



BOROUGH OF TATAMY

NORTHAMPTON COUNTY, PENNSYLVANIA

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ORDINANCE NO. 315-2026

(Duly Adopted 7th day of September 2026)

AN ORDINANCE AMENDMENT TO THE BOROUGH OF TATAMY CODE OF ORDINANCES CHAPTER 150, BUILDING AND CONSTRUCTION OF ESTABLISHING PREREQUISITE SITE PLAN AND INDIVIDUAL LOT GRADING APPROVAL, WATER & SANITARY SEWER REQUIREMENTS PRIOR TO APPLICATION ACCEPTANCE FOR ZONING AND BUILDING PERMITS FOR ONE- AND TWO-FAMILY DWELLINGS OR ANY BUILDING OR CONSTRUCTION REQUIRING A GRADING PERMIT PURSUANT TO THE BOROUGH OF TATAMY'S [SADLO] ORDINANCES.

WHEREAS, pursuant to the Pennsylvania Borough Code, 8 Pa.C.S. § 1202(5), (6), and (20), the Borough of Tatamy is empowered to enact regulations necessary to secure the safety, health, and general welfare of its inhabitants, regulate building construction, and provide for the proper management of drainage and surface waters within the Borough; and

WHEREAS, the Pennsylvania Construction Code Act (PCCA / UCC), 35 P.S. § 7210.502(a)(1), explicitly authorizes municipalities to establish a required list of prior permits and approvals necessary before a UCC building permit may be issued, and provides that a building permit shall only issue upon receipt of all such required prior approvals; and

WHEREAS, Section 502(a)(1) of the PCCA (35 P.S. § 7210.502(a)(1)) establishes that the statutory timeline for reviewing UCC building permit applications begins upon the submission of a complete application, and that applications lacking mandatory municipal prior approvals are incomplete as a matter of law; and

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WHEREAS, the Pennsylvania Municipalities Planning Code (MPC), Act 247 of 1968, as amended, 53 P.S. § 10101 *et seq.*, grants the Borough authority to regulate subdivisions and land developments, including the grading of individual lots, to ensure adequate drainage, erosion control, and safe structural site development; and

WHEREAS, the Storm Water Management Act (Act 167), 32 P.S. § 680.1 *et seq.*, mandates that municipalities control stormwater runoff resulting from earth disturbance activities to protect public infrastructure, downstream properties, and environmental quality; and

WHEREAS, accepting or reviewing UCC building permit applications or zoning permit applications prior to final subdivision plan recording and individual lot grading approval creates conflicting municipal review timelines, risks improper foundation design relative to actual site contours, and jeopardizes public safety; and

WHEREAS, the Borough Council of Tatamy deems it in the best interest of the public health, safety, and general welfare to establish a clear, mandatory, step-by-step administrative hierarchy requiring subdivision recording and individual lot grading plan, water connection and sanitary sewer approvals as non-negotiable prerequisites prior to the intake, logging, or processing of zoning and building permit applications.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Council of the Borough of Tatamy, Northampton County, Pennsylvania, as follows:

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SECTION 1. AMENDMENT TO CHAPTER 150, BUILDING AND CONSTRUCTION

The Borough Code is hereby amended to establish a strict prerequisite hierarchy governing the order of lot-specific grading plan reviews, zoning permit applications, and the Uniform Construction Code (UCC) building permit application:

§ 150.34 (A) ADDITION TO SPECIFY Prerequisites for Application Acceptance; Order of Approvals.

1. Mandatory Approval Sequence and Prerequisite Hierarchy:

In accordance with municipal authority under Commonwealth standards (benchmarked under regional municipal best practices), no application for a Zoning Permit or Uniform Construction Code (UCC) Building Permit for any proposed construction, addition, or structural alteration of a one-family or two-family dwelling unit or any permit requiring a grading plan, pursuant to the Borough's sub-division and land devolvement (SADLO) ordinances, Water approvals per Water Company requirements and Sanitary Sewer Approvals per Tatamy Borough Sewer Authority shall be accepted for administrative intake, logged, or reviewed by the Borough Code Administrator, Zoning Officer, or designated staff until an Individual Lot Grading Plan, Water Connection Plan and Sanitary Sewer plans for the subject lot has been formally submitted, reviewed, and approved in writing by the Borough Engineer.

2. Administrative Completeness and Review Clock Commencement:

Any application for a Zoning Permit or UCC Building Permit submitted without a prior, written Borough Engineer approval of the Individual Lot Grading Plan Water Plan and Sanitary Sewer Plan attached thereto shall be deemed procedurally incomplete and shall not be

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accepted for administrative filing. The calculation of any statutory or municipal review timeframes—including, but not limited to, the statutory 15-business-day or 5-business-day review periods set forth under 35 P.S. § 7210.502(a)(1) and Borough Code § 150.15(E)—shall not commence until a complete application package, including the requisite approved grading plan, is officially logged as accepted by the Borough.

3. Subdivision Recording Prerequisite:

No Individual Lot Grading Plan, Zoning Permit application, or Building Permit application shall be accepted or reviewed for any lot created via subdivision until the final subdivision/land development plan creating said lot has been duly recorded with the Northampton County Recorder of Deeds and the assigned parcel Identification Number (PIN) has been formally established. Any permit application submitted prior to the recording of the underlying subdivision plan shall be deemed premature, void *ab initio*, and returned without review.

4. Integration with UCC List of Prerequisite Permits:

In accordance with 35 P.S. § 7210.502(a)(1), approval of the Individual Lot Grading Plan, alongside Zoning Permit approval, is hereby formally designated as a required prior condition and prerequisite approval necessary before any UCC Building Permit may be issued.

5. Earth Disturbance Modifications and Plan Revisions:

If any modification to an approved Individual Lot Grading Plan occurs after the issuance of a Zoning or Building Permit, or if site work departs from the approved grading profiles, all work on the subject site shall immediately cease. The applicant shall submit a revised grading plan to the Borough Engineer for review. Any changes to the grading plan that alter building footprint, finished floor elevations, stormwater runoff patterns, or foundation design shall necessitate an additional plan review and re-approval prior to the resumption of building construction.

SECTION 2. SEVERABILITY

If any section, clause, provision, or portion of this Ordinance shall be held invalid or unconstitutional by any court of competent jurisdiction, such decision shall not affect any other section, clause, provision, or portion of this Ordinance.

SECTION 3. REPEALER

All ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

SECTION 4. EFFECTIVE DATE

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This Ordinance shall become effective five (5) days following adoption as provided by law.

DULY ENACTED AND ORDAINED this 2nd day of November 2026, by the Council of Tatamy Borough.

ATTEST:

BOROUGH OF TATAMY:

Mark A. Saginario, Secretary

Robert Hayes, Council
President

Approved this 2nd day of November 2026.

ATTEST:

BOROUGH OF TATAMY

Mark A. Saginario, Secretary

James Pallante, Mayor

Municipal Seal

