

## **SEC. 19-3-3. BUILDING PERMITS**

### **A. Permit Required**

No building, structure, or part thereof shall be constructed, structurally altered, enlarged, or moved until a Building Permit for such action has been issued by the Code Enforcement Officer. The contractor, builder, and developer, as well as the property owner shall be responsible for any and all permits. Site plan approval, in accordance with the provisions of Article IX, Site Plan Review, may be required prior to the issuance of a building permit for certain types of uses including commercial and multiplex residential construction.

### **B. Compliance with this Ordinance**

No Building Permit shall be issued until the proposed construction or alteration complies with the provisions of this Ordinance or with a decision rendered by the Zoning Board of Appeals and with any approvals of the Planning Board.

### **C. Applications for Permits**

All applications for Building Permits shall be submitted in writing to the Code Enforcement Officer on forms provided for the purpose. The application shall be accompanied by the following information:

1. A site plan drawn to an indicated scale and showing the location and dimensions of all buildings to be erected, the sewage disposal system, driveways and turnarounds, and abutting lot and street lines. The site plan shall accurately represent the relationship between any proposed building or structure or addition to an existing building and all property lines to demonstrate compliance with the setback requirements of this Ordinance. The applicant shall provide a Standard Boundary Survey if any of the following apply:
  - a. The Code Enforcement Officer concludes that there is doubt as to the location of a property line on the ground;
  - b. The Code Enforcement Officer cannot confirm that all setback requirements are met from the information provided; or
  - c. The building permit is requested for a building, building addition or structure valued at over \$10,000 and located less than five feet (5') from the minimum setback distance.

The Code Enforcement Officer shall have the discretion to require a standard boundary survey quality plan of only the property line(s) within the area of the proposed construction instead of a standard boundary survey of the entire property boundary. **(Effective: February 8, 2013)**

2. Approval by the Local Plumbing Inspector of any private sewage disposal system

proposal for the building, together with the plans for the approved system.

3. Information required to determine compliance with the terms and conditions for building and development in flood hazard areas as set forth under Chapter 6, Article VI, Floodplain Management Ordinance if the building is located within a flood hazard area.
4. All applications shall be signed by an owner or individual who can show evidence of right, title, or interest in the property or by an agent of the owner with authorization from the owner to apply for a permit hereunder, certifying that the information in the application is complete and correct. **(Effective October 15, 2009)**
5. Such other information as the Code Enforcement Officer may require to determine compliance with this Ordinance or the Building Code.

#### **D. Action on Applications**

1. Within seven (7) working days of the filing of an application for a Building Permit involving a single family residence or fifteen (15) working days for permits involving other uses, the Code Enforcement Officer shall approve, deny, or refer such application to the appropriate body. The decision of the Code Enforcement Officer shall be in writing citing the provisions of the Ordinance that apply and communicated directly to the applicant. One copy of the decision shall be filed in the Code Enforcement Officer's office. If the proposed activity requires site plan review in accordance with Article IX, Site Plan Review, the Code Enforcement Officer shall refer the applicant to the Town Planner. If a Conditional Use permit is required, the Code Enforcement Officer shall refer the applicant to the Zoning Board of Appeals and provide a copy of the decision to the Board.
2. A public notice shall be mailed upon issuance of any building permit that includes any of the following items. A public notice shall not be required if the building permit is for construction pursuant to a Planning Board or Zoning Board of Appeals approval.
  - a. Any expansion of a structure or new structure located within ten (10) feet of the minimum setback; and
  - b. Any expansion of a structure or new structure within 125' of the normal high water line of coastal waters;
3. When notice to abutters is required, the Code Enforcement Officer shall cause notice to be given by mail to the owners, as currently listed by the Town Tax Assessor, of all properties within 50' of the proposed project property line boundary within five (5) days of building permit issuance. Such notice shall

include the address and map-lot number where the construction authorized by the building permit is located, a general description of the proposed construction, the setback of the construction from the nearest property line, the appeal period, and instructions on how to obtain additional information regarding the building permit. The Code Enforcement Officer shall also keep a public notice record that includes the notice and a list of the mailing addresses used.

**E. Plumbing Permit Required**

No Building Permit shall be issued for any structure or use involving the construction, installation, or alteration of plumbing facilities unless a valid plumbing permit has been secured by the applicant.

**F. Revision of Proposed Work**

A new or revised building permit is required if any substantial changes are made in the size, use, or construction of the structure or building after issuance of the permit.

**G. Building Permit Expiration**

A Building Permit secured under the provisions of this Ordinance shall become invalid if the authorized work is not commenced within six months after issuance of the permit, or if the authorized work is suspended or abandoned for a period of six months after the time of commencing the work. If the work is not completed within eighteen (18) months after the date on which the permit is granted and the Code Enforcement Officer determines that completion is not being diligently pursued, then the Code Enforcement Officer may deem the Building Permit expired. **(Effective August 11, 1999)**

**H. Required Records**

Applications for permits with their accompanying plans and building permits shall be maintained as a permanent record by the Code Enforcement Officer.