

ORDINANCE NO. 3 OF 1994

AN ORDINANCE PROVIDING FOR THE ESTABLISHMENT OF BUILDING PERMIT AND CONTRACTOR FEES ALONG WITH SPECIFIC REQUIREMENTS FOR WORKERS COMPENSATION COVERAGE FOR CONSTRUCTION OR ALTERATIONS WITHIN THE TOWNSHIP OF NEWPORT.

Be it ordained by the Board of Commissioners of the Township of Newport, County of Luzerne, and Commonwealth of Pennsylvania, as follows:

ITEM I: Building Permit Fees - The Building Code Enforcement Officer (or other designated person) of Newport Township, Luzerne County, Pennsylvania, shall charge fees for permits for construction or alterations of real estate upon the following scale:

\$ 1.00 to	\$ 99.99 =	No permit required
100.00 to	499.99 =	5.00
500.00 to	999.99 =	10.00
1,000.00 to	1,499.99 =	15.00
1,500.00 to	1,999.99 =	20.00
2,000.00 to	2,999.99 =	25.00
3,000.00 to	3,999.99 =	30.00
4,000.00 to	4,999.99 =	35.00
5,000.00 to	5,999.99 =	40.00
6,000.00 to	6,999.99 =	45.00
7,000.00 to	7,999.99 =	50.00
8,000.00 to	8,999.99 =	55.00
9,000.00 to	9,999.99 =	60.00
10,000.00 to	10,999.99 =	65.00

11,000.00 to	11, ⁹⁹⁹ 000 .99 =	70.00
12,000.00 to	12,999.99 =	75.00
13,000.00 to	13,999.99 =	80.00
14,000.00 to	14,999.99 =	85.00
15,000.00 to	15,999.99 =	90.00
16,000.00 to	16,999.99 =	95.00
17,000.00 to	17,999.99 =	100.00
18,000.00 to	18,999.99 =	105.00
19,000.00 to	19,999.99 =	110.00

After \$20,000.00 = 110.00 plus \$3.00 per thousand dollar Increment.

ITEM II: Contractor Fees - The Building Code Enforcement Officer (or other designated person) of Newport Township, Luzerne Count, Pennsylvania shall further charge the following fees for licenses issued to contractors for construction or alteration of real estate in Newport Township, Luzerne County, Pennsylvania.

General Contractor	\$75.00
Electrical Contractor	\$50.00
Plumbing Contractor	\$50.00
Masonary Contractor	\$50.00
Carpentry Contractor	\$50.00
Landscaping Contractor	\$50.00
Demolition Contractor	\$50.00

ITEM III: Calculation of Fees - The fees listed in Item I shall be determined by calculating the combined cost or fair market value of labor and materials used in said

construction or alteration.

ITEM IV: Definitions - as used in this ordinance, the following terms shall have the meanings indicated;

A. Construction - the assembly, however minor, of any structure having a roof supported by columns or walls resting on its own foundation and includes, but is not limited to, a dwelling, garage, barn stable, shed, greenhouse, mobile or modular home, plant, factory, warehouse, school, store or similar structure.

B. Alteration - any structural change to real estate which increases the value of said real estate, no matter how slight.

Illustrative examples include, but are not limited to, the following: additions of rooms, extensions to dwellings, additions of decks or porches, additions of fireplaces or chimneys, addition of driveway and installation of in-ground swimming pools. The planting of trees, shrubs, grass or other vegetation, when carried out by the owner of the real estate, and not a landscaping contractor, is not to be considered an alteration to real estate for the purpose of this Ordinance.

ITEM V. Worker's Compensation Insurance Requirement - Before any building permit is issued by the township of Newport to any contractor or sub-contractor, the contractor or sub-contractor shall provide to the Township of Newport following information:

- (a) Workers' compensation policy number;
- (b) Name of workers' compensation insurance company;
- (c) Contractor's or sub-contractor's federal or state employer identification number;
- (d) Number of employees of the contractor or sub-contractor.

ITEM VI. Exemption - If the contractor or sub-contractor signs an affidavit stating that he has no employees and is not required to carry workers' compensation insurance, the Township of Newport may issue a building permit stating the contractor's or sub-contractor's federal or state employer identification number, and a notation that the contractor or subcontractor has no other employees and does not carry workers' compensation insurance, and that the contractor or sub-contractor is not permitted to employ any individuals to perform work under the building permit.

ITEM VII. Proof of Worker's Compensation Insurance - As proof of insurance, the Township of Newport shall require the contractor or sub-contractor to supply, either directly or through the contractor's or sub-contractor's insurer or agent, a workers' compensation certificate, which includes the effective date of the coverage and the signature of the insured. This certificate must be kept on file with the building permit.

ITEM VIII. Not Applicable to Non-contractors - This Ordinance shall not affect the issuance of building permits to non-contractors or non-sub-contractors. Property owner applicants are not "contractors and/or sub-contractors" within the meaning of this Ordinance.

ITEM IX. Violation and Penalty - Any person (s), firm or corporation who violates any provision of this Ordinance shall, upon conviction thereof be sentenced to pay a fine of not more than six hundred (\$600.00) dollars and costs of prosecution, or in default of payment of such fine and costs to undergo imprisonment of not more than thirty (30) days.

Newport Township also reserves the right to institute appropriate actions at law or in equity to enforce this Ordinance or any provisions thereof.

ITEM X. Continuing Violations - After notice of said violation is given by Newport Township, each day upon which this Ordinance or any part thereof continues to be violated, shall

be deemed a new violation and each day the same is continued shall be deemed a separate offense and punishable as such.

ITEM XI. Repealing Inconsistent Ordinances or Parts Thereof - All portions of Ordinances and amendments inconsistent herewith are hereby repealed.

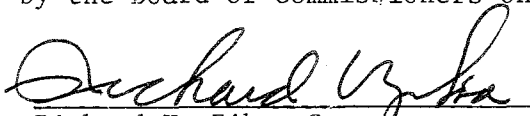
This Ordinance shall take effect upon adoption Enacted and Ordained at a regular meeting of the Board of Commissioners of Newport Township held on the 4th day of June, 1994.

JOSEPH DeLUCA
Chairman

Attest:

JOHN ELMY, Secretary

I, Richard V. Zika, Secretary of Newport Township, due hereby certify that this is a true and correct Copy of Ordinance No. 3 of 1994 as duly approved by the Board of Commissioners on June 4, 1994.


Richard V. Zika, Secretary

March 29, 2006