

PART 10 - PROCEDURES

§ 1001 Certificates of Use, Occupancy and Compliance

§ 1001.1 Authority

No use of vacant land, other than agricultural use, shall be made, nor shall any *Building* or *Structure* hereafter constructed, erected or structurally altered be occupied or used, nor shall any existing use of a *Building*, *Structure* or land be changed until a Certificate of Use, Occupancy and Compliance shall have been issued by the *Zoning Officer*.

§ 1001.2 Purpose

The Certificate of Use, Occupancy and Compliance provides a procedure for reviewing plans and shall not be issued unless the application therefore demonstrates compliance with this Chapter and all other applicable requirements of the Mt. Lebanon Code and other applicable law. Further, it serves as an adjunct to, and thus must be filed prior to or with, all applications filed pursuant to this Chapter with respect to a specific use or development proposal.

§ 1001.3 Certificate Issued in Conflict is Void

Any Certificate issued in conflict with the provisions of this Chapter shall be null and void.

§ 1001.4 Standards

1001.4.1 No building permit or other permit for excavation or for the erection, construction, repair or Alteration of a Building or Structure shall be issued before application has been made for a Certificate of Use, Occupancy and Compliance.

1001.4.2 A Certificate of Use, Occupancy and Compliance issued under this Section shall state that the Building, Structure or land complies with the provisions of this Chapter.

§ 1001.5 Procedures

1001.5.1 In the event that a building permit is required for the construction, erection or Structural Alteration of any Building or Structure, an application for a Certificate of Use, Occupancy and Compliance shall be made simultaneously with the application for the building permit.

1001.5.1.1 The *Applicant* shall notify the *Zoning Officer* of the date on which such construction, erection or *Structural Alteration* shall have been completed in conformity with the provisions of this Chapter, and the *Zoning Officer* shall examine the *Building* or *Structure* involved within ten (10) days of the completion thereof.

1001.5.1.2 If the *Zoning Officer* shall find that such construction, erection or *Structural Alteration* has been completed in accordance with the provisions of this Chapter, a Certificate of Use, Occupancy and Compliance shall be issued.

§ 1001.6 Temporary Certificate of Use, Occupancy and Compliance

1001.6.1 The Zoning Officer may issue a temporary Certificate of Use, Occupancy and Compliance which may permit the Use or occupancy of a Building or Structure during Structural Alteration thereof or may permit the partial Use or occupancy of a Building or Structure during its construction or erection

1001.6.2 Such a temporary Certificate of Use, Occupancy and Compliance shall be valid only for a period not exceeding six (6) months from its issuance, and shall be subject to such restrictions and provisions as may be deemed necessary by the Zoning Officer to adequately insure the safety of persons using or occupying the Building, Structure or land involved.

1001.6.3 Application for such a temporary Certificate of Use, Occupancy and Compliance shall be made in the same manner as for a Certificate of Use, Occupancy and Compliance, and the application for or issuance of such a temporary Certificate of Use, Occupancy and Compliance shall in no way affect the obligation to apply for and obtain a Certificate of Use, Occupancy and Compliance nor in any way alter the rights, duties and obligations of the Municipality or the Owners and users of Buildings, Structures or land within the Municipality with regard to the matters governed by this Chapter except as expressly set forth in this Section.

§ 1001.7 Application Forms

1001.7.1 All applications for Certificate of Use, Occupancy and Compliance shall be made on printed forms to be furnished by the Zoning Officer and shall contain accurate information including:

1001.7.1.1 The size of and location of the Lot; the size and location of the *Buildings* or *Structures* on the Lot;

1001.7.1.2 The dimensions of all *Yards* and *Open Spaces*; and

1001.7.1.3 Such other information as may be required by the *Zoning Officer* as necessary to provide for the enforcement of this Chapter.

§ 1002 *Conditional Uses*

§ 1002.1 Authority

In certain portions of this Chapter, certain specified *Conditional Uses* may be authorized if first approved by the Commission. Such *Conditional Uses* may be allowed or denied by the Commission pursuant to the standards, criteria and conditions set forth in this Chapter or incorporated herein by reference.

§ 1002.2 Purpose

Conditional Uses are those *Uses* having some special impact or uniqueness which requires a careful review of their location, design, configuration and special impact to determine, against fixed standards, the desirability of permitting their establishment on any given site.

§ 1002.3 Standards

1002.3.1 In evaluating any of the *Uses* referred to in this Section, the Commission shall determine that the proposed use will not:

1002.3.1.1 Alter the essential character of the neighborhood or district in which the property is located;

1002.3.1.2 Substantially or permanently impair the appropriate *Use* or development of adjacent property or properties, nor be detrimental to the public welfare.

1002.3.2 The Commission shall consider, among other things, the effect and overall compatibility of the proposed *Use*:

1002.3.2.1 The density of population;

1002.3.2.2 The Height, size, shape and location of proposed *Buildings* and other *Structures*;

1002.3.2.3 The adequacy and location of off-street *Parking Facilities*;

1002.3.2.4 The potential for increased traffic conditions;

1002.3.2.5 The existence and location of natural and artificial buffering facilities, including screen planting;