

RESOLUTION 2011-G

A POLICY FOR THE ISSUANCE OF A CERTIFICATE OF OCCUPANCY WITHOUT COMPLETION OF PERMIT REQUIREMENTS

WHEREAS Goshen City Code Section 6.1.1.7 requires the issuance of a building permit before beginning any construction, alteration or repair of any building or structure provided the cost of the construction, alteration or repair is in excess of One Thousand Dollars (\$1,000);

WHEREAS Goshen City Code Section 6.1.1.9 requires that any construction, alteration or repair completed under a building permit shall be in full compliance with all provisions of the Goshen City Code;

WHEREAS Goshen City Code Section 6.1.1.16 requires that no certificate of occupancy may be issued until any construction, alteration or repair meets all requirements of the Goshen City Code;

WHEREAS some construction projects are substantially completed in the late fall but cannot be fully completed until the following spring due to weather conditions;

WHEREAS some construction projects are substantially completed except for the installation of parts or equipment which are not currently available; and


WHEREAS the City desires to issue an occupancy permit in instances where all work that can be completed given the conditions has been completed in accordance with applicable provisions of the Goshen City Code and Indiana State Statutes.

NOW, THEREFORE, BE IT RESOLVED by the Goshen Board of Public Works and Safety that the Goshen City Building Department may issue an occupancy permit if the following conditions are met:

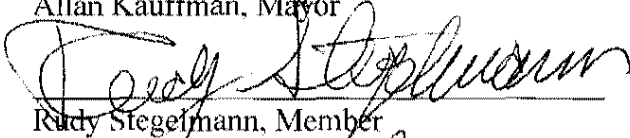
1. All construction, alteration or repair work that can be completed given the conditions has been completed in accordance with all applicable Goshen City Code Sections and Indiana State Statutes.
2. The work completed complies with Goshen City drainage requirements, the Construction Site Stormwater Runoff Control Ordinance, and all applicable zoning ordinances and requirements.

3. The landowner and/or developer executes an occupancy permit agreement detailing the work that needs to be completed as soon as conditions permit. The agreement shall provide deadlines for completion of the remaining work.
4. The delay in completing the remaining work will not create a substantial health or safety hazard to anyone who occupies the building or structure.
5. A surety bond, letter of credit or cash bond is provided to the City of Goshen in an amount equal to the City's estimate of the cost of completing the remaining work.

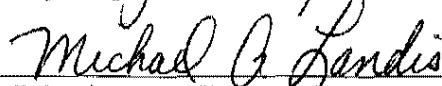
PASSED by the Goshen Board of Public Works and Safety on April 11, 2011.



Allan Kauffman, Mayor



Rudy Stegelmann, Member



Michael A. Landis, Member