

Permit # _____

CERTIFICATE OF COMPLIANCE

Date Received: _____

Zoning District _____

TOWN OF EAST MONTPELIER

Parcel # _____

Overlays _____

PO Box 157, East Montpelier, VT 05651

Tax Map # _____

APPLIES ONLY TO PERMITS ISSUED FOR PROJECTS/DEVELOPMENT IN FLOOD HAZARD AREAS

Pursuant to East Montpelier Land Use and Development Regulations Section 7.4 this form must be completed for all structures, other than accessory structures to single family dwellings, for which a Zoning Permit has been issued prior to any use or occupation, in whole or in part, of any such structure.

Landowner Contact Information

Name.....

Phone No.....Email.....

Address.....

Applicant/Agent Contact Information (other than landowner)

Name.....

Phone No.....Email.....

Address.....

Project/Permit Information

Physical Address of Property.....

Zoning Permit/DRB Approval NumberDate Issued.....

Description of Project:

.....
.....
.....
.....

Modifications from Permit or DRB Approval:

.....
.....
.....
.....

Special Situations (see page 3 of this form):

Any required Vermont Energy Standards Certificate has been filed with the East Montpelier Town Clerk:

☐ Yes Date Submitted _____ ☐ Not Applicable

Any required wastewater system pre-cover-up inspection report has been submitted to the Zoning Administrator:

☐ Yes Date Submitted _____ ☐ Not Applicable

SIGNATURE & NOTARIZATION

I, the undersigned, certify and affirm that the project as described above was built in conformance with the Zoning Permit and/or DRB approval(s), including all applicable conditions. I understand that misrepresentation will result in the Zoning Permit and/or DRB approval(s) being void and penalties imposed. Further, I understand that the issuance of a Certificate of Compliance shall not preclude subsequent zoning enforcement actions for any violations of the Zoning Permit or zoning regulations that may have existed prior to the issuance of the Certificate of Compliance.

Landowner's Signature _____ Date _____

Subscribed and sworn to before me:

Signature of Notary	Date	Expiration Date
---------------------	------	-----------------

Action by Zoning Administrator:

Based upon the representations made by the landowner above this certificate has been:

☐ **Approved**

☐ **Denied**

Reason.....

.....

.....

.....

.....

Signature of East Montpelier Zoning Administrator

Date

Appealed to Development Review Board ☐ Yes ☐ No ☐ Not Applicable

Date Appealed to DRB

Appealed By

Notice: Appeal from a decision or act of the Zoning Administrator must be made in writing to the Development Review Board &/or Town Clerk within 15 days of the decision or act. The appeal fee is \$150.00.

Action by Development Review Board

Public Notice Date

Date(s) of Hearing

☐ Appeal Granted ☐ Appeal Denied (See written decision for reasoning and conditions)

.....
Signature of Chair, Development Review Board

The DRB's written decision was issued on:

The applicant, appellant or other interested person who has participated in a regulatory proceeding of the DRB may appeal the decision rendered by the DRB within 30 days of the issuance of such decision, to the Environmental Division of the Vermont Superior Court, in accordance with 24 V.S.A. §4471.

1. "Participation" in a DRB proceeding shall consist of offering, through oral or written testimony, evidence of a statement of concern related to the subject of the proceeding.
2. The notice of appeal shall be filed by certified mailing, with fees, to the Environmental Division of the Vermont Superior Court and by mailing a copy to the East Montpelier Zoning Administrator, who shall supply a list of interested persons (including the applicant if not the appellant), to the appellant within five (5) working days. Upon receipt of the list of interested persons, the appellant shall, by certified mail, provide a copy of the notice of appeal to every interested person. If any one or more of those persons are not then parties to the appeal, upon motion they shall be granted leave by the court to intervene.

Special Situations & Certificate of Compliance Relevant Regulations

State of Vermont Relevant Sections

24 VSA §4449(a)(2) mandates that any required **Vermont Energy Standards Certificate** be filed with the East Montpelier Town Clerk prior to the issuance of a certificate of compliance. For more information, please contact the Energy Code Assistance Center at (855) 887-0673 or the Vermont Public Service Department at: (802) 828-2811 (for residential projects); (800) 642-3281 (for commercial projects). You can view the codes here:

http://publicservice.vermont.gov/energy_efficiency/cbes (Commercial Building Energy Standards)

http://publicservice.vermont.gov/energy_efficiency/rbes (Residential Building Energy Standards)

Town of East Montpelier Land Use Development Regulations Relevant Sections

Article 3: General Regulations, Section 3.18

Water Supply & Wastewater Disposal

No building or structure intended for human occupancy shall be erected, altered, or converted to another use unless adequate water supply and wastewater disposal systems are provided in compliance with all applicable municipal and state regulations. No construction may be commenced under an East Montpelier Zoning Permit unless and until proof of issuance of any and all required state wastewater and potable water supply permits is submitted to the Zoning Administrator. In situations where a state wastewater permit is required, no Certificate of Compliance may be issued under Section 7.4 of these regulations until a copy of the pre-cover-up inspection report is submitted to the Zoning Administrator.

Article 7: Administration & Enforcement, Section 7.4 Certificates of Compliance

- (A) No structure, other than accessory structures to single family dwellings, **subject to the Flood Hazard Area Regulations in Article 9** for which a zoning permit has been issued shall be occupied or used, in whole or in part, until the Zoning Administrator has issued a certificate of compliance.

- (1) An application for a certificate of compliance shall be provided with the zoning permit issued by the Zoning Administrator. The applicant shall submit a completed application for a certificate of compliance to the Zoning Administrator prior to the expiration of the permit, as per Section 7.3(C) above.
- (2) The applicant shall certify and affirm, in the presence of a notary public and to the satisfaction of the Zoning Administrator, that the constructed building or addition is in conformance with the zoning permit and any associated approvals, including all applicable permit conditions.
- (3) The Zoning Administrator may, but is not required to, inspect the site layout before acting on the certificate of compliance. In all cases, the Zoning Administrator's decision to approve or deny an application for a certificate of compliance shall be based on the applicant's certifications and representations, and the issuance of a certificate of compliance shall not preclude a subsequent zoning enforcement action for any violations of the zoning permit or zoning regulations that may have existed prior to the issuance of the certificate of compliance.
- (4) An application for a certificate of compliance shall be approved or denied by the Zoning Administrator within 30 days of receipt. If the Zoning Administrator fails to either grant or deny the certificate of compliance within 30 days of the submission, the certificate shall be deemed approved on the 31st day. The decision of the Zoning Administrator may be appealed to the Development Review Board under Section 7.5(A).

Article 9: Flood Hazard Area Regulations, Section 9.11 Certificate of Compliance

The Zoning Administrator must approve a Certificate of Compliance in accordance with the provisions of Section 7.4 before a structure or use permitted under the provision of this chapter is occupied or commenced. The Zoning Administrator must not approve a Certificate of Compliance until the applicant has provided copies of all necessary state and federal permits.