

ORDINANCE NO. 296

EAST NORRITON TOWNSHIP  
MONTGOMERY COUNTY, PENNSYLVANIA

AN ORDINANCE REQUIRING A USE AND OCCUPANCY PERMIT PRIOR TO THE USE OR OCCUPANCY OR TRANSFER OF OWNERSHIP OF ANY STRUCTURE, BUILDING OR DWELLING UNIT, OR ANY PART THEREOF, PROVIDING FOR THE ISSUANCE OF SUCH PERMITS, INSPECTIONS, ESTABLISHING FEES AND PROVIDING FOR PENALTIES FOR THE VIOLATION HEREOF.

The Board of Supervisors of East Norriton Township, Montgomery County, Pennsylvania, under and by virtue of authority granted by the Second Class Township Code, does hereby enact and ordain:

SECTION 1. The words and terms used herein shall have the meanings given to them in the East Norriton Code (or, if not defined therein, the BOCA Basic Building Code, 1984 Edition, as amended) unless defined herein or the context plainly requires another meaning.

SECTION 2. No structure, building, or any part thereof, nor any dwelling unit shall be used, occupied or transferred (and no existing use shall be changed to another use) until a Use and Occupancy Permit has been issued by the Zoning Officer (or other authorized representative) of the Township. The Zoning Officer (or other authorized representative) shall, after application for such permit by or on behalf of the owner of the premises to be used, occupied or transferred has been made on forms provided for such purpose by the Township, perform a limited inspection of the structure, building or dwelling unit for those items set forth on the Use and Occupancy checklist form (a copy of which is attached hereto, which checklist may be amended by the Board by resolution from time to time).

SECTION 3. The Use and Occupancy Permit shall state the use to which the structure, building or dwelling unit is to be put. No transfer of and no change in the use or ownership of any structure, building or dwelling unit shall be made until a Use and Occupancy Permit has been issued in accordance with Section 1 hereof. It shall be the duty of any person (and for the purposes of this Ordinance, "person" shall include individuals, corporations and all other forms of entities, as the circumstances dictate) who shall sell or otherwise transfer ownership of any structure, building or dwelling unit to another person, to apply for and obtain the Use and Occupancy Permit required by this Ordinance prior to such transfer of ownership and/or any change in the use or occupancy of such premises; provided, however, that the failure on the part of such seller or transferor to obtain such permit shall not excuse the purchaser or transferee of such premises from the requirements of this Ordinance.

SECTION 4. Any Use and Occupancy Permit issued hereunder may be revoked in the event that the structure, building, or dwelling unit is subsequently determined to be unsafe, or uninhabitable, or that a condition exists that is in violation of any applicable ordinance of the Township. In the event that the Use and Occupancy Permit is issued subject to conditions, such permits may be revoked if such conditions remain unsatisfied within the time limit provided for at the time of issuance of such conditional permit.

SECTION 5. The applicant for a Use and Occupancy Permit shall pay, at the time of application, a fee to the Township in an amount established by the Board of Supervisors, by a fee schedule adopted by resolution, from time to time. Such fee shall be nonrefundable in the event that the Zoning Officer shall refuse to issue a Use and Occupancy Permit after inspection. In the event a re-inspection shall be required, an additional fee shall be paid prior to such re-inspection.

SECTION 6. Subsection 119.6 of the BOCA Basic Building Code is hereby repealed.

SECTION 7. Any person who or which shall occupy or use any structure, building or dwelling unit without obtaining a Use and Occupancy Permit shall be in violation of this Ordinance and shall upon conviction thereof in a summary proceeding, be guilty of a summary offense and subject to payment of a fine of not more than One Thousand Dollars (\$1,000.00) and the costs of prosecution, including the attorneys' fees of the Township, and in default thereof, to imprisonment in Montgomery County prison as provided by law.

Each and every day that occupancy or use of any structure, building or dwelling unit shall continue without the permits required by this Ordinance after notice to cease and desist such occupancy or use shall have been given, shall constitute a separate offense and be punishable as such.

This Ordinance shall not apply to: the continuation of the existing lawful use and occupancy of an existing structure, building or dwelling unit; the lawful transfer of a structure, building or dwelling unit within one (1) year from the effective date of this Ordinance where such transfer is pursuant to a legally binding agreement in force as of the effective date of this Ordinance; and any transfer between husband and wife.

SECTION 8. This Ordinance shall take effect forty-five (45) days from the date of adoption.

ENACTED AND ORDAINED by the Board of Supervisors of East Norriton Township, Montgomery County, Pennsylvania, this *25th* day of *February*, 1991.

BOARD OF SUPERVISORS  
EAST NORRITON TOWNSHIP



BY: *John Wichter*

ATTEST:

*Helmut J. Roswald*  
Secretary