

BOROUGH OF NEW HOPE

123 New Street, New Hope, PA 18938 ● Phone 215-862-3347 ● Fax 215-862-8022

USE AND OCCUPANCY PERMIT & USE REGISTRATION APPLICATION

Date Received: _____ Zoning Fee: _____ Building Fee: _____ Closing Date: _____

PERMIT NUMBER: _____ SCHEDULED FOR: _____

Property Address: _____

Unit and / or Suite and / or Apartment Number: _____ TMP#: 27-

SECTION 1: TYPE OF APPLICATION (check appropriate condition)

___ Property Sale / Transfer of Ownership ___ Change in Use / Occupancy Class
___ Property Rental / Change in Tenant ___ New Use

SECTION 2: OCCUPANCY CLASSIFICATION / USE GROUP INFORMATION

Zoning District: (✓ or circle one):

R-1	R-2	R-B	R-C	PUD	CC	LC	SC	LI	MU	PRD
Yes	No	Flood Zone:						Yes	No	

Historical District:

Detail of Proposed Use (Applicant must list all proposed uses at the property address)

1. _____ # of Units: ___ 2. _____ # of Units: ___

Detail of Previous Use (Applicant must list previous use at the property address)

1. _____ # of Units: ___ 2. _____ # of Units: ___

SECTION 3: PRESENT PROPERTY OWNER

Name(s): _____

Address: _____

City: _____ State: ___ Zip: _____

Daytime / Cell Phone: _____

E-Mail: _____

SECTION 4: PROPERTY SALE / BUYER

Name(s): _____

Address: _____

City: _____ State: ___ Zip: _____

Daytime / Cell Phone: _____

E-Mail: _____

SECTION 5: PROPERTY RENTAL – CHANGE OF TENANT

Residential Use – Resident’s Name: _____

Commercial Use – Business Name: _____

Contact Person: _____ Title: _____

Daytime / Cell Phone: _____ E-Mail: _____

SECTION 6: PROCESSING STATUS

**By Signing this application, I hereby certify that I am the owner or equitable owner or that I am authorized by the owner or equitable owner to make this application as his/her agent. Proposed Tenant must provide a copy of the lease.*

APPLICANT

SIGNATURE

PRINT NAME

Owner: _____

Buyer / Tenant / Agent* _____

Buyer / Tenant / Agent Phone: _____ E-Mail _____

BOROUGH

SIGNATURE

DATE

Zoning Officer: _____

Building Official: _____

Notes / Conditions: _____

Borough of New Hope Use & Occupancy Checklist

Address of Property _____

Type of Property: RESIDENTIAL MOBILE COMMERCIAL (noted *) INDUSTRIAL

New Hope Borough Permit # _____ PA L & I Occupancy Permit File # _____

Exterior	Acceptable	Not Acceptable
Tripping Hazard-Sidewalks		
Tripping Hazard-Driveway/Parking Lots		
Tripping Hazard & Condition of Patio/Porches		
High Grass/Weeds		
Junk Cars		
Debris/Rubbish		
General Conditions of Roof/Gutters/Drains		
General Conditions of Siding		
Foundation		
Windows		
Address Numbers on Front of Building (4"min)		
Shed(s) or Utility Building(s)		
Pool		
* Assembly rooms-maximum occupant load posted		
* Exterior Emergency Lighting		
* Handicapped Parking w/stripping and signage		
Interior	Acceptable	Not Acceptable
Flooring		
Walls/fire rated per IBC if required		
Ceilings/fire separations per IBC Table 508.4		
Exits Safe and Usable		
Stairs Safe with Handrails and Guardrails		
Smoke Detectors / CO Detectors		
*Emergency Lighting and Exit Signs		
Bathroom facilities		
Kitchen Facilities- *Hood Ansul System		
Exhaust Fans(s)		
Hot Water		
Fireplace/Wood burning Stove/Vent-free appliances		
Doors/Fire doors and Locks		
Water Supply		
Sewer System		
Sprinkler System (tagged / current)		
Fire Alarm System (current certification)		
Fire Extinguishers as per code (tagged / current)		

Comments and/or Additional Violations _____

Inspection Performed by _____ Date _____
 Re-inspection Performed by _____ Date _____

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USE AND OCCUPANCY PERMIT AND USE REGISTRATION: RULES, REGULATIONS, AND REQUIREMENTS

RULES

Borough Ordinances require property owners to obtain a Use and Occupancy Permit for specific types of property use and ownership changes. The permit is required when one of the following occur.

1. Change in ownership of any lot, parcel, building or structure.
2. Change in any tenant of any commercial or industrial building or structure, or portion thereof.
3. Change in use or occupancy class of any lot, parcel, building or structure or portion thereof.
4. Initial use and occupancy of any lot, parcel, building, or structure established, erected, or altered.

The purpose of this permit is to document and verify that the proposed space to be occupied meets the occupancy classification and the proposed intended use(s) is (are) permitted pursuant to (but not limited to) the Zoning Ordinance, Deed Restrictions, any prior Zoning Hearing Board decisions, the Pennsylvania Uniform Construction Code (PA UCC) and meets the requirements of the New Hope Property Maintenance Code.

Once a permit is issued, the permit remains valid until the use and/or occupancy classification of the space changes; there is an increase or decrease in the floor area, outside display or use area, or storage area; or there is a change in ownership or tenant. Residential permits remain valid until there is a change in ownership or lease area.

PROCEDURE

Complete and return the attached application for a "Use and Occupancy Permit" and pay the appropriate fee at time of submission. The Zoning Officer will review the application to ensure the proposed use complies with the Zoning Ordinance; the property owner or authorized representative of the owner will be contacted to set a convenient time for an inspection; and the Code Official will conduct an inspection of the premises to determine compliance with the Property Maintenance Code and/or applicable Building Codes. A permit checklist will be prepared listing any deficiencies. If it is determined that an application is deficient or that the premises are not in conformance with Borough or state laws, the Borough will deny the permit and the Applicant will be notified of the specific deficiencies.

Please allow the Borough five (5) business days to review your application and to schedule an inspection, unless an expedited inspection process is requested. All violations must be corrected within thirty (30) days of the initial inspection. Please allow three (3) days to schedule a re-inspection.

APPLICATION

All applications must be completed in ink and signed by the owner or acting agent of the owner. By signing the application, the applicant agrees that he or she will comply with all ordinances and codes of the Borough of New Hope and the Commonwealth of Pennsylvania, that any misrepresentations in the application will be grounds for the revocation of the permit issued by the Borough, and that the applicant will not occupy or allow occupancy of the land, structure or building for any purpose that will violate applicable codes and/or ordinances.

Fees

See Fee Schedule for applicable Fees.

If an Applicant commences use and occupancy without first obtaining all required permits, the amount of the permit fee is increased by the greater of

(a) \$100 or

(b) an amount equal to double the original permit fees plus any costs incurred by the Borough in securing compliances.

By making an application, the Applicant acknowledges that the Borough will conduct a visual inspection of the premises and certify an approved use. The inspection does not guarantee the condition or integrity of the premises. It would be recommended that the Applicant seek the services of an independent inspection company, as appropriate, to protect the applicant's interests.

REGULATIONS

No Use and Occupancy Permit shall be issued until all proper Borough officials have certified that the proposed use and occupancy complies with all pertinent laws, ordinances and any state licensing approvals if applicable. The Borough officials shall inform the applicant of any remedial measures to bring an application or premises into compliance within 30 days of the receipt date of the application. The building and/or structure must comply with the New Hope Borough Property Maintenance Code and all related codes adopted by the Borough, as determined by the Code Official.

By making an application, the Applicant acknowledges reading the attached summary of the Accessibility / Public Bathroom / Fire Separation requirements of the PA UCC. The Borough will not process the permit application, and permission to occupy a structure will not be granted, until all requirements of the New Hope Borough Property Maintenance Code, the PA UCC (if applicable) and related ordinances have been satisfied.

REQUIREMENTS

Failure to provide information regarding all existing uses on a property may result in the loss of any non-conforming status of uses or occupancies not listed.

Failure to provide information regarding the replacement of a previous use with a new use of the same classification will result in the assumption that the new use represents a change that will require compliance with all current code requirements.

If an Applicant plans to construct, enlarge, repair, move, demolish or change the occupancy classification of a structure, please check with Borough Code Officials to determine if construction and Zoning Permits are required. A Use and Occupancy Permit does not authorize any construction activities.

VIOLATIONS AND PENALTIES

Any person, partnership, or corporation who or which has violated or permitted the violation of the provisions of Chapter 275 of the New Hope Code shall, upon being found liable in a civil enforcement proceeding, pay a judgment of not more than

\$500, plus all court costs, including reasonable attorney fees incurred by the Borough. Each day that a violation continues constitutes a separate violation.

New Hope Borough Building Code Requirements Accessibility/ Public Bathroom/ Fire Separation

The State of Pennsylvania has adopted a statewide building code, the Pennsylvania Uniform Construction Code (PA UCC). The adopted code includes the International Building Code (IBC) and the International Existing Building Code (IEBC).

Occupancy use groups are classified in the IBC. Some occupancy classification groups applicable in New Hope are:

- A-2 (restaurant),
- B (office and personal service), and
- M (retail), although many other types exist.

A change of occupancy is a change in purpose or level of activity within a building that involves a change in the requirements of the building code. A change in tenant with no change in occupancy classification or occupancy use typically does not initiate accessibility requirements unless repairs or alterations of the structure are proposed. A change of occupancy classification will require compliance with accessibility requirements.

Repairs and alterations are classified in the IEBC. These include:

- Levels 1 -3 Alteration
- Change of Occupancy
- Additions
- Work in Historic Buildings

Each type has specific standards to satisfy accessibility requirements. Most building permit applications in New Hope represent either an alteration and/or a change in occupancy classification. Alterations and/or a change in occupancy classification will typically require a minimum of 20% of the cost of improvements to be expended towards compliance with accessibility requirements.

If a toilet room(s) is (are) required by the IBC or a state agency because of a specific use type or a new toilet room(s) is (are) proposed, an accessible toilet room or multiple toilet rooms is (are) required regardless of improvements completed to provide an accessible route to the toilet room(s) (Section 305.8.10- 2018 IEBC). A building code requirement to provide an accessible route to the primary function of the use, such as the path from the entrance to the restaurant serving room, is different than a requirement to provide an accessible toilet room. Any application that does not satisfy code accessibility requirements must receive a variance from the state.

The number and type of toilet rooms are determined by the Building Code based on occupancy type and occupant load for the facility. In addition, the Department of Health requires toilet rooms for certain types of occupancy such as a restaurant. Some uses, such as small retail stores or offices, do not require additional toilet rooms because of a small occupant load. If a toilet room happens to be provided, but is not required by the IBC or a state agency, it does not have to be accessible. If a toilet room is required and/or a new toilet is proposed, an accessible toilet room(s) must be provided or a variance must be secured from the state.

All applications for a change of occupancy classification must address all fire separation requirements of the IBC for the proposed use when multiple uses exist in a structure. Typical applications in New Hope involve residential apartments in combination with retail stores, offices, or restaurants. Fire separation requirements can initiate a requirement to satisfy accessibility requirements since the construction of the fire separations represents an alteration to a structure.

A typical application in New Hope involves a request to change from a retail store to a village restaurant or a retail food shop, in combination with a residential apartment. A public toilet room is required by the Dept. of Health for a village restaurant. The IBC requires it to be accessible. A toilet may be required for a retail food shop by the IBC depending on occupant load. If a toilet is required, it must be accessible. In addition, typically 20% of the cost of the conversion, including fire separations, must be expended to address accessibility requirements. All, or part, of the expenditure can be made to satisfy an accessible toilet requirement or to address other accessibility requirements.

All non-residential building permit applications proposing a Level 2, or above, alteration, change of use, additions or new construction must include construction plans prepared, signed and sealed by a registered professional.

It would be recommended to reach out to the Building Code Official regarding any building permit requirements and any additional requirements that may be required for the proposed tenancy.

If doing non-residential alterations, additions or a change of occupancy classification, it would be recommended to discuss your project with a registered design professional prior to contacting the Building Code Official to see if your project is feasible and if any additional Building code requirements may be required for your project. Such as Automatic Sprinkler systems, additional fire rated assemblies, Fire Alarm Systems, accessible bathrooms, etc.

Exterior alterations or additions in the Historic District will most likely require a HARB (Historic and Architectural Review Board) application, review and a Certificate of Appropriateness issued.