

## SECTION VIII

### Administration

The provisions of this bylaw and any amendments thereto shall be administered and enforced by the Building Inspector.

#### **A. Building Permits:**

1. No construction for a building or structure except for construction of uncovered patios, terraces, fences and driveways shall be started, and no building or structure shall be erected, moved or added to until a building permit for the proposed work or addition shall be applied for and granted.
2. No permit shall be granted for the construction, alteration, relocation or use of any building, structure or premises in violation of any provisions of this bylaw. Whenever any permit or license is refused because of some provision of this bylaw, the reason therefore shall be clearly stated in writing.
3. An application for a building permit for a new or altered use of land or of a structure, or for construction, addition, reconstruction or relocation of a building shall be made by the owner or his agent, in writing, on a form approved by the Building Inspector and shall be accompanied by two (2) copies of a plot plan showing the site and size and shape of the lot, the names of the owners of record, the exact location of existing streets and buildings or structures, and proposed buildings, structures or additions thereto. The Building Inspector shall send one (1) copy of the plot plan to the Planning Board.
  - a. **Foundation Certification:** All new foundations, footings, or piers require a foundation as-built plan by registered professional engineer or registered land surveyor indicating that placement and elevation comply with the building permit plan. This must be done after the foundation is poured. No further construction will be allowed until foundation as-built plans have been approved by the Building Inspector. (05/1992)
4. A building permit shall become void unless construction is commenced within six (6) months of the date of issue, unless such time shall have been extended by the Building Inspector in writing, except as provided in Section 11 of Chapter 40A of the General Laws of the Commonwealth of Massachusetts. (04/1979)
5. A record of application herein referred to, and the action taken thereon, shall be kept on file in the Town offices.
6. The Building Inspector shall issue the building permit only after he/she has viewed the premises and determined that the contemplated use, change,

construction or addition would not be in violation of the Hanson bylaws. After issuance of the building permit the Building Inspector shall make at least one (1) inspection while the work of construction is in progress to ascertain that there is no violation of the said bylaws as a result of any changes or deviation made during the period of construction. Upon completion of the construction, additions, or change of use for which the permit was originally granted and before occupancy by the owner, his agents, servants, tenants, lessees or assigns, the Building Inspector shall make a final inspection to determine if the completed construction, addition or change in use conforms to the permit and is not in violation of the said bylaws.

7. The fee required for a building permit shall be that established by the Selectmen.
8. Any person aggrieved by the inability to obtain a permit, or by any order or decision of the Building Inspector or other administrative official shall file a written appeal with the Board of Appeals not later than thirty (30) days after the order of decision causing the grievance or the refusal to issue such permit. Such appeals shall be subject to a fee specified in the Board of Appeals Rules and Regulations or as posted with the Town Clerk. (10/1986)

**B. Occupancy Permits:**

No building hereafter erected or relocated shall be used, and no change shall be made of the use of any building or of any parcel of land, unless an occupancy permit signed by the Building Inspector has been granted to the owner of proposed occupant of such land or building. Such permit shall not be granted unless the proposed use of the land or building and all necessary uses comply in all respects with this bylaw, and no use shall be made of such land or building except the use or uses authorized by such occupancy permit.

**C. Violations and Enforcement:**

1. Violation shall be determined by the Building Inspector by an investigation of the fact and inspection of the premises, after which he shall give notice thereof in writing to the owner or to his duly authorized agent, and to the occupant of the premises, and shall order that any uses of any premises contrary to the provisions of this bylaw shall immediately cease.
2. Any person violating any provision of this bylaw, any of the conditions under which a permit is issued, or any decision rendered by the Board of Appeals, may be fined not more than two hundred dollars (\$200.00) per day for each offense. Each day that such violation continues shall constitute a separate offense. (10/1986)
3. In addition to the penalty provided in paragraph 2 above, the Building Inspector with the approval of the Board of Selectmen may institute appropriate legal

proceedings to enforce the provisions of this bylaw or to restrain by injunction any violation thereof, or both.

4. In addition, this Zoning By-Law may, in the discretion of the Town official who is the designated enforcing person; be enforced by way of the method provided in Section 21D of Chapter 40 of the General Laws. Enforcing person as used in the Section shall mean the Zoning Enforcement Officer or his designated representative in the Town of Hanson.

**ZONING VIOLATION FINES SHALL BE AS FOLLOWS:**

<b>Written Warning</b>	<b>\$ 0.00</b>
<b>First Offense</b>	<b>50.00</b>
<b>Second Offense</b>	<b>100.00</b>
<b>Third Offense and Each Subsequent Offense</b>	<b>200.00</b>

**Each day such violation continues shall constitute a separate offense.**  
(10/1989)

**D. Special Permits**

1. **Special Permit Granting Authority.** Unless specifically designated otherwise, the Board of Appeals shall act as the Special Permit Granting Authority.
2. **Public Hearings.** Special Permits shall only be issued following public hearings held within sixty-five (65) days after filing an application with the Special Permit Granting Authority, a copy of which shall forthwith be given to the Town Clerk by the applicant.
3. **Criteria.** Special Permits shall be granted by the Special Permit Granting Authority, unless other specified herein, only upon its written determination that the proposed use will not have adverse effects on either the town or the neighborhood, in view of the particular characteristics of the site, and of the proposal in relation to that site. The determination shall include consideration of each of the following:
  - a) Social, economic, or community needs which are served by the proposal;
  - b) Traffic flow and safety;
  - c) Adequacy of utilities and other public services;
  - d) Neighborhood character and social structures;

e) Impacts of the natural environment;

f) Potential fiscal impact.

4. **Development Plan.** Where, in the opinion of the Special Permit Granting Authority, such information would assist in the review of a Special Permit application, the Special Permit Granting Authority may require the applicant to submit a Development Plan in conformance with the requirements of Sections VII.F.2 and VII.F.3.
5. **Conditions.** Special Permits may be granted with such reasonable conditions, safeguards, or limitations on time or use as the Special Permit Granting Authority may deem necessary to serve the purposes of this By-Law.
6. **Expiration.** Special Permits shall lapse twenty-four (24) months following Special Permit approval (plus such time required to pursue or await the determination of an appeal referred to in M.G.L.A. Ch. 40A, § 17, from the grant thereof) if a substantial use thereof or construction.

**E. Planning Board Associate Member**

There shall be one associate member of the Planning Board, who shall be eligible to participate solely in matters in which the Planning Board is acting as the Special Permit Granting Authority, in accordance with G.L. c. 40A, §9. The Chairman of the Planning Board may designate the associate member to sit on the Planning Board for the purposes of acting on a special permit application, in the case of absence, inability to act, or conflict of interest on the part of any member of the Planning Board, or in the event of a vacancy on the Planning Board. The associate member shall be appointed for a three-year term by the Board of Selectmen. The associate member shall be a resident of the Town of Hanson.