

## ORDINANCE #112

### AN ORDINANCE CONCERNING BUILDING PERMITS

The following ordinances are repealed and replaced with the following language:  
*Ordinance #6; #29; #71; #90; #96.*

#### Section 1 Short Title

This ordinance shall be known as the "Building Permit Ordinance of the Town of Plainfield, Connecticut"

#### Section 2 Policy Statement

It is declared to be in the best interest of the public health and safety of the Town of Plainfield to enforce the Building Code of the State of Connecticut.

#### Section 3 Definitions

The Connecticut State Building Code definitions, as amended, shall apply.

#### Section 4 General Provisions

- a. An application shall be submitted to the Building Official for all activities requiring a building permit under the Connecticut State Building Code, as amended. Activities shall not commence without a permit being issued by the Building Official.
- b. Fees: No permit to begin work for new construction, alteration, removal, demolition or other building operation shall be issued until the fees prescribed in this section shall have been paid to the Building Official or other authorized municipal agency, nor shall an amendment to a permit necessitating an additional fee because of an increase in the estimated cost of the work involved be approved until the additional fee shall have been paid.
  1. New Construction and Alterations: For new or repair work of buildings, electrical, plumbing, heating or oil burner classification or any other class of work included in the Connecticut Basic Building Code: permits for the first one thousand dollars (\$1,000.) of construction, or fraction thereof: fifteen dollars (\$15.00); and for every additional one thousand dollars (\$1,000.) of costs or every fractional part thereof: eight dollars (\$8.00.) plus the state fee. In addition, each building, which is subject to the provisions of C.G.S. § 29-276b, by virtue of meeting the threshold limit defined therein, shall be subject to an additional fee in an amount equivalent to the costs borne by the town in complying with the provisions of C.G.S. § 29-276b in connection with that building.
  2. Demolition: The fee for a permit for the demolition of a building or structure shall be as follows: for the first one thousand dollars (\$1,000.) of construction, or fraction thereof: fifteen dollars (\$15.00); and for every additional one thousand

dollars (\$1,000.) of costs or every fractional part thereof: eight dollars (\$8.00.) plus the state fee.

3. Signs: The fee for signs, billboards and other display structures for which permits are required under the provisions of the State of Connecticut Basic Building Code shall be as follows: permits for the first one thousand dollars (\$1,000.) of construction, or fraction thereof: fifteen dollars (\$15.00); and for every additional one thousand dollars (\$1,000.) of costs or every fractional part thereof: eight dollars (\$8.00.) plus the state fee.
  4. Permit fees for projects involving free materials and/or free labor shall be calculated as follows: the value of the project will be based on the square footage of the project, multiplied by the market rate square footage cost, as determined by the Building Official, which shall be posted in the Building Official's Office, and updated on an annual basis, or when necessary. The value of the project will then be charged in accordance with the above listed fee schedule.
- c. Permits for activities already undertaken by the applicant, prior to obtaining a building permit, demolition permit or other Building Official authorization, shall have the total fee, as determined above, plus 200% of the total fee.

#### Section 5 Demolition of certain buildings.

- a. In accordance with Section 29-202 of the Connecticut General Statutes as amended, the Building Official of the Town of Plainfield is hereby appointed to administer Section 29-406 to 29-413 inclusive, of the State Demolition Code.
- b. No person shall demolish or remove any building, structure, or part thereof without first obtaining a permit from the Building Official for the particular demolition or removal.
- c. If the building, structure or part thereof is listed in the historic resource surveys of the Town of Plainfield as defined in subsection d. of this section, the Building Official, prior to the issuing the permit shall, within ten (10) working days of the receipt of the application, conduct the following activities:
  1. Publish in the newspaper having substantial circulation, a Notice detailing what is proposed. A fee shall be charged to cover the cost of all such notices.
  2. Notify the abutting property owners and owners of properties across any streets adjacent to the property.
  3. Post with the Town Clerk, a copy of said Notice for public viewing.
  4. Notification by mail, within seven days following the filing of the demolition permit application, of the following organizations:
    - a. Plainfield Board of Selectmen
    - b. Plainfield Planning and Zoning Commission
    - c. Plainfield Conservation Commission
    - d. Plainfield Economic Development Commission
    - e. Plainfield Municipal Historian
    - f. Plainfield Historical SocietyThe above organizations should submit any comments in writing to the applicant, with a copy provided to the Building Official.

5. The completion of a waiting period of 30 days following the filing of the application for the demolition permit. No waiting period shall be required in any of the following circumstances:
  - a. The owner of the property obtains a written determination from the Plainfield Historical Society, and from the Connecticut Historical Commission, or from their successor agencies, that the structure to be demolished is of no historical significance.
  - b. The Building Official determines that the condition of the structure is such that the delay of its demolition would pose significant risks to public safety. The Building Official shall notify the Plainfield Historical Society as soon as practicable after making such a determination.
- d. The historic resource surveys of the Town of Plainfield include:
  1. "Historic Resource Survey: Central Village Community Development Area," Historic Resource Consultants/Town of Plainfield, 1980
  2. "Historic Resource Survey: Moosup Community Development Area," Historic Resource Consultants/Town of Plainfield, 1980
  3. "Historic Resource Survey: Plainfield Community Development Area," Historic Resource Consultants/Town of Plainfield, 1980
  4. "Historic Resource Survey: Wauregan/Nomination for Wauregan National Register Historic District," State of Connecticut, 1979
  5. "Historic Resource Survey of Plainfield, CT, Phase II: Areas outside the villages," Plainfield Historical Society/Town of Plainfield, 1987
  6. Historic Resource Surveys compiled after the adoption of this ordinance.

#### Section 6 Procedures for denial of building permits when property has delinquent taxes

- a. No permit may be issued from the Building Department for a property on which there are delinquent taxes unless a waiver is obtained for the reasons stated in this Ordinance.
- b. The Tax Collector shall file with the Building Official a list of all properties and property owners who are delinquent in their real property taxes as of August 1st and February 1st of each year.
- c. Before approving any building application, the Building Official shall require any applicant for any building application for property which appears on the Tax Collector's delinquency list last filed, to obtain certification from the Tax Collector or Assistant, on a form, that such delinquent taxes (including interest, lien fees and litigation expenses, if applicable) have been paid in full, before a permit shall be issued. The form should be retained in the Building Official's file. If the property or owner does not appear on the last filed delinquency list, the Building Department shall so note on the building application on file in the Building Official's file.
- d. The Building Official may grant a building application without satisfaction of the above certification if he certifies in writing, and retains in the file, that the requested permit is to perform repairs to an existing structure which is unsafe within the meaning of the State Building Code, and that he has determined such repair should be performed immediately to protect the safety of either the building's occupants or the public.

#### Section 7 Enforcement

The Building Official, or his designee, shall be responsible for enforcing the provisions of this section.

#### Section 8 Violations

- a. Any person who shall violate a provision of the State Building Code or who shall fail to comply with any of the requirements thereof or shall erect, construct, alter or repair a building or structure in violation of any approved plan or directive of the Building Official or of a permit or certificate issued under the provisions of the Code shall be (guilty of a misdemeanor,) punishable (by a fine of not more than \$500 or by imprisonment not exceeding one year, or by both such fine and imprisonment.) as provided in C.G.S. § 29-254a. Each day that a violation continues shall be deemed a separate offense.
- b. Any person who shall continue any work in or about the building after having been served with a stop order, except such work as he is directed to perform to remove a violation or unsafe conditions, shall be liable to a fine of not less than \$25 or more than \$100. Each day that a violation continues shall be deemed a separate offense.

#### Section 9 Savings Clause and Repealer

All provisions of the Town Code in conflict herewith are hereby repealed, and if, for any reason, any word, clause, paragraph or section of this Ordinance shall be held to make the same unconstitutional, this Ordinance shall not hereby be invalidated, and the remainder of the Ordinance shall continue in effect. Any provision herein, which is in conflict with the Connecticut General Statutes, is hereby repealed, it being understood that said statutes shall take precedence over this Article.

#### Section 10 Effective Date

This ordinance shall become effective fifteen (15) days after publication, in accordance with the Charter of the Town of Plainfield.