A certificate of use and occupancy shall not be issued unless such building, structure or land has been inspected by the Zoning Officer and he/she has determined that all provisions of this Chapter have been complied with.
2. Issuance. Upon receipt of written notification that the applicant is ready to use and occupy the premises for which a zoning application has been approved, the Zoning Officer shall inspect the premises within 10 days to determine compliance with the approved application and this Chapter. If in compliance, he/she shall approve and sign a certificate of use and occupancy for the use indicated on the approved application. A copy of the certificate of use and occupancy shall be retained by the Zoning Officer as part of the Borough records. If he/she finds that the work has not been performed or that the use of the premises does not comply with the approved application and this Chapter, the Zoning Officer shall refuse to approve and sign the certificate of use and occupancy and in writing give the reasons therefor and inform the applicant of his/her right of appeal.
3. Temporary Certificate of Use and Occupancy. The Zoning Officer may issue a temporary certificate of use and occupancy for such temporary uses as tents, trailers and buildings on construction sites, and for the use of land for religious and other public and semipublic purposes or other temporary use and/or occupancy upon approval of the Borough Manager. Such temporary certificates shall be for the period of time to be determined by the Borough Manager at the time of application, but in no case shall any certificates, except those for uses on construction sites, be issued for more than six months.
4. A Fire Safety Inspection to the current International Fire Code based on type of occupancy, is also required.

