WC 16.04.160 Administration

It shall be the duty of the Building Commissioner to enforce this section and receive applications required by this Ordinance, issue permits, and furnish the prescribed certificates. He shall examine premises for which permits have been issued, and shall make necessary inspections to see that the provisions of law are complied with. He shall enforce all laws relating to the construction, alteration, repair, removal, demolition, equipment, use and occupancy, location and maintenance of buildings and structures, except as may be otherwise provided for. He shall, when requested by the Town Council or when the interests of the municipality so require, make investigations in connection with matters referred to in this Article and render written reports on the same. For the purpose of enforcing compliance with law, he shall issue such notices or orders as may be necessary and submit an annual report of activities of the office to the Plan Commission, Board of Zoning Appeals and Town Council.

The Building Commissioner shall keep careful and comprehensive records of applications, of permits issued, of certificates issued, or inspections made, or reports rendered, and of notices or orders issued. He shall retain on file, copies of all papers in connection with building work so long as any part of the building or structure to which they relate may be in existence. All such records shall be open to public inspection at reasonable hours.

Application and Approval of Permits -

A. Any persons, who shall make application for an improvement location permit, shall, at the time of making such application furnish a site plan or development plan of the real estate upon which said application for an improvement location permit is made at least five days prior to the issuance of said improvement location permit, which five day period may be waived. Said site plan shall be drawn to scale showing the following items:

    - Legal or site description of the real estate involved
    - Location and size of all buildings and structures
    - Width and length of all entrances and exits to and from said real estate
    - All adjacent rights-of-way
    - Building Construction Elevation Points

B. An application for an improvement location permit for any industrial or commercial use subject of the provisions of WC 16.04.060 of this Chapter shall be accompanied by a “Certificate of Compliance” subscribed by a registered professional engineer or architect, certifying that the use intended will satisfy the performance standards of enclosed industrial or open industrial uses, as the case may be, and in the district in which it is to be located. The Building Commissioner may take ten days in which to study the application, during which time he may consult with appropriate technical consultants. If, after the ten day period, the Building Commissioner has not required

any additional information or stated any objections in writing, the Building Commissioner shall issue the improvement location permit.

C. Site plans so furnished shall become a permanent public record.

D. The Building Commissioner shall issue an improvement location permit for a special exception only following receipt of notice from the Board that the application therefore has been approved by the board.

E. No land shall be occupied or used and no building hereafter erected, reconstructed or structurally altered shall be occupied or used, in whole or in part, for any purpose whatsoever, until a certificate of occupancy shall have been issued stating that the building and use comply with all the provisions of this Chapter applicable to the building or premises of the use in the district in which it is to be located.

When the improvement covered by the improvement location permit has been completed in substantial conformity with the site plan or development plan submitted in the application pursuant to paragraph A. of the section, a Certificate of Occupancy shall then be issued.

F. No change shall be made in the use of land (except an agricultural use) or in the use of any building or part thereof, now or hereafter erected, reconstructed or structurally altered, without a certificate of occupancy having been issued and no such certificate shall be issued to make such change unless it is in conformity with the provisions of this Ordinance.

G. A Certificate of Occupancy shall be applied for coincidentally with the application for an improvement location permit and shall be issued within ten days after the lawful erection, reconstruction or structural alteration of such building or other improvement of the land shall have been completed.

H. A record of all certificates of occupancy shall be kept on file in the office of the Building Commissioner and copies shall be furnished upon request to any person having a proprietary or tenancy interest in the building or land affected.

I. No improvement location permit shall be issued for excavation for or the erection, reconstruction or structural alteration of any building, before application has been made for a Certificate of Occupancy.

J. An application for an improvement location permit for any use shall not be approved until it has been ascertained by the Building Commissioner that the proposed use will meet the minimum standards for sewage disposal and water as required by the Health Officer, who is any officer of authority, Hamilton County Health Department and State Board of Health, and as may be required by Ordinances of the Town of Westfield. No Certificate of Occupancy shall be issued for a commercial or industrial structure or for any other applicable use until the plans for such structure shall have

been approved by the Administrative Building Council of the State of Indiana and any other appropriate state agency including the State Fire Marshal.

K. No improvement location permit or Certificate of Occupancy shall be issued until the appropriate fees have been paid to the Building Commissioner in accordance with those established in this Article.

L. Improvement location permits shall expire 12 months after date of issuance if construction has not commenced. One extension for 12 months may be granted by the Plan Commission upon presentation of reasonable justification for such an extension. This provision doses not apply to special exceptions as otherwise provided for in WC 16.04.140.

M. When a developer of any commercial land or facility for any reason will be constructing or developing the site or facility with major changes from the final plans approved by the Plan Commission, then such developer shall notify and send to the Building Commissioner information outlining and supporting such changes. It shall be the discretion of the Building Commissioner to approve or disapprove such changes and to determine whether further action or concurrence should be received by the Plan Commission or Board of Zoning Appeals and to determine whether any additional building improvement fees are due the Town or to be refunded to the developer. Any such changes so approved by the Building Commissioner, or by the Plan Commission or Board of Zoning Appeals, shall be deemed approved amendments of such final plans originally approved by the Plan Commission.