TITLE 12

BUILDING PERMITS

CHAPTER 1 – PERMITS

12-101 Application Requirements
- (a) Permit Required
- (b) Form
- (c) Failure to obtain Permit

CHAPTER 2 – FEES

12-201 General
12-202 Double Charge
12-203 Valuation

CHAPTER 3 – VIOLATIONS

12-301 Violations and Penalties

CHAPTER 4 – COAL AND OTHER MINERAL HANDLING FACILITIES PROHIBITED

12-401 Policy
12-402 Definitions
12-403 Facilities Prohibited
12-404 Prohibition of Permits
12-405 Penalties

CHAPTER 1 – PERMITS

SECTION 12-101 APPLICATION REQUIREMENTS

(a) **PERMIT REQUIRED.** Any owner, authorized agent or contractor who wishes to contract, enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure, or any excavation, or to erect or construct a sign of any description, or to install or alter fire extinguishing apparatus, elevators, engines, or to install a steam boiler, or to cause any such work to be done, shall first make application to the Town Recorder and obtain the required permit therefore. Nothing in this code shall be construed as to prevent the owner from doing any work on his own building, provided he obtains the necessary permit.

(b) **FORM.** Each application for a permit, with the required fee, shall be filed with the Town Recorder on a form furnished by the Town and shall contain a

general description of the proposed work and its location. The application shall be signed by the owner, or his authorized agent. Each application for a permit shall indicate the propose occupancy of all parts of the building and of that portion of the site or lot, if any not covered by the building or structure, and shall contain such other information as may be required by the Town Council.

(c) **FAILURE TO OBTAIN A PERMIT.** If any person commences any work on a building or structure before obtaining the necessary permit from the Town, he shall be subject to the penalty prescribed herein.

CHAPTER 2 – FEES

SECTION 12-201 GENERAL

Any person desiring a building permit shall, in addition to filing said application, pay to the Town Recorder before such permit is issued a fee as required in this section. Each applicant for a permit shall make a sworn statement in writing on a form provided for the purpose, setting forth the approximate total cost of the proposed building or improvement, including any and all plumbing and electrical work and other mechanical or electronic equipment which will be incorporated in the project, regardless of who installs such equipment, devices, or materials. The Town Recorder shall be authorized to attest the above under oath.

For every new building, alteration, excavation, or structural work of any kind the cost of which is as follows:

Cost of Work	Building Permit Fee
$501.00---$1,000.00	$3.75
$1,001.00---$2,000.00	$5.25
$2,001.00---$2,500.00	$6.75
$2,501.00---$3,000.00	$7.50
$3,001.00---$4,000.00	$9.00
$4,001.00---$5,000.00	$10.50
$5,001.00---$10,000.00	$21.00
For each additional $1,000.00	$21.00 plus $1.50 per $1,000.00

SECTION 12-202 DOUBLE CHARGE

If any work for which a permit is required by this ordinance is started prior to obtaining such permit, the fees specified herein for such work shall be doubled, but the payment of such double fees shall not relieve any person from complying full with this ordinance or from any other penalties prescribed herein.

SECTION 12-203 VALUATION

If, in the opinion of a majority of a quorum of the Town Council members, the valuation of any work listed in an application for a building permit appears to be underestimated, a permit shall be denied unless the applicant can show detailed estimated costs to meet the approval of the Town Council.

CHAPTER 3 – VIOLATIONS

SECTION 12-301 VIOLATIONS AND PENALTIES

(a) It shall be unlawful for any person to erect, construct, enlarge, alter, repair, remove, or demolish any building or structure or any part of any building or structure in violation of any provisions of this ordinance or cause or permit the same to be done.

(b) Any person willfully violating any of the provisions of this Code shall be deemed guilty of a misdemeanor and each such person shall be deemed guilty of a separate offense for each day of portion thereof during which any said violation is committed, continued or permitted. Upon conviction of any such violation, such person shall be punished by a fine of not less than fifty dollars ($50.00) nor more than one hundred dollars ($100.00), or by imprisonment of not more than thirty (30) days or by both fine and imprisonment.

(c) The term "person" shall include any natural person, corporation, business entity, or the duly authorized agent thereof.

CHAPTER 4 – COAL AND OTHER MINERAL HANDLING FACILITIES PROHIBITED

SECTION 12-401 POLICY

It is hereby declared to be the policy of the Town of Pratt to provide for future growth and development of the Town in a way that represents the most beneficial and convenient relationship among the residential, business, commercial and public areas within the Town, considering the suitability of each for such use, the existing conditions, the mode of living and the future requirements.

It is the Town's duty to provide adequate are, water and light resources and to secure the inhabitants' safety from fire and other dangers and to prevent undue traffic congestion on the Town's character and social stability of all parts of the Town and the provide a guide for the orderly and sufficient development or public facilities and services, private enterprise, building development, investments and other economic and social activities throughout the Town.

SECTION 12-402 DEFINITIONS

The following definitions shall apply to this Chapter:

(a) The word "person" means any individual, corporation, partnership, association, venture, joint venture, governmental agency, or any other public, statutory or private entity;

(b) The term "Town Council", "Mayor", "Board", "Director" and "Inspector" means the respective Council, Boards and officers of the Town, and their individual members;

(c) "Permit" means a building permit as contemplated in Title 12 of this Code;

(d) "Coal or other mineral handling facility" means any operation, function or facility for the storage or transfer if coal, stone, gravel or other minerals, mineral by-products or coal by-products, including, but not necessarily limited to the following: tipples; coal, stone, gravel or mineral barge storage or storage facilities; piers; mooring or anchoring facilities; coal, stone, gravel or other mineral silos or storage facilities; coal, stone, gravel or other mineral conveyors; coal, stone, gravel or other mineral load-out points; coal, stone, gravel or other mineral discharge points; barge transfer points; any associated buildings, scales, hoppers, conveyors or roadways leading immediately thereto; or any other appurtenances of or relating to the handling of coal, stone, gravel other minerals or any coal, stone, gravel or other mineral by-products;

SECTION 12-403 FACILITIES PROHIBITED

It shall be unlawful for any person to own, operate, manage, construct, modify or relocate a coal or other mineral handling facility within, and within one (1) mile of, the corporate limits of the Town.

SECTION 12-404 PROHIBITION OF PERMITS

No permit shall be accepted nor shall any permit be issued by the Town pursuant to Title 12 of this Code for the construction, modification or relocation of any coal or other mineral handling facility.

SECTION 12-405 PENALTIES

(a) Any person who shall willfully violate one or more provisions of this Chapter shall be guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not more than Five Hundred Dollars ($500.00), or by imprisonment not to exceed thirty (30) days, or by both such fine and

imprisonment at the discretion of the appropriate court of law. Seeking judicial review of any order shall not be deemed to be a willful violation.

(b) Any person who shall violate one or more provisions of this Chapter shall be subject to a civil penalty of up to One Thousand Dollars ($1,000.00) per day, per violation, plus all costs incurred by the Town, including attorney fees, necessitated by the enforcement of this Ordinance.

That Ordinance shall be effective immediately from and after its passage. The provisions of this Ordinance are severable and should any provision of this Ordinance be declared by a court of competent jurisdiction to be unlawful or unconstitutional, the remaining provisions shall remain in full force and effect.