

Chapter 6

BUILDINGS AND BUILDING REGULATIONS*

Sec. 6-1. Building Permit Fees.

The fees required for the issuance of building permits and inspections related thereto pursuant to the State Building Code are set from time to time and a schedule of such fees is on file in the Town Clerk's Office. In addition to, CGS 29-252a requires the local Authority Having Jurisdiction to collect an assessed Education Fee set forth by the State Building Inspector on and after July 1, 1999. The assessed fee is increased from time to time under CGS 29-252a.

1) Building Permit Fee.

- a) The permit fee for building work shall be \$13.26 per each \$1000.00 of estimated cost or fraction thereof;
- b) In no case shall the permit be less than \$25.26;
- c) In the case of a general contractor pays the fee, the building contractor shall pay a flat fee of \$15.00.

2) Electrical Permit Fee.

- a) The permit fee for electrical work shall be \$13.26 per each \$1000.00 of estimated cost or fraction thereof;
- b) In no case shall the permit be less than \$25.26;
- c) In the case of a general contractor pays the fee, the electrical contractor shall pay a flat fee of \$15.00.

3) Gas/LP Permits Fee.

- a) The permit fee for gas/lp work shall be \$13.26 per each \$1000.00 of estimated cost or fraction thereof;
- b) In no case shall the permit be less than \$25.26
- c) In the case of a general contractor pays the fee, the gas/lp contractor shall pay a flat fee \$15.00

4) Mechanical Permit Fee.

- a) The permit fee for mechanical work shall be \$13.26 per each \$1000.00 of estimated cost or fraction thereof
- b) In no case shall the permit be less than \$25.26;
- c) In the case of a general contractor pays the fee, the mechanical contractor shall pay a flat fee of \$15.00.

5) Plumbing Permit Fees.

- a) The permit fee for plumbing work shall be \$13.26 per each \$1000.00 of estimated cost or fraction thereof;
- b) In no case shall the permit be less than \$25.26.
- c) In the case of a general contractor pays the fee, the plumbing contractor shall pay a flat fee of \$15.00.

6) Certificate of Completion Fees.

- a) Residential Certificates of Approval fee shall be \$0.00;
- b) Commercial Certificates of Approval fee shall be \$50.00.

7) Certificate of Occupancy Fees.

- a) Residential Certificates of Occupancy fee shall be \$50.00;
- b) Commercial Certificates of Occupancy fee shall be \$50.00;

c) Reinspection fees are located in Section 6-3.

8) Expired and Recinded Permit Fees.

In the case a permit has expired or recinded, the owner or agent shall be allowed to reopen the said permit if the reapplication is done within 24 months or less of the original application date. The fee for the reapplication of said permit shall be \$75.00 after 24 month period.

Sec. 6-2. Waiver of Building Permits.

1) Government Agency.

No fees shall be required for the issuance of any permit for the construction, alteration, repair, removal or demolition of any building or structure to be used in connection with governmental functions of the Town of Madison.

2) Authority Having Jurisdiction.

Applications shall be required for any group asking for a waiver of building fees for the issuance of any permit for the construction, alteration, repair, removal or demolition of any building or structure to be used in connection with the governmental functions and improving the welfare and safety within the Town of Madison.

Sec. 6-3. Required Inspections, Investigation and Reinspection Fees.

1) Required Inspections.

A schedule of required inspections shall be compiled by the AHJ, the schedule shall be posted in the building department for public view

2) Reinspection Fees.

a) whenever it becomes necessary, for the Building Inspector to reinspect any construction work to determine that violations of the Building Code have been corrected, a reinspection fee of fifty dollars (\$50.00) may be assessed. All such assessments shall be made payable to the Town of Madison, in advance of such inspection.

b) whenever it becomes necessary, for the Fire Marshal to reinspect any work to determine that violations of the Fire Safety Code have been corrected, a reinspection fee of fifty dollars (\$50.00) may be assessed. All such assessments shall be made payable to the Town of Madison, in advance of such inspection

c) ***one (1) reinspection will be done per issued permit without a reinspection fee.*** All other subsequent reinspections shall be assessed a fifty dollar (\$50.00) fee. All such assessments shall be made payable to the Town of Madison, in advance of such inspection

Sec. 6-4. Violations.

1) Ordinance Violation Fee Definition.

It shall be unlawful for any person, firm or corporation to erect, construct, alter, extend, repair, move, remove, demolish or occupy any building, structure or equipment regulated by this code, or cause same to be done, in conflict with or in violation of any provision of this code. Any person who violates any provision of this ordinance code shall pay a violation fee, not less than \$200.00 nor more than \$1000.00 or imprisoned not more than six months or both, pursuant to section 29-254a of the Connecticut General Statutes.

2) Certificate of Occupancy / Certificate of Approval Violation.

Certificates of Occupancy shall be required for all new construction and newly conditioned structures over two hundred square feet before occupancy where the work has not been inspected or finalized in accordance with the Connecticut State Building Code. Alterations and renovations shall require a Certificate of Approval for all completed work that does not require a certificate of

occupancy. Any person, owner or contractor who allows occupancy and has not obtained an approval before final inspections are made shall be subject to an assessed violation fee.

3) Certificate of Occupancy / Completion Violation after 365 Days.

Whenever a certificate of occupancy is requested by an owner from the Building Department for construction, alterations or any activity requiring a permit, one year or more after final inspections have been performed (or partial certificate of occupancy have been issued), an additional fee of \$200.00 must be paid by the owner before said certificate is issued.

4) Certificate of Approval Violation.

Whenever any Building, Electrical, Gas/LP, Mechanical or Plumbing permit is issued for any work, and such work has been completed but no certificate of approval has been obtained within one year of completion, the permittee shall pay a fee of \$200.00. The permittee is responsible for the inspection of the said permit, unless the permittee is the owner.

5) Ordinance Verification Document.

This document verifies the permittee is fully aware of said responsibilities and requirements to obtain the certificates of approvals and or certificate of occupancy (Investigative Fee Notice Doc.)

Sec. 6.5. Abatement. Building Order Document Set Issued by the State of Connecticut.

- 1) Notice of Violation and Order to Abate;
- 2) Notice of Unsafe Structure;
- 3) Notice of Imminent Danger, Order to Vacate and Posting of Unsafe Structure;
- 4) Stop Work Order;
- 5) Notice of Referral for Criminal Prosecution.

Sec. 6.6. Contractor Construction Hours.

- 1) April thru October - Monday thru Friday: 7am – 6pm, Saturday: 8am – 1pm, Sunday: No Construction;
- 2) November thru March- Monday thru Friday: Sunrise to Sunset, Saturday: 8am – 1pm, Sunday: No Construction;
- 3) Violations of construction hours shall result in a \$200.00 violation fee to be issued by the Madison Police Department.

Sec. 6.7. Workers Compensation Coverage.

Affidavit of Compensation Coverage Document

Sec. 6.8. Demolition Delay for Structures over 60 years old.

- 1) As authorized by Connecticut General Statutes (CGS) 29-406(b), there will be a ninety-day (90) waiting period before granting any permit for the demolition of any building or structure, five hundred (500) square feet or larger, that is more than sixty (60) years old. The said waiting period shall commence on the date of the newspaper publication.
- 2) In the construction of this section, words and phrases shall be construed according to the commonly approved usage of the language: technical words and phrases that have been given working definitions in the state demolition regulations shall be construed and understood accordingly.

- 3) Any application for a demolition permit shall provide the following information verified under oath on a form provided by the land use department:
 - a) The name, if any, and the address of the building or structure to be demolished;
 - b) The name and address of the owner of the building or structure to be demolished;
 - c) The age of the building or structure to be demolished;
 - d) The square footage of the building or structure to be demolished;
 - e) The names and addresses of the owners of all the adjoining property on which the building or structure to be demolished is located according to an attached copy(s) of a pertinent portion of the current assessor's map.
- 4) Within five (5) days of the filing of an application for a demolition permit for a building or structure five hundred (500) square feet or larger that is over sixty (60) years old, the applicant shall issue notices set forth in this section containing information provided in subsections (3)(a)-(c) along with a statement that an application for a demolition permit is pending, that information may be obtained from the building official, and that any objection to the demolition must be filed in writing with the building official within forty-five (45) days of publication notice to prevent the shortening of the waiting period established by town ordinance;
 - a) Publication notice delivered prepaid to a newspaper having a general circulation in town with direction that it be published within seven (7) days of receipt;
 - b) First class mail notice to the owners, as verified from the real property records on file in the office of the assessor, of all property adjoining the property on which the building or structure to be demolished is located;
 - c) First class mail notice to each historic commission in the town, the Madison Historical Society, the Deacon John Grave Foundation, the Charlotte L. Everts Memorial Archives and the residential association (if applicable) in which the building or structure is located.
 - d) Notice by posting a sign of a size no smaller than twenty-four (24) by thirty-six (36) inches on the property on which the building or structure to be demolished is located in a conspicuous place visible from a public or other accessing street. The sign shall contain the word "DEMOLITION" in capital letters no less than three (3) inches high. If there is more than one (1) building or structure proposed for demolition, a sign shall be posted on or near each of them. Said sign shall include contact information for the property owner and/or his/her agent and the building official and shall remain on the property from the time of posting until the final demolition; and
 - e) First class mail or hand delivery notice to the land use office, verifying that all the notices required in subsections (a)-(d) have been made in with copies of subsections (a)-(c) notices attached and evidence of mailing for subsections (b) and (c) in the form of United States Post Office certificates of mailing included. A copy of the published legal notice shall also be forwarded to the land use office by first class mail or hand delivered within seven (7) days of publication.
- 5) A separate fee for demolition applications shall be set by the board of selectmen and charged by the land use office for all demolition applications that require administrative review under this section to defray the cost of such review.
- 6) If no written objection to the granting of the demolition permit is filed with the land use office within forty-five (45) days of the publication notice set forth in subsection (4)(a), the balance of the waiting period shall be waived.

- 7) The provisions of this section shall not apply to the orders of the building official or the director of health for emergency applications because of hazardous buildings or structures posing a threat to public health or safety.

Board of Selectmen Approval September 12, 2016
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