

ORDINANCE NUMBER 89-1

THE COMMISSIONERS OF BELLEFONTE

AN ADDITION TO THE BUILDING AND PLUMBING
RULES AND REGULATIONS ORDINANCE OF THE
TOWN OF BELLEFONTE

Be it ordained by the Commissioners of the Town of Bellefonte that the Building and Plumbing Rules and Regulations ordinance for the Town of Bellefonte is hereby amended by substituting the following language in the title of the ordinance:

"An Ordinance providing for Building, Plumbing and
Drainage Regulations for the Commissioners of Bellefonte"

and adding the following language including subtitle at the conclusion of the Building Code and Regulations Section.:

"DRAINAGE CODE AND REGULATIONS

No structure shall be erected in the Town of Bellefonte unless its yard(s) shall have been graded to carry water away from that structure and dispose of all water without ponding.

No improvement, change or use shall be made to any land within the Town of Bellefonte unless such land is graded to dispose of surface water without ponding of water on that land or any adjoining land.

Prior to the commencement of the erection of any new structure, the improvement of real property or the change in existing use of real property which may cause a change in drainage, the Building Inspector must receive and approve plans which demonstrate the feasibility of the proposed grading and its compliance with this Ordinance.

No certificate of occupancy shall be issued for a structure of any sort whose yard(s) have not been graded to comply with this Ordinance.

The Town of Bellefonte as well as any aggrieved landowner shall have the right to enforce this Ordinance in any Court of competent jurisdiction by way of money damages or injunctive relief. Any judgment obtained under this Ordinance shall include an award for reasonable attorney's fees in addition to the costs normally awarded a prevailing party. The entirety of such judgment, including an award for attorney's fees shall constitute a lien upon the real estate where the violation occurs as well as any other real estate owned by the offending party within the Town of Bellefonte. This remedy shall be in addition to any other remedy available at law or equity.

FIRST READING: 12/11/89

SECOND READING: 12/11/89

THIRD READING: 1/8/90

PASSED BY THE COMMISSIONERS: 1/8/90