

TOWNSHIP OF HILLTOWN
BUCKS COUNTY, PENNSYLVANIA

ORDINANCE NO. 2009 - 1

**AN ORDINANCE OF THE TOWNSHIP OF HILLTOWN AMENDING
PROVISIONS OF THE CODE OF ORDINANCES, CHAPTER 160,
SECTION 160-83, ENFORCEMENT: ZONING OFFICER POWERS AND
DUTIES**

The Hilltown Township Board of Supervisors, upon review by the Bucks County Planning Commission and the Hilltown Township Planning Commission, hereby enacts and ordains the following Ordinance amending the Hilltown Township Code of Ordinances, Chapter 160, Section 160-83, Enforcement: Zoning Officer Powers and Duties:

Article I

Chapter 160, Section 160-83, Enforcement: Zoning Officer Powers and Duties is hereby deleted as to its current language and is replaced by the following amended provisions:

- A. For the administration of this chapter, a Zoning Officer, who shall not hold any elective office in the municipality, shall be appointed by the Board of Supervisors. The Zoning Officer shall meet qualifications established by the Supervisors and shall be able to demonstrate to the satisfaction of the Supervisors a working knowledge of municipal zoning. The Zoning Officer shall administer this chapter in accordance with its literal terms, and shall not have the power to permit any construction or any use or change in use which does not conform to this chapter.
- B. It shall be the duty of the Zoning Officer, who is hereby given the power and authority, to:
 - (1) Receive and examine all applications for zoning permits and issue permits only when there is compliance with provisions of this chapter, other Township ordinances and with the laws of the Commonwealth.
 - (2) Enforce the provisions of this chapter by the issuance of enforcement orders, including cease and desist orders, or by other means. Such written orders shall be served personally or by certified mail upon the persons, firms, or corporations deemed by the Zoning Officer to be violating the terms of this chapter in accordance with the terms of this chapter, and shall direct the recipient to correct all conditions found in violation. If any such person or persons does not comply with the written notice of violation within a prescribed period of time, the Zoning Officer shall notify the Board of Supervisors for their action, or, if authorized in advance, file a civil complaint with the district justice. A civil complaint shall not be filed until the expiration of the appeal period. It shall be unlawful for any person to violate any such order lawfully issued by the Zoning Officer, and any person violating such order shall be guilty of a violation of this chapter.

- (3) Process zoning permit applications for all uses as enumerated in Section 160-22 and 160-23 as permitted within the applicable districts. Where required by the Municipalities Planning Code or by this Ordinance, applications shall be forwarded to the Planning Commission, Building Inspector, Township Engineer, and Zoning Hearing Board for approval or disapproval.
- (4) Receive and examine applications for special exceptions and variances and forward these applications to the Solicitor of the Zoning Hearing Board.
- (5) Post notices on affected tracts or areas involved with a zoning map amendment at least one week prior to the hearing. Provide applicants and other parties with copies of items sent to the Zoning Hearing Board.
- (6) Receive and examine applications for conditional uses, curative amendments and zoning changes and forward these applications to the Board of Supervisors, Planning Commission, and other appropriate agencies.
- (7) Issue permits for construction and/or for uses requiring a special exception or variance only upon order of the Zoning Hearing Board. Permits requiring approval by the Board of Supervisors shall be issued only after receipt of an authorization from the Supervisors.
- (8) Following denial for a zoning permit, receive and examine applications for interpretation appeals and/or variances and forward these applications to the Solicitor of the Zoning Hearing Board.
- (9) Conduct inspections and surveys to determine compliance or non-compliance with the provisions of this chapter.
- (10) With the approval of the Board of Supervisors, or when directed by them, the Zoning Officer is authorized to institute civil enforcement proceedings as a means of enforcement when acting within the scope of his/her employment.
- (11) Revoke any order or zoning permit issued under a mistake of fact or contrary to the law or the provisions of this chapter.
- (12) Keep a permanent record of all business and activities including written complaints of violations and subsequent actions taken, plans and applications for permits and all permits issued with the notation as to special conditions attached thereto. Maintain record of all zoning violation notice deliveries (i.e. place, date and time).
- (13) Maintain a map or maps showing the current zoning classifications of all land in the Township.
- (14) Issue occupancy permits in accordance with the terms of this chapter.
- (15) Register all uses which are nonconforming under the provisions of this chapter within a reasonable time after the effective date of this chapter. The record of nonconforming uses shall certify, after inspection, the extent and type of use and disposition of the building and land. Upon notification, each occupant or owner of a premises used for nonconforming use shall make available such information as may be necessary to determine the extent and nature of the nonconforming use.
- (16) Create and maintain the files required to carry out and maintain records of all his/her actions pursuant to this chapter.
- (17) Present such facts, records, and any similar information to the Planning Commission, Zoning Hearing Board, or Board of Supervisors upon their request.
- (18) Provide testimony at hearings of the Zoning Hearing Board.

Article II

This Ordinance does hereby amend the Code of Ordinances, Chapter 160, Section 160-83 and does hereby supersede all provisions of said Code which are inconsistent with the provisions of this Ordinance.

Article III

Should any Section or provision of this Ordinance be declared invalid by a court of competent jurisdiction, such decision shall not affect the validity of any of the remaining provisions of this Ordinance.

ENACTED AND ORDAINED as an Ordinance of the Township of Hilltown this 26th day of January, 2009.

HILLTOWN TOWNSHIP
BOARD OF SUPERVISORS

Barbara Salvador
Chairman

John P. McLeary
Vice Chairman

Secretary/Treasurer Supervisor

HT08/ZoningEnforcementprovisionsordinance amendment