Town of Camden

P.O. DRAWER 1002
CAMDEN, DELAWARE 19934

GENERAL

ORDINANCE NUMBER 50 OF THE TOWN OF CAMDEN

Be it ordained by the Council of the Town of Camden as follows:

AN ORDINANCE CREATING THE POSITION OF BUILDING INSPECTOR, REQUIRING PROPERTY OWNERS TO SECURE A BUILDING PERMIT FROM THE BUILDING INSPECTOR PRIOR TO COMMENCING ANY CONSTRUCTION, ESTABLISHING PROCEDURES FOR THE APPLICATION, REVIEW, AND GRANT OF BUILDING PERMITS, AND PROVIDING PENALTIES FOR VIOLATIONS THEREOF.

Section 1. The Town Council shall each year appoint an individual person to serve as Building Inspector for the Town of Camden. The Building Inspector so appointed shall serve a one (1) year term of office; however, there shall be no limit upon the number of terms, consecutive or otherwise, which any Building Inspector so appointed shall serve. In the event that the Building Inspector so appointed shall for any reason be unable to fulfill his term, the Town Council shall appoint a successor to serve the balance of any term remaining.

It shall be the duty of the Building Inspector, and the Building Inspector is hereby authorized and empowered, to enforce all of the provisions of this Ordinance and to report from time to time to the Town Council on all matters pertaining hereto.

Section 2. No building or structure, or any part or parts thereof, shall be erected, constructed, altered, repaired, removed, demolished, used, or occupied except in conformity with the provisions of this Ordinance. For the purposes of this Ordinance, a vehicle commonly referred to as a manufactured home, mobile home, or trailer, shall be deemed to fall within the meaning of a building or structure subject to this Ordinance.

Section 3. No building or structure, or any part or parts thereof, shall be erected, constructed, altered, repaired, removed, demolished, used, or occupied prior to the person(s), firm, or corporation being the owner or owners, or having custody, charge, possession, or control of or over the building or structure, or the lands or premises upon which such building or structure is to be erected, constructed, altered, repaired, removed, demolished, used, or occupied, securing from the Building Inspector a written permit signed by the Building Inspector which authorizes the building or structure to be erected, constructed, altered, repaired, removed, demolished, used, or occupied.

Before the permit required by this Section is issued by the Building Inspector, the said owner or owners of the property, or his or their agent, shall, before commencing work, submit an application in writing to the Building Inspector, which application shall contain the following information:

a. The name and residence and business addresses of the owner or owners of the property upon which the proposed work is to be done;
b. An accurate description of the location of the lands or premises upon which the building or structure is located or upon which the said building or structure is to be erected, constructed, altered, repaired, removed, demolished, used, or occupied;
c. A description of the work proposed to be done, including, if so required by the Building Inspector, a detailed schematic drawing or plan of the proposed work;
d. The estimated cost of the work proposed to be done to the building or structure or the estimated cost of the work proposed to be done in the erection, construction, alteration, repair, removal, demolition, use, or occupancy of the building or structure; and
e. The nature of the use to be made of the building or structure, including, if the building or structure is to be used for business or commercial purposes, the nature of such business or commercial purpose.

Section 4. If the plans, specifications, and application submitted to the Building Inspector conform to the requirements of this Ordinance and/or any ordinances or amendments supplemental hereto, the Building Inspector shall, upon the payment of the permit fee hereinafter established, issue a building permit to such applicant. The plans, specifications, and application shall be either approved or rejected within a period of ten (10) business days from the date of the filing of the plans, specifications, and applications for such building permit.

Section 5. The Building Inspector shall have the power to cancel or revoke any building permit for any material misrepresentation, variation, or departure from the approved plans, specifications, and applications, and also for any false statement or misrepresentations as to a material fact relating to the raising, construction, alteration, repair, removal, demolition, use, or occupancy of such building or structure.

Upon the cancellation or revocation of any building permit granted under the provisions of this Ordinance, no further work shall be done except as shall be directed by the Building Inspector in order to protect life or property, until the original or new plans, specifications, and application upon which such permit was issued shall be complied with, or until new plans, specifications, and application shall be approved and a new building permit issued.

Section 6. Permission to use the public streets in the immediate neighborhood where such building or structure under erection, construction, alteration, repair, removal, demolition, use, or occupancy may be granted by the Building Inspector, in conjunction with the Streets Inspector, within such limits as may be necessary for the proper prosecution of the work incident to such raising, construction, alteration, repair, removal, demolition, use, or occupancy.

The building permit granted under this Ordinance shall state what portion of the street shall be used and shall require the person or persons, firm, or corporation securing such building permit to keep clear, at all times, all gutters and fire hydrants adjacent to the work and maintain appropriate lighting, as directed by the Building Inspector, of all street obstructions. The building permit shall also require, where appropriate and as directed by the Building Inspector, that all sidewalks shall be kept open to travel, except where such travel may be dangerous, at which time the area affected by such risk shall be barricaded, and any such barricade shall be removed as soon as the risk to the public use shall be removed.

Section 7. No building permit shall be issued by the Building Inspector pursuant to this Ordinance unless the applicant for said building permit shall pay for the use of the Town fees which shall be calculated with Kent County formulas, current as of the date of Building Permit Application.

Section 8. Fees established in Section 7 shall double in the event that a permit is applied for after construction has commenced without the permission of the Building Inspector. The Town Manager may waive the doubling of fees in cases where the building permit applicant is not a professional contractor, and the work is not being done by a professional contractor.

Section 9. The Building Inspector is hereby authorized and empowered to reject any application for the erection, construction, alteration, repair, removal, demolition, use, or occupancy of a building or structure when the Building Inspector shall be satisfied that (1) they type or nature of the composition, architecture or construction of the proposed building or structure is not in conformity with other buildings or structures in the same block wherein the said proposed building or structure is to be raised, constructed, altered, repaired, removed, demolished, used, or occupied, or (2) the erection, construction, alteration, repair, removal, demolition, use, or occupancy of said proposed building or structure will depreciate the value of the other properties in the said block or shall increase the danger or the risk to other property or properties in said block due to the type or nature of the composition, architecture, or construction of the said proposed building or structure.

Section 10. Whenever an application for a permit for the erection, construction, alteration, repair, removal, demolition, use, or occupancy of a building or structure shall have been rejected under the provisions of this Ordinance, the applicant for such permit shall have the right to appeal to the Town Council of the Town of Camden.

Upon the filing of such an appeal with the Town Council, the Town Clerk shall give notice thereof to the Mayor of the Town Council, who shall fix a date for the hearing of such an appeal, which date shall not be less than ten (10) days after the filing of such appeal. At the time of the hearing of such appeal, the appellant, as well as any other person or persons affected by the proposed erection, construction, alteration, repair, removal, demolition, use, or occupancy of such proposed building or structure shall have right to be heard.

Section 11. Any building permit issued by the Building Inspector pursuant to this Ordinance shall be valid for a period on one (1) year from the date of issuance. If the work permitted to be done by the building permit is not completed within one (1) year from the date of issuance of the building permit, the applicant for the building permit may apply to the Building Inspector for an extension of no more than six (6) months, which extension may be granted by the Building Inspector in accordance with the provisions of this Ordinance; provided, however, that no extension of the building permit shall be granted by the Building Inspector unless the applicant for said extension shall pay for the use of the Town an additional fee of One Hundred Dollars ($100.00). If the work permitted to be done by the extension of the building permit is not completed within six (6) months from the date of any extension of the building permit, then no further work may be performed in the erection, construction alteration, repair, removal, demolition, use, or occupancy of the building or structure unless the applicant reapplies for an entirely new building permit in accordance with the provisions of this Ordinance.

Section 12. Upon the completion of any work performed in the erection, construction, alteration, repair, removal, demolition, use, or occupancy of a building or structure, the Building Inspector shall not issue a certificate of occupancy unless and until the person(s), firm, or corporation being the owner or owners, or having custody, charge, possession, or control of or over the building or structure, , or the lands or premises upon which such building or structure was erected, constructed, altered, repaired, removed, demolished, used, or occupied, or the agent of such owner or owners, shall first pay for the use of the Town an additional fee of Sixty Dollars ($60.00).

ENACTED AND ORDAINED THIS 17th DAY OF September, 2003.

Charles D. Stewart Jr.

Charles D. Stewart, Jr., Mayor

{SEAL}

Attested to: Gaye H. Jackson, Jr.

1st reading September 8, 2003

2nd reading September 17, 2003

Public Hearing: September 17, 2003

Adopted: September 17, 2003