



BUILDING CODE ENFORCEMENT ORDINANCE December 14, 2023

A. BUILDING INSPECTION DEPARTMENT

Sec. 1. There is established the Fannin County Building Inspection Office. This office shall be staffed as prescribed by the Fannin County Board of Commissioners.

Sec. 2. The Board of Commissioners of Fannin County shall appoint the Fannin County Building Inspectors and staff. Said individual(s) shall serve at the pleasure of the Board of Commissioners. The compensation paid to said individual(s) shall be set by the members of the Board of Commissioners of Fannin County. In the event that a building code inspector is not available, A private inspector or engineer may be used with approval from the county building inspectors and permit holder will pay cost of said inspections.

Sec. 3

The building inspector and his department shall be responsible for the enforcement of the provisions contained herein.

(1) Records. The building inspector shall keep, or cause to be kept, a record of the business of the department. The records of the department shall be open to public inspection. (2) Liability. Any employee charged with the enforcement of this article, acting on the behalf of the county in the discharge of his duties, shall not thereby render himself personally liable and is hereby relieved from all personal liability for any damage that may occur to persons or property as a result of any act required or permitted in the discharge of his duties.

Sec 4.

Applicability

(1) Existing buildings.

(A) General. Alterations, repairs, or rehabilitation work may be made to any existing structure, building, electrical, gas, mechanical or plumbing system without requiring the building, structure, plumbing, electrical, mechanical or gas system to comply with all the requirements of the technical codes, provided the alteration, repair or rehabilitation work conforms to the requirements of the technical codes for new construction. The building inspector shall determine the extent to which the existing system shall be made to conform to the requirements of the technical codes for new construction. If the renovations/repairs increase the value of the property more than 50% then the whole structure must meet the current code.

(B) Change of occupancy. If the occupancy classification of any existing building or structure is changed, the building, electrical, gas, mechanical and plumbing systems shall be made to conform to the intent of the technical codes as required by the building inspector.

(C) Special historic buildings. The provisions of the technical codes relating to the construction, alteration, repair, enlargement, restoration, relocation or moving of buildings *or* structures shall not be mandatory for existing buildings or structures identified and classified by the state or local jurisdiction as historic buildings when such buildings or structures are judged by the building inspector to be safe and in the public interest of health, safety and welfare regarding any proposed construction, alteration, repair, enlargement, restoration, relocation or moving of buildings within the County.

Sec. 5. Powers and duties of the building inspector.

(1) General. The building inspector and his department are hereby authorized and directed to enforce the provisions of the technical codes. The building inspector and his department are further authorized to render interpretations of the technical codes, which are consistent with their intent and purpose.

(2) Right of Entry

(a) Whenever necessary to make an inspection to enforce *any* of the provisions of this article, or whenever the building inspector has reasonable cause to believe that there exists in any building or upon any premises any condition or code violation which makes such building, structure, premises, electrical, gas, mechanical or plumbing systems unsafe, dangerous or hazardous, the building inspector may enter such building, structure or premises at all reasonable times to inspect the same or to perform any duty imposed upon the building inspector by these technical codes, provided that if such building or premises is occupied, he shall first present proper credential and request entry. If such building, structure, or premises is unoccupied, he shall first make a reasonable effort to locate the owner or the person having charge or control of such and request entry. If entry is refused, the building inspector shall have recourse to every remedy provided by law to secure entry.

(b) When the building inspector shall have first obtained a proper inspection warrant or other remedy provided by law to secure entry, no owner or occupant or any other persons having charge, care or control of any building, structure or premises shall fail or neglect, after proper request is made as herein provided, to promptly permit entry therein by the building inspector for the purpose of inspection and examination pursuant to this article.

3) Stop work orders. Upon notice from the building inspector, work on any building, structure, electrical, gas, mechanical or plumbing system that is being done contrary to the provisions of the technical codes or in a dangerous or unsafe manner shall immediately cease. Such notice shall be in writing and shall be given to the owner of the property, or to his agent, or to the person doing the work, and shall state the conditions under which work may be resumed. In no case may work be resumed without the prior approval of the

building inspector. Where any emergency exists, the building inspector shall not be required to give written notice prior to stopping work.

(4) Revocation of permits.

(a) Misrepresentation of application. The building inspector may revoke a permit or approval, issued under the provisions of this article, in any case where there has been any false statement or misrepresentation as to the material fact in the application or plans on which the permit or approval was based.

(b) Violation of provisions. The building inspector may revoke a permit upon determination by the building inspector that the construction, erection, alteration, repair, moving, demolition, installation or replacement of the building, structure, electrical, gas, mechanical or plumbing systems for which the permit was issued is in violation of, or not in conformity with, the provisions of this article.

(c) The actual start means the placement of permanent construction of the structure such as the pouring of slabs or footings, installation of piles, or construction of columns, or any work beyond the stage of excavation, and includes the placement of a manufactured home on a foundation. Permanent construction does not include initial land clearing nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers or foundations or the erection of temporary forms; nor does it include the installation on the property of buildings appurtenant to the permitted structure. For substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether that alteration affects the external dimensions of the building.

(5) Unsafe buildings or systems. All buildings, structures, electrical, gas, mechanical or plumbing systems which are unsafe, unsanitary, or do not provide an adequate egress, or which constitute a fire hazard, or are otherwise dangerous to human life, or which in relation to existing use, constitute a hazard to safety or health, are considered unsafe buildings or service systems. All such unsafe buildings, structures or service systems are hereby declared illegal and shall be abated by repair and rehabilitation or by demolition in accordance with the provisions of the Standard unsafe Building Abatement Code.

(6) Requirements not covered by code. Any requirements necessary for the strength, stability, or proper operation of an existing or proposed building, structure, electrical, gas, mechanical or plumbing system, or for the public safety, health, and general welfare, not specifically covered by this or the other technical codes, shall be determined by the building inspector.

(7) Alternate materials and methods. The provisions of the technical codes are not intended to prevent the use of any material or method of construction not specifically prescribed by them, provided any such alternate has been reviewed by the building inspector. The building inspector shall approve any such alternate, *provided* the building inspector finds that the alternate for the purpose intended is at least the equivalent of that prescribed in the technical codes in quality, strength, effectiveness, fire resistance, durability, and safety. The building inspector shall require that sufficient evidence or proof be submitted to substantiate any claim made regarding the alternate.

(8) Any building design or materials used in an alternate or unique way which may lead the county inspectors to believe the structure could be a special hazardous building, the building inspector reserves the right to refuse to issue a building permit for the project and shall inform the Board of Commissioners.

B. CODES

The following codes, the latest edition as adopted and amended by the state Department of Community Affairs, shall be enforced by the county:

(1) International Building Code (2) International Residential Code for One- and Two-Family Dwellings (3) International fire Code (4) INTERNATIONAL Plumbing Code (5) International Mechanical Code (6) International Fuel Gas Code (7) National Electric Code (8) International Energy Conservation Code. Any or all of these codes may or may not have amendments with the state of Georgia. (9) International swimming pool and spa code.

C. ADMINISTRATION AND ENFORCEMENT

Sec. 1 Purpose and scope.

(a) Purpose. The purpose of this division is to provide for the administration and enforcement of the Georgia State Mandatory Codes as allowed and heretofore adopted. Hereinafter, all the codes heretofore adopted shall be referred to as the "technical codes." (b) Codes remedial. These codes are hereby declared to be remedial and shall be construed to secure the beneficial interests and purposes thereof, which are public safety, health and general welfare, through structural strength, stability, sanitation, adequate light and ventilation, and safety to life and property from fire and other hazards attributed to the built environment including alteration, repair, removal, demolition, use and occupancy of buildings, structures or premises, and by regulating the installation and maintenance of all electrical, gas, mechanical and plumbing systems, which may be referred to as service systems.

(c) Quality control. Quality control of materials and workmanship is not within the purview of this division, except as it relates to the purposes stated herein.

Sec. 2 Permitting and inspection.

The inspection or permitting of any building, system, or plan under the requirements of this article shall not be construed in any court as a warranty of the physical condition of such building, system or plan or their adequacy. Neither the county nor any employee thereof shall be liable in tort for damages for *any* defect or hazardous or illegal condition or inadequacy in such building, system, or plan, nor for any failure of any component of such, which may occur subsequent to such inspection or permitting.

Sec.3 Scope.

(A) Applicability. Where, in any specific case, different sections of these codes specify different materials, methods of construction or other requirements, the most restrictive shall govern. Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall be applicable.

1. Building. The provisions of the **International Building Code** shall apply to the construction, alteration, repair, equipment, use and occupancy, location, maintenance, removal and demolition of every building or structure or any appurtenances connected or attached to such buildings or structures, except in one- and two-family dwellings.
2. Electrical. The provisions of the National Electrical Code shall apply to the installation of electrical systems, including alterations, repairs, replacement, equipment, appliances, fixtures, fittings, and appurtenances thereto.
3. Gas. The provisions of the **International Fuel Gas Code** shall apply to the installation of consumers' gas piping, gas appliances and related accessories as covered in this article. These requirements apply to gas piping systems extending from the point of delivery to the inlet connections of appliances and the installation and operation of residential and commercial gas appliances and related accessories, except in one- and two-family dwellings.
4. Mechanical. The provisions of **the International Mechanical Code** shall apply to the installation of mechanical systems, including alterations, repairs, replacement, equipment, appliances, fixtures, fittings and/or appurtenances, including ventilating, heating, cooling, air conditioning and refrigeration systems, incinerators, and other energy-related systems, except in one, and two-family dwellings.
5. Plumbing. The provisions of the International Plumbing Code shall apply to every plumbing installation, including alterations, repairs, replacement, equipment, appliances, fixtures, fittings, and appurtenances, and when connected to a water or sewerage system.
6. Fire prevention. The provisions of the **International Fire Code** shall apply to the construction, alteration, repair, equipment, use and occupancy, location, maintenance of every commercial building or structure or any appurtenances connected or attached to such buildings or structures.
7. Energy. The provisions of the **International Energy Conservation Code** shall regulate the design of building envelopes for adequate thermal resistance and low air leakage and the design and selection of mechanical, electrical, service water heating and illumination systems and equipment that will enable the effective use of energy in new building construction.
8. **The International Residential Code** for one- and two-family dwellings: shall apply to the construction, alteration, repair, equipment, use and occupancy, location, maintenance of everyone or two-family dwelling or any appurtenances connected or attached to such buildings or structures.
9. Add International and Spa Code (Mandated by GA DCA)

(B) Federal and state authority. The provisions of this article shall not be held to deprive any federal or state agency, or any applicable governing authority having jurisdiction, of any power or authority which it had on the effective date of the adoption of this article or of any

remedy then existing for the enforcement of its orders, nor shall it deprive any individual or corporation of its legal rights as provided by law.

(C) Appendices. Appendices referenced in the code text of the technical codes shall be considered an integral part of the codes.

(D) Referenced standards. Standards referenced in the text of the technical codes shall be considered an integral part of the codes. If specific portions of a standard are denoted by code text, only those portions of the standard shall be enforced. Where code provisions conflict with a standard, the code provisions shall be enforced. Permissive and advisory provisions in a standard shall not be construed as mandatory.

(E) Maintenance. All buildings, structures, electrical, gas, mechanical and plumbing systems, both existing and new, and all parts thereof, shall be maintained in a safe and sanitary condition. All devices or safeguards which are required by the technical codes when constructed, altered, or repaired shall be maintained in good working order. The owner, or his designated agent, shall be responsible for the maintenance of buildings, structures, electrical, gas, mechanical and plumbing systems.

Sec.4 Building inspection department.

(A) There is hereby established a department to be called the building inspection department, and the person in charge shall be known as the building inspector. The building inspector and his department shall be responsible for the enforcement of the provisions contained within this article.

(1) Records. The building inspector shall keep, or cause to be kept, a record of the business of the department. The records of the department shall be open to public inspection.

(2) Liability. Any employee charged with the enforcement of this article, acting on the behalf of the county in the discharge of his duties, shall not thereby render himself personally liable and is hereby relieved from all personal liability for any damage that may occur to persons or property as a result of any act required or permitted in the discharge of his duties.

SEC. 5 Existing buildings.

(A) General. Alterations, repairs, or rehabilitation work may be made to any existing structure, building, electrical, gas, mechanical or plumbing system without requiring the building, structure, plumbing, electrical, mechanical or gas system to comply with all the requirements of the technical codes, provided the alteration, repair or rehabilitation work conforms to the requirements of the technical codes for new construction. The building inspector shall determine the extent to which the existing system shall be made to conform to the requirements of the technical codes for new construction.

(B) Change of occupancy. If the occupancy classification of any existing building or structure is changed, the building, electrical, gas, mechanical and plumbing systems shall

be made to conform to the intent of the technical codes as required by the building inspector.

(C) Special historic buildings. The provisions of the technical codes relating to the construction, alteration, repair, enlargement, restoration, relocation or moving of buildings or structures shall not be mandatory for existing buildings or structures identified and classified by the state or local jurisdiction as historic buildings when such buildings or structures are judged by the building inspector to be safe and in the public interest of health, safety and welfare regarding any proposed construction, alteration, repair, enlargement, restoration, relocation or moving of buildings within the County.

Sec. 5) (8)

The Building Inspectors shall inspect all buildings that might require condemnation. They will make their recommendations to the Board of Commissioners in writing what all supporting documentation. This will supersede any requirements that the Board of Assessors initiate or evaluate and condemnation proceedings except that required to remove the structure from the tax rolls after it is condemned and eliminated.

Sec. 6 Permits.

a) Permit application

(1) When required. Any owner, authorized agent or contractor who desires to construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any electrical, gas, mechanical or plumbing system, the installation of which is regulated by the technical codes, or to cause any such work to be done, shall first make application to the building inspection department and obtain the required permit for the work. Accessory buildings which are not over 200 sq. ft. with no power supply, do not require a permit. HOWEVER, any accessory building with a permanent foundation which requires a branch circuit, panel board, and/or a utility service, shall be required to have a building permit. Accessory buildings, which do not require a building permit, are still required to meet all setback requirements as defined in the county ordinance. Setback requirements shall be 15' from property lines and 50' from center of any adjoining road. A portable building is defined as Under 8'6" in width measured from facia to facia; length shall not be more than 24' outside wall to outside wall and be on skids unattached to ground; and only a single story in height; it cannot be hard wired to any electrical service and may be placed within 5 feet of the set back. A variance to build closer to set back lines may be applied for through the building department; and approved by the Board of Commissioners if just cause is evident.

EXCEPTION: Permits shall not be required for the following mechanical work:

- a. Any portable heating appliance;
- b. Any portable ventilation equipment;
- c. Any portable cooling unit;

- d. Any steam, hot or chilled water piping within any heating or cooling equipment regulated by this article;
- e. Replacement of any part which does not alter its approval or make it unsafe;
- f. Any portable evaporative cooler;
- g. Any self-contained refrigeration system containing ten (10) pounds (4.54 kg) or less of refrigerant and actuated by motors of one (1) horsepower (746 W) or less.

EXCEPTION: Permits shall not be required for the following electrical work:

a. Any 120-volt branch circuit work involving only one circuit provided that this work is done in a building previously permitted or less than 200 sq ft; electrical work in a portable type of building is not permitted.

A special permit may be required for structures defined or known as recreational use, i.e.; geodesic domes; a train caboose; containers; yurts; teepees; tents; airplanes, or any other structure that cannot meet code. These structures may be used on private property by the owner and his family; but will not be issued a certificate of occupancy and are not to be rented to the public.

h. If setbacks cannot be met due to hardship or topography of the lot a variance may be applied for. Applications for building setbacks will be taken in the building department and will be brought before the Fannin County Board of Commissioners. Fees for the variance will be set by the Fannin County Board of Commissioners.

(2) Work authorized. A building, electrical, gas, mechanical or plumbing permit shall carry with it the right to construct or install the work, provided the same are shown on the drawings and set forth in the specifications filed with the application for the permit. Where these are not shown on the drawings and covered by the specifications submitted with the application, separate permits shall be required.

(3) Minor repairs. Ordinary minor repairs may be made with the approval of the building inspector without a permit, provided that such repairs shall not violate any of the provisions of the technical codes.

(4) Information required. Each application for a permit, with the required fee, shall be filed with the building inspection department on a form furnished for that purpose and shall contain a general description of the proposed work and its location. The application shall be signed by the owner, or his authorized agent, and shall be accompanied by the following:

- a. The actual dimensions of the lot to be built upon;
- b. The size of the building to be erected;
- c. The location of the building on the lot;
- d. The location of existing structures on the lot, if any;
- e. The number of dwelling units the building is designed to accommodate;
- f. The layout of off-street parking and loading spaces;
- g. Such other information as may be essential for determining whether the provisions of this article are being observed; and
- h. Such other information as may be requested by the building inspector or required by any other county ordinance (s).

(5) Time limitations. An application for a permit for any proposed work shall be deemed to have been abandoned six months after the date of filing for the permit, unless before then a permit has been issued. One (1) or more extensions of time for periods of not more than ninety (90) days each may be allowed by the building inspector for the application, provided the extension is requested in writing and justifiable cause is demonstrated. Any building permit or other permit issued pursuant to this article shall become invalid unless the work authorized by it shall have been commenced within one year of the date of issue or if the work authorized by the permit is suspended or abandoned for a period of one (1) year.

(b)

Drawings and specifications. (1) Requirements. When required by the building inspector, one (1) copy of specifications, and of drawings drawn to scale with sufficient clarity and detail to indicate the nature and character of the work, shall accompany the application for a permit. Such drawings and specifications shall contain information, in the form of notes or otherwise, as to the quality of materials, where quality is essential to conformity with the technical codes. Such information shall be specific, and the technical codes shall not be cited as a whole or in part, nor shall the term "legal" or its equivalent be used, as a substitute for specific information. All information, drawings, specifications and accompanying data shall bear the name and signature of the person responsible for the design. EXCEPTION: No drawings or specifications shall be required for:

a. Accessory buildings, except engineered metal buildings, shall require design data from the manufacturer which indicates meeting load requirements of the International Building Code.

b. Agricultural buildings, except engineered metal buildings shall require design data from the manufacturer which indicates meeting load requirements.
of the International Building Code.

(2) Additional data. The building inspector may require details, computations, stress diagrams, and other data necessary to describe the construction or installation and the basis of calculations. All drawings, specifications and accompanying data required by the building inspector to be prepared by an architect or engineer shall be affixed with their official seal.

(3) Design professional. The design professional shall be an architect or engineer legally registered under the laws of the state regulating the practice of architecture or engineering and shall affix his official seal to said drawings, specifications and accompanying data, for the following:

a. All Group A (Assembly), Group E (Educational), and Group I (Institutional) occupancies.

b. Buildings and structures three (3) stories or higher.

c. Buildings and structures five thousand (5,000) square feet or more in area. For all other buildings and structures, the submittal shall bear the certification of the applicant that some specific state law exception permits its preparation by a person not so registered.

EXCEPTION: Single-family dwellings, regardless of size, shall require neither a registered architect or engineer, nor a certification that an architect or engineer is not required.

(4) Structural and fire resistance integrity. Plans for all buildings shall indicate how required structural and fire resistance integrity will be maintained where a penetration of a required fire resistance wall, floor or partition will be made for electrical, gas, mechanical, plumbing, signal and communication conduits, pipes and systems and also indicate in sufficient detail how the fire integrity will be maintained where required fire-resistant floors intersect the exterior walls. (5) Site drawings, Drawings shall show the location of the proposed building or structure and of every existing building or structure on the site or lot. The building inspector may require a boundary line survey prepared by a qualified surveyor.

(6) Hazardous occupancies. The building inspector may require the following:

a. General site plan. A general site plan drawn at a legible scale which shall include, but not be limited to, the location of all buildings, exterior storage facilities, permanent accessways, evacuation routes, parking lots, internal roads, chemical loading areas, equipment cleaning areas, storm and sanitary sewer accesses, emergency equipment and adjacent property uses. The exterior storage areas shall be identified with the hazard classes and the maximum quantities per hazard class of hazardous materials stored. b. Building floor plan. A building floor plan drawn to a legible scale which shall include, but not be limited to, all hazardous materials storage facilities within the building and shall indicate rooms, doorways, corridors, exits, fire rated assemblies with their hourly rating, location of liquid-tight rooms, and evacuation routes. Each hazardous materials storage facility shall be identified on the plan with the hazard classes and quantity range per hazard class or the hazardous material stored. (c) Examination of documents.

(1) Plan review. The building inspector shall examine or cause to be examined each application for a permit and the accompanying documents, consisting of drawings, specifications, computations, and additional data, and shall ascertain by such examinations whether the construction indicated and described is in accordance with the requirements of the technical codes and all other pertinent laws or ordinances.

(2) Affidavits. The building inspector may accept an affidavit from a registered architect or engineer stating that the plans submitted conform to the technical codes. For buildings and structures, the affidavit shall state that the plans conform to the laws as to egress, type of construction and general arrangement and if accompanied by drawings showing the structural design, and by a statement that the plans and design conform to the requirements of the technical codes as to strength, stresses, strains, loads and stability. The building inspector may, without any examination or inspection, accept such affidavit, provided the architect or engineer who made such affidavit agrees to submit to the building inspector copies of inspection reports as inspections are performed and, upon completion of the structure, electrical, gas, mechanical or plumbing systems, a certification that the structure, electrical, gas, mechanical or plumbing system has been erected in accordance with the requirements of the technical codes. Where the building inspector relies upon such an affidavit, the architect or engineer shall assume full responsibility for the compliance with all provisions of the technical codes and other pertinent laws or ordinances.

D. Issuing permits. (1) Action on permits. The building inspector shall act upon an application for a permit without unreasonable or unnecessary delay. If the building inspector is satisfied that the work described in an application for a permit and the contract documents filed therewith conform to the requirements of the technical codes or other pertinent laws *or* ordinances, the building inspector shall issue a permit to the applicant.

(2) Refusal to issue permit. If the application for a permit and the accompanying contract documents describing the work do not conform to the requirements of the technical codes or other pertinent laws or ordinances, the building inspector shall not issue a permit, but shall return the contract documents to the applicant with his refusal to issue such permit. Such refusal shall, when requested, be in writing and shall contain the reason for refusal.

(e) Contractors' responsibilities. It shall be the duty of every contractor who shall make contracts for the installation or repairs building, structure, electrical, gas, mechanical, sprinkler or plumbing systems, for which a permit is required, to comply with state or local rules and regulations concerning licensing which the applicable governing authority may have adopted. In such a case that the state requires a contractor to have obtained a state license before they are permitted to perform work, the contractor shall supply the local government with their license number before receiving a permit for work to be performed.

(f) Conditions of the permit.

(1) Permit intent. A permit issued shall be construed to be a license to proceed with the work and not as authority to violate, cancel, alter, or set aside any of the provisions of the technical codes, nor shall issuance of a permit prevent the building inspector from thereafter requiring a correction of errors in plans, construction, or violations of this article. Every permit issued shall authorized unless the work authorized by such permit is commenced within six (6) months after its issuance, or if the work authorize by such permit is suspended or abandoned for a period of six (6) months after the time the work is commenced. One (1) or more extensions of time, for periods of not more than ninety (90) days each, may be allowed for the permit. The extension shall be requested in writing and justifiable cause demonstrated. Permission for extensions shall be in writing from the building inspector.

(2) Permit issued based on an affidavit. Whenever a permit is issued in reliance upon an affidavit or whenever the work to be covered by a permit involves installation under conditions, which, in the opinion of the building inspector, are hazardous or complex, the building inspector shall require that computations (be submitted by the architect or engineer who] shall supervise such work. In addition, they shall be responsible for conformity with the permit, provide copies of inspection reports as inspections are performed, and upon completion make and file with the building inspector a written affidavit that the work has been done in conformity with the reviewed plans and with the structural provisions of the technical codes. In the event such an architect *or* engineer is not available, the owner shall employ instead a competent person or agency whose qualifications are reviewed by the building inspector.

(3) Plans. When the building inspector issues a permit, he shall endorse, in writing or by stamp, the set of plans "Reviewed for Code Compliance." The set of drawings reviewed

shall be returned to the applicant. The permitted drawings shall be kept at the site of work during normal business hours and shall be open to inspection by the building inspector or his authorized representative. Residential building plans shall have a minimum of 200 Sq Ft per person dwelling therein.

(g) Fees.

(1) Prescribed fees. A permit shall not be issued until the necessary fees for such a permit have been paid. Nor shall an amendment to a permit be released until the additional fee, if any, due to an increase in the size of the building, structure, electrical, plumbing, mechanical or gas systems, etc., has been paid. All fees shall be as established from time to time by the board of commissioners and shall be posted in the building inspection department.

(2) Work commencing before permit issuance. Any person who commences any work on a building, structure, electrical, gas, mechanical or plumbing systems, etc., before obtaining the necessary permits shall be subject to a penalty of one hundred (100) percent of the usual permit fee in addition to the required permit fees. Should the person be caught a second time the permit fee will be 5 times the normal fee; a third offence will result in 10 times the normal fee.

(3) Accounting. The building inspection department shall keep a permanent and accurate accounting of all permit fees and other monies collected, the names of all persons upon whose account the same was paid, along with the date and amount thereof.

(4) Schedule of permit fees. On all buildings, structures, electrical, plumbing, mechanical and gas systems or alterations requiring a permit, a fee for each permit shall be paid as required at the time of filing of the application, in accordance with the fees as established by the board of commissioners.

(5) Building permit valuations. If, in the opinion of the building inspector, the valuation of building, alteration, structure, electrical, gas, mechanical or plumbing systems appears to be underestimated on the application, the permit shall be denied, unless the applicant can show detailed estimates to meet the approval of the building inspector. Permit valuations shall include total cost, such as electrical, gas, mechanical, plumbing equipment, and other systems, including materials and labor.

(h) Inspections.

(1) Existing building inspections. Before issuing a permit, the building inspector may examine or cause to be examined any building, electrical, gas, mechanical or plumbing systems for which an application has been received for a permit to enlarge, alter, repair, move, demolish, install; or change the occupancy. He shall inspect all buildings, structure, electrical, gas, mechanical and plumbing systems, from time to time, during and upon completion of the work for which a permit was issued. He shall make a record of every such examination and inspection and of all violations of the technical codes.

(2) Manufacturers and fabricators. When deemed necessary by the building inspector, he shall make, or cause to be made, an inspection of materials or assemblies at the point of

manufacture or fabrication. A record shall be made of every such examination and inspection and of all violations of the technical codes.

(3) Inspections prior to issuance of certificate of occupancy or completion. The building inspector shall inspect or cause to be inspected at various intervals all construction or work for which a permit is required, and a final inspection shall be made of every building, structure, electrical, gas, mechanical or plumbing system upon completion, prior to the issuance of the certificate of occupancy or completion. The 911 address must be displayed in plain sight with minimum of 3-inch numerals and either illuminated or reflective; should the house numbers not be visible from main road a second set of numbers must be displayed at the driveway entrance before a certificate of occupancy can be issued.

(4) Posting of permit. Work requiring a permit shall not commence until the permit holder or his agent posts the permit card in a conspicuous readily accessible place on the premises. The permit shall be protected from the weather and located in such a position as to permit the building inspector or his representative to conveniently make the required entries thereon. This building permit shall be maintained in such a position by the permit holder until the certificate of occupancy or completion is issued by the building inspector.

5) Required inspections. The building inspector, upon notification from the permit holder or his agent, shall make the following inspections and such other inspections as necessary, and shall either release that portion of the construction or shall notify the permit holder or his agent of any violations which must be corrected to comply with the technical code:

1.

(a) BUILDING: Foundation inspection:

a. To be made after trenches are excavated with rebar in place and forms erected and before concrete is poured. All footings shall be on firm ground or meet engineering specs of compaction with a minimum width of 16 inches and a minimum poured depth of 8 inches.

b. The builder shall request an inspection by means of a telephone call or text to the Office of the Building Inspector,

c. The building inspector shall inspect the site within 48 hours of the request or two business days, whichever is longer.

2. Frame inspection:

a. To be made after the roof, all framing, fire blocking and bracing are in place, and the house is dried-in.

1. Foundation walls of no less than 8" blocks, which if the same are to be back filled against, shall have concrete poured at least every four feet. A recommendation of 12' block is made for extensive areas requiring back fill. Six (6) inch block can be used for the brick offset but not to extend more than twelve (12) inches below the backfill.

2. Sills are to be constructed of pressure treated materials.

3. All crawl space shall be of a minimum of 24" clearance in order to run wiring, plumbing and HVAC duct work.

4. The builder shall request an inspection by means of a telephone call to the Office of the Building Inspector.

c. The building inspector shall inspect the site within 72 hours of the request or two business days, whichever is longer.

(C)(5) (a)(2.) (b.)

Metal Roof Coverings:

- i. All rafters and roof joists shall be covered with wood structural panels a minimum of 7/16"
- ii. Wood structural panels shall be over the required insulation.
- iii. Wood structural panels shall be covered with an approved moisture barrier which shall run perpendicular to the rafter.
- iv. The roof is to be lathed according to the roofing manufactures recommendations.
- v. These standards shall apply to roofs over heated living spaces.

(b) ELECTRICAL:

1. Rough-in inspection: To be made after the roof, framing, fire blocking and bracing is in place and prior to the installation of wall or ceiling membranes.

2. Final inspection: To be made after the building is complete, all required electrical fixtures are in place and properly connected or protected, and the structure is ready for occupancy.

3. Nothing herein is deemed to require underground electrical service.

(c) PLUMBING:

1. Underground inspection: To be made after trenches or ditches are excavated, piping installed, and before any backfill is put in place. This inspection is optional. 2.

Rough-in inspection: To be made after the roof, framing, fire blocking and bracing are in place and all soil, waste and vent piping is complete, and prior to the installation of wall or ceiling membranes. This inspection shall include a pressure test, which shall be performed by the contractor. No water pipes are to be installed in the outside walls except for those servicing outside facets.

(d) MECHANICAL:

1. Rough-in inspection: To be made after the roof, framing, fire blocking and bracing are in place and all ducting and other concealed components are complete, and prior to the installation of wall or ceiling membranes.

2. Final inspection: To be done after the building is complete, the mechanical system is in place and properly connected, and the structure is ready for occupancy.

(e) GAS:

1. Gas fuel installation shall follow the National Fuel Gas Code,
2. A "gas Check" form shall be placed on file with the building inspection department following completion of the installation.

(6) Written release. Work shall not be done on any part of a building, structure, electrical, gas, mechanical or plumbing system beyond the point indicated in each successive inspection without first obtaining a written release from the building inspector, such written release shall be given only after an inspection has been made of each successive step in the construction or installation as indicated by each of the foregoing three (3) inspections.

(7) Reinforcing steel, structural frames, insulation, plumbing, mechanical, or electrical systems. Reinforcing steel, structural frame, insulation, plumbing work of any part of any building or structure shall not be covered or concealed without first obtaining a release from the building inspector.

(8) Plaster fire protection. In all buildings where plaster is used for fire protection purposes, the permit holder or his agent shall notify the building inspector after all lathing and backing is in place. Plaster shall not be applied until the release from the building inspector has been received.

(9) Service utilities. a. Connection of service utilities. No person shall make connections from a utility, source of energy, fuel or power to any building or system which is regulated by the technical codes for which a permit is required, until released by the building inspector and a certificate of occupancy or completion is issued.

b. Temporary connection. The building inspector may authorize the temporary connection of the building or system to the utility source of energy, fuel, or power for the purpose of testing building service systems or for use under a temporary certificate of occupancy. c. Authority to disconnect service utilities. The building inspector shall have the authority to authorize disconnection of utility service to the building, structure or system regulated by the technical codes, in case of emergency where necessary to eliminate an immediate hazard to life or property. The building inspector shall notify the serving utility and, whenever possible, the owner and occupant of the building, structure, or service system of the decision to disconnect prior to taking such action. If not notified prior to disconnecting, the owner or occupant of the building, structure or service system shall be notified in writing as soon as practical thereafter.

D. BOARD OF APPEALS

(a) Appointment. There is hereby established a board to be called the Board of Appeals, which shall consist of three (3) members. The board shall be appointed by the governing body of the county.

(b) Membership and terms.

(1) Membership. The Board of Appeals shall consist of three (3) members. Such a board shall consist of one (1) member appointed by each of the three commissioners. Members shall serve without pay but may be reimbursed for any reasonable out-of-pocket expenses incurred while representing the board. Any vacancy in the membership of the board shall be filled for the unexpired term in the same manner as the initial appointment. Members shall be removable for cause by the Board of Commissioners upon written charges and after public hearing.

(2) Terms. Members appointed shall serve for terms of three (3) years. Members shall be allowed to succeed at the discretion of the Board of Commissioners following the expiration of their term.

(3) Quorum and voting. A simple majority of the board shall constitute a quorum. In varying any provision of this article, the affirmative votes of the majority present, but not less than two (2) affirmative votes, shall be required. In modifying a decision of the building inspector, not less than two (2) affirmative votes, but not less than a majority of the board, shall be required. In the event that regular members are unable to attend a meeting, the alternate members, if appointed, shall vote,

(4) Secretary of board. The building inspector, or his designee, shall act as secretary of the board and shall make a detailed record of all its proceedings, which shall set forth the reasons for its decision, the vote of each member, the absence of a member and any failure of a member to vote.

(5) Powers. The Board of Appeals shall have the power, as further defined in subsection (6) below, to hear the appeals of decisions and interpretations of the building inspector and to consider variances of the technical codes.

(6) Appeals.

a. Decision of the building inspector. The owner of a building, structure or service system, or his duly authorized agent, may appeal a decision of the building inspector to the Board of Appeals whenever anyone (1) of the following conditions is claimed to exist:

1. The building inspector rejected or refused to approve the mode or manner of construction proposed to be followed or materials to be used in the installation or alteration of a building, structure, or service system.
2. The provisions of this article do not apply to this specific case.
3. That an equally good or more desirable form of installation can be employed in any specific case.
4. The true intent and meaning of this article or any of the regulations thereunder have been misconstrued or incorrectly interpreted.

b. Variances. The board of appeals, when requested for an appeal and after a hearing, may vary the application of any provision of this code to any particular case, in its opinion, the enforcement thereof would do manifest injustice and would be contrary to the spirit and purpose of this code or the technical codes or public interest, and finds all the following:

1. That special conditions and circumstances exist which are peculiar to the building, structure or service system involved and which are not applicable to others.
2. That special conditions and circumstances do not result from the action or inaction of the applicant.
3. That granting the variance requested will not confer on the applicant any special privilege that is denied by this code to other buildings, structures, or service systems.
4. That the variance granted is the minimum variance that will make possible the reasonable use of the building, structure, or service system.
5. That the grant of the variance will be in harmony with the general intent and purpose of this code and will not be detrimental to the public health, safety and general welfare.

c. Conditions of the variance. In granting the variance, the board of appeals may prescribe a reasonable time limit within which the action for which the variance is required shall be commenced or completed or both. In addition, the board may prescribe appropriate conditions and safeguards in conformity with this code. Any variance which is granted by the board shall be for only that specific matter, which is presented to the board, and shall not apply to other situations or circumstances, which are not before the board. Any applications for a variance must be presented to the board on a case-by-case basis. Violation of the conditions of a variance shall be deemed a violation of this Code.

d. Notice of appeal. Notice of appeal shall be in writing and filed within fifteen (15) calendar days after the decision is rendered by the building inspector. Appeals shall be in a form acceptable to the building inspector.

e. Unsafe or dangerous buildings or service systems. In the case of a building, structure, or service system, which, in the opinion of the building inspector, is unsafe, unsanitary, or dangerous, the building inspector may, in his order, limit the time for such notice of appeals to a shorter period.

(7) Procedures of the board.

(a) Rules and regulations. The board shall establish rules and regulations for its own procedure not inconsistent with the provisions of this code. The board shall meet on call of the chairman. The board shall meet within seven (7) calendar days after notice of appeal has been received.

(b) Decisions. The board shall, in every case, reach a decision without unreasonable or unnecessary delay. Each decision of the board shall also include the reasons for the decision. If a decision of the board reverses or modifies a refusal, order or disallowance of the building inspector or varies the application of any provision of this code, the building inspector shall immediately act in accordance with such decision. Every decision shall be promptly filed in writing in the office of the building inspector and shall be open to public

inspection, A certified copy of the decision shall be sent by mail or otherwise to the appellant and a copy shall be kept publicly posted in the office of the building inspector for two (2) weeks after filing. Every decision of the board shall be final, subject however to such a remedy as any aggrieved party might have at law or in equity.

E. ENFORCEMENT Violations and penalties. Until all inspections have been approved, no electrical service will be permitted. Any person, firm, corporation or agent who shall violate a provision of this article or of the technical codes, or fail to comply therewith, or with any of the requirements thereof, or who shall erect, construct, alter, install, demolish or move any structure, electrical, gas, mechanical or plumbing system, or has erected, constructed, altered, repaired, moved or demolished a building, electrical, gas, mechanical or plumbing system, in violation of a detailed statement or drawing submitted and permitted there under, shall be guilty of a misdemeanor. Each such person shall be considered guilty of a separate offense for each day or portion thereof during which any violation of any of the provisions of this article or of the technical codes is committed or continued, and upon conviction of any such violation, such person shall be punished within the limits and as provided by state and local laws through Magistrate Court. The jurisdiction for actions brought pursuant to this article shall be in the magistrate court of the county. In case any building is erected, constructed, altered, installed, demolished, or moved in violation of this article or of the technical codes, the building inspector, *or* any other appropriate county authority or any person who would be damaged by such violation, in addition to other remedies contained herein, may seek injunctive, mandamus or other appropriate relief to prevent the violation.

F. VARIANCES

Variences: Where there is a written request from the subdivider, developer, or individual property owner outlining the particulars on how strict compliance of these regulations would cause him extraordinary or unnecessary hardships, the subdivider, developer, or individual may apply to the **Fannin County Building Department**, as it may by appropriate resolution indicate, to vary certain parts of the regulations of this Ordinance, provided that such variance will not have the effect of nullifying the intent and purpose of the regulations and provided the public interest, health, safety and general welfare is protected. **The variance will be presented to the Fannin County Board of Commission for their review, approval and or denial.**

VARIANCE PROCEDURES:

1. **The property owner or his or her representative must apply for the variance in the Fannin County Building Department office.**
 - a. **Items need for the application: Property owners, name, address, telephone number and email address and the following copies: Deed, plat, neighbor's letter if applicable, reason for variance.**

2. The variance application must be submitted 10 days prior to a Board of Commission meeting. Meeting dates are the 2nd and 4th Tuesday 5:30 PM.
3. If the variance is for a closer distance to the adjoining property an original letter from that property owner must be submitted, with the signatures of the property owners and a witness and notary public. The Fannin County Building Department will provide the form.
4. When the Board of Commission approves the variance, it will be recorded in the Fannin County Clerk of Superior Court and a copy will be mailed to the property owner. The recording fee is set by the State of Georgia for the recording of documents and periodically can and will change to comply with the State of Georgia. The increase of fees for recording will not constitute the revision of this Ordinance.
5. If the Board of Commission denies the variance the property owner will be notified, via email, telephone or by letter to the address listed within the application. Fee associated with this application approved by resolution by the Fannin County Board of Commissioners.

Building Permit Ordinance Addition (Effective November 8, 2005)

(C) (5) (a) (2.) (b.)

Metal Roof Coverings:

- i. All rafters and roof joists shall be covered with wood structural panels of a minimum of 7/16" thickness.
- ii. Wood structural panels shall be over the required insulation.
- iii. Wood structural panels shall be covered with an approved moisture barrier which shall run perpendicular to the rafters.
- iv. The roof is to be lathed according to the roofing manufactures recommendations.

- v. These standards shall apply to roofs over heated living spaces.

(A.)(Sec. 5)(8.)

The building Inspectors shall inspect all buildings that might require condemnation. They will make their recommendations to the Board of Commissioner's in writing with all supporting documentation. This will supersede any requirements that the Board of Assessors initiate or evaluate any condemnation proceedings except that required to remove the structure from the tax rolls after it is condemned and elimination.

This page has been added to the building ordinance and is and longer necessary as a separate page.