

ASHE COUNTY, N.C. ORDINANCE

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GENERAL PROVISIONS

***150.01 SCOPE.**

- (A) The provisions of this chapter and of the regulatory codes herein adopted shall apply to the following:
- (1) The location, design, materials, equipment, construction, reconstruction, alteration, repair, maintenance, moving, demolition, removal, use and occupancy of every building and structure, including, but not limited to, mobile homes and manufactured buildings;
 - (2) The installation, erection, alteration, repair, use and maintenance of plumbing systems consisting of house sewers, building drains, waste and vent systems, hot and cold water supply systems, and all fixtures and appurtenances thereof;
 - (3) The installation, erection, alteration, repair, use and maintenance of electrical systems and appurtenances thereof;
 - (4) The installation, erection, alteration, repair, use and maintenance of heating and air conditioning systems and appurtenances thereof;
- (B) The adoption of this chapter and the codes herein adopted by reference shall constitute a resolution within the meaning of G.S. Chapter 153A, Article 18, Part 1 and 2 making the regulatory codes herein adopted applicable to dwellings and out buildings used in connection therewith.
(Ord. Passed 7-7-75)

***150.02 ADOPTION OF REGULATORY CODES BY REFERENCE.**

- (A) *Building Code Adopted.* The 1996 edition of the North Carolina State Building Code, Volume 1, General Construction, and Volumes 1, 1A, and IC-1999, as adopted by the North Carolina Building Code Council and as

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amended, is hereby adopted by reference as fully as though set forth herein as the Building Code of Ashe County.

- (B) *Plumbing Code Adopted.* The 1996 edition of the North Carolina Plumbing Code (North Carolina State Building Code, Volume II, Plumbing) as adopted and published by the North Carolina Building Code Council and as amended, is hereby adopted by reference as fully as though set forth herein as the Plumbing Code of Ashe County.
- (C) *Electrical Code Adopted.* The 1999 edition of the North Carolina Electrical Code (North Carolina State Building Code, Volume IV, Electrical), adopting by reference the National Electrical Code of the National Fire Protection Association as adopted by the North Carolina Building Code Council and as amended, is hereby adopted by reference as fully as though set forth herein as the Electrical Code of Ashe County.
- (D) *Residential Building Code.* The 1997 edition of the North Carolina Uniform Residential Building Code, Volume VII, as adopted by the North Carolina Building Inspectors Association, and as published by the North Carolina Building Code Council is hereby adopted by reference as fully as though set forth herein as the Residential Building Code of Ashe County for One and Two Family Residential Buildings.
- (E) *Heating, Air Conditioning, Refrigeration and Ventilation.* The 1996 edition of the North Carolina, Air Conditioning, Refrigeration and Ventilation Code (North Carolina State Building Code, Volume III, Heating, etc. and Volume VI) as adopted and published by the North Carolina Building Code Council and as amended, is hereby adopted by reference as fully as though set forth herein as the Heating, Air Conditioning, Refrigeration, and Ventilation Codes of Ashe County.
- (F) *Mobile Home Code Adopted.* The 1995 edition of the North Carolina Mobile Homes Code, (North Carolina State Building Code, Volume VIII, Mobile Homes) as adopted and published by the North Carolina Building Code Council and as amended, is hereby adopted by reference as fully as though set forth herein as the Mobile Homes Code of Ashe County.
- (G) *Existing Building Code Adopted.* The 1995 edition of the North Carolina Existing Building Code, (North Carolina State Building Code, Volume IX, Existing Building) as adopted and published by the North Carolina Building Code Council and as amended, is hereby adopted as fully as though set forth herein as the Existing Building Code of Ashe County.

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- (H) *Energy Code Adopted.* The 1996 edition of the North Carolina Energy Code, (North Carolina State Building Code, Volume X, Energy Code) as adopted and published by the North Carolina Building Code Council and as amended, is hereby adopted by reference as fully as though set forth herein as the Energy Code of Ashe County.
(Ord. Passed 7-7-75); (Amended 10-4-99)

***150.03 AMENDMENTS.**

Amendments to the regulatory codes adopted by reference herein, which are from time to time adopted and published by the agencies or organizations referred to herein shall be effective in the county at the time such amendments are filed with the Clerk to the Board of Commissioners as provided in *150.05.
(Ord. Passed 7-7-75)

***150.04 COMPLIANCE WITH CODES.**

- (A) All buildings or structures which are hereafter placed, manufactured, constructed, reconstructed, erected, altered, extended, enlarged, repaired, demolished, or moved shall conform to the requirements, minimum standards, and other provisions of the North Carolina State Building Code, General Construction, Volumes I, IC, CII, VII, IX, and X.
- (B) Every building or structure intended for human habitation, occupancy, or use shall have plumbing, plumbing systems, or plumbing fixtures installed, constructed, altered, extended, repaired, or reconstructed in accordance with the minimum standards, requirements, and other provisions of the North Carolina Plumbing Code (North Carolina State Building Code, Volume II, Plumbing).
- (C) All electrical wiring, installations, and appurtenances shall be erected, altered, repaired, used and maintained in accordance with the minimum standards, requirements, and other provisions of the North Carolina Electrical Code (North Carolina State Building Code, Volume IV, Electrical.)
- (D) All heating, air conditioning, refrigeration and ventilation installations and appurtenances shall be erected, repaired, used and maintained in accordance with minimum standards, requirements, and other provisions of the North Carolina State Building Code Volume III, Heating, etc. and Volume VI>
(Ord. Passed 7-7-75)

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***150.05 COPIES OF CODES FILED WITH CLERK.**

An official copy of each regulatory code adopted herein, and official copies of all amendments thereto, shall be kept on file in the office of the Clerk to the Board of Commissioners. Such copies shall be the official copies of the codes and the amendments. (Ord. Passed 7-7-75)

***150.06 LIABILITY FOR DAMAGES.**

This chapter shall not be construed to relieve from or lessen the responsibility of liability of any party owning, operating, controlling or installing any materials or equipment for damages to person or property caused by any defect therein, nor shall the county be held as assuming any such liability by reason of the inspection authorized herein or the certificate of approval issued as herein provided.
(Ord. Passed 7-7-75)

***150.07 BUILDING OR STRUCTURE LOCATED ON PROPERTY ADJACENT TO NATIONAL PARK SERVICE PROPERTY.**

- (A) No building or structure which is located on property which is adjacent to National Park Service property shall be located nearer than 15 feet to the Park Service boundary.
- (B) Prior to issuance of a building permit for structure(s) located upon property adjacent to National Park Service property, National Park Service personnel, upon notification by the County Ordinance Administrator, shall determine the property line and shall establish the required 15 feet setback within 15 days of the application for building permit. The County Department of Inspections shall notify the County Ordinance Administrator of any permits applied for concerning the construction of structures on property adjacent to National Park Service property.
- (C) Appeals may be taken from a decision under this chapter by the County Ordinance Administrator to the Board of Commissioners by giving written notice of appeal to the Administrator and to the Clerk to the Board of Commissioners within ten days following the day a permit is denied. The appeal shall contain the grounds thereof.
- (D) On hearing an appeal, the County Board of Commissioners may overrule the decision of the County Ordinance Administrator where it finds the Administrator has incorrectly interpreted and applied this chapter. In addition, the Board may grant exceptions to this chapter in situations where it finds hardship exists.

(Ord. Passed 4-17-91) Penalty, see *150.99

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*150.08 CONFLICTING PROVISIONS.

All ordinances of the county or resolutions of the Board of Commissioners in conflict with this chapter are hereby repealed. Except to the extent that such resolutions or ordinances are in conflict with this chapter, the same are still in full force and effect. (Ord. Passed 7-7-75)

PERMITS AND FEES

*150.20 PERMITS REQUIRED.

- (A) *Sewer provision.* Prior to the issuance of any permit pursuant to this section, the County Health Department approval for use of septic tank is required where a sewer system cannot be connected to city or county sewer.
- (B) *Building permit.* No person shall commence or proceed with the construction, reconstruction, alteration, repair, removal, or demolition of any building or other structure, or any part thereof, without first securing a written permit, therefore, from the Building Inspector; provided, however, that no building permit shall be required for work if the total area of the building or structure does not exceed 200 square feet and which does not involve any change of the structural parts or the stairways, elevators, fire escapes or other means of egress of the building or the structure in question.
- (C) *Moving of buildings.*
 - (1) No building or part of any building shall be moved through or across any sidewalk, street, alley or highway within the governmental limits without first obtaining a permit from the Building Official and other local authorities having jurisdiction.
 - (2) The Building Official may require a written application setting forth the following information:
 - (a) Type and kind of building to be moved.
 - (b) The original cost of building.
 - (c) The extreme dimensions of the length, height, and width of the building.
 - (d) Its present location and proposed new location by lot, block, subdivision and street numbers.
 - (e) The approximate time such building will be upon the streets, and the contemplated route that will be taken from present to new location.
 - (f) Clearance from other authorities as required, (such as public utilities, police departments, street departments, etc.)
 - (g) Owners of property which might be affected.
 - (3) If in the opinion of the Building Official, the moving of any building will cause serious injury to persons or property or serious injury to the

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streets or other public improvements or the moving of the building will violate any of the requirements of this code or of the zoning regulations, the permit shall not be issued and the building shall not be moved over the streets. All buildings to be moved must meet requirements of this code.

- (4) Any building being moved for which permit was granted shall not be allowed to remain in or on the streets for more than 48 hours.
 - (5) The building official, as a condition precedent to the issuance of such permit, may require a bond to be executed by the person desiring such removal permit, with corporate surety to his satisfaction, or show evidence of liability insurance insuring the person for such an amount as he shall prescribe.
- (D) *Demolition of a building or structure.* It will be necessary to obtain a permit from the Department of Inspections before the demolition of a building or structure.
- (E) *Plumbing permit.* No person shall commence or proceed with the installation, extension, or general repair of any plumbing system without first securing a written permit therefor from the Inspections Department; provided, however, no permit shall be required for minor repairs or replacements on the house side of a trap to an installed system of plumbing if such repairs or replacements do not disrupt the original water supply or the waste for ventilating systems.
- (F) *Electrical permit.* No person shall commence or proceed with the installation, extension, alteration, or general repair of any electrical wiring, devices, appliances, or equipment without first securing a written permit therefore from the Inspections Department; provided, however, no permit shall be required for minor repair work such as the connection of portable devices to suitable receptacles which have been permanently installed; provided, further, no permit shall be required for the installation, alteration, or repair of the electrical wiring, devices, appliances, and equipment installed by or for an electrical public utility corporation for the use of such corporation in the generating transmission, distribution, or metering of electrical energy, or for the use of such corporation in the operation of signals or the transmission of intelligence.
- (G) *Heating and air conditioning permit.* No person shall commence or proceed with the installation, extension, alteration, or general repairs without a permit from the Inspections Department; provided, however, no permit shall be required for minor repairs or minor burner services. Building, plumbing, electrical, heating, and air conditioning permits will all be included on one form, and one fee will cover all permits. If it is necessary to issue an individual permit, the permit fee will be \$50.
(Ord. Passed 7-7-75) Penalty, see *150.99

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***150.21 APPLICATION FOR PERMIT.**

Written application shall be made for all permits required by this chapter and shall be made on forms provided by the Department of Inspections. Such application shall be made by the owner of the building or structure affected or by his authorized agent or contractor, and in addition to such other information as may be required by the appropriate inspector to enable him to determine whether the permit applied for should be issued, shall show the following:

- (A) Name, residence, and business address of owner.
- (B) Name, residence, and business of authorized representative or agent, if any.
- (C) Name, and address of the contractor, if any, together with evidence that he has obtained a certificate from the appropriate state licensing board for such contractors, if such be required for the work involved in the permit for which application is made.

(Ord. Passed 7-7-75)

***150.22 PLANS AND SPECIFICATIONS.**

Adequate working drawings or detailed plans and specifications shall accompany each application for permit when the total area of the building or structure is in excess of 200 square feet and for any other building or structure where plans and specifications are deemed necessary by the Building Inspector an din order for him to determine whether the proposed work complies with the regulatory codes. Plans shall be drawn to scale with sufficient clarity to indicate the nature and extent of the work proposed, and the plans and specifications together shall contain information sufficient to indicate that the work proposed will conform to the provisions of this chapter and the appropriate regulatory codes. Where plans and specifications are required, a copy of the same shall be kept at the work site until all authorized operations have been completed and approved by the Inspections Department.

(Ord. Passed 7-7-75)

***150.23 LIMITATIONS ON ISSUANCE OF PERMITS.**

- (A) Where any provisions of the General Statutes of North Carolina or nay ordinance of the county requires that work be done by a licensed specialty contractor of any kind, no permit for such work shall be issued unless it is to be performed by such licensed specialty contractor.
- (B) Where detailed plans and specifications are required under this chapter, no building permit shall be issued unless such plans and specifications have been provided.

(Ord. Passed 7-7-75)

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***150.24 ISSUANCE OF PERMIT.**

When proper application for a permit has been made, and the appropriate Inspector is satisfied that the application and the proposed work comply with the provisions of this chapter and the appropriate regulatory codes in force at the time, he shall issue such permit.

(Ord. Passed 7-7-75)

***150.25 REVOCATION OF PERMITS.**

The appropriate Inspector may revoke and require the return of any permit by notifying the permit holder in writing stating the reason for such revocation. Permits shall be revoked for any material departure from the approved application, plans, or specifications; for refusal or failure to comply with proper orders of the Inspectors; for refusal or failure to comply with requirements of this chapter and the appropriate regulatory codes in force at the time such permit was issued or for false statements or misrepresentations made in securing such permit.

(Ord. Passed 7-7-75)

***150.26 TIME LIMITATIONS ON VALIDITY OF PERMITS.**

All permits issued under this chapter shall expire by limitations six months after the date of issuance if the work authorized by the permit has not been commenced. If, after 12 months, the permit therefore shall immediately expire. No work authorized by any permit which has expired shall thereafter be performed until a new permit therefore has been secured.

(Ord. Passed 7-7-75)

***150.27 CHANGES IN WORK.**

After a permit has been issued, no changes or deviations from the terms of the application, plans and specifications of the permit, except where such changes or deviations are clearly permissible under the building codes adopted herein, shall be made until specific written approval of such changes or deviations have been obtained from the appropriate inspector.

(Ord. Passed 7-7-75)

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***150.28 PERMIT FEES.**

Fees for permits shall be charged at the time of approval of the application and shall be collected at the time of the issuance of the permit. Each sub-contractor or his agent shall be responsible for the payment of the permit fees charges to enable him to perform the work for which the permit is issued.
(Ord. Passed 7-7-75)

***150.29 PERMIT FEES.**

Fee for residential building permits shall be based upon the total area of the building. Fee for commercial building permits shall be based upon the total cost of proposed work including all sub-contracts, if any. Fees for building permits are as follows:

(A) Residential.

- (1) Heated areas.

| <u>Heated area</u> | <u>Fee</u> |
|----------------------------|-----------------------|
| First 1000 sq. ft. | \$275 |
| Over 1000 sq. ft. | \$.07 per 100 sq. ft. |

- (2) Unheated space such as basement, garage, carport, or covered porch attached to house.

| <u>Unheated area under roof</u> | <u>Fee</u> |
|---------------------------------|-----------------------|
| First 1000 sq. ft. | \$75 |
| Over 1000 sq. ft. | \$.03 per 100 sq. ft. |

- (3) Storage building, garage etc.,

| | |
|--------------------|-------|
| Unheated | \$100 |
|--------------------|-------|

- (4) Residential addition \$200
(for up to 1000 sq. ft. (more that 1000 sq. ft. requires a building permit).

- (5) Residential remodeling

| | |
|----------------------------|-----------------------|
| First 1000 sq. ft. | \$225 |
| Over 1000 sq. ft. | \$.05 per 100 sq. ft. |

- (6) Bath addition \$150
(For addition of any bathroom)

- (7) Swimming pools \$100

- (8) Tennis court. \$100

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(9) Demolition. \$75

(10) Day Care. \$50

(B) **Commercial.**

| <u>Cost</u> | <u>Fee</u> |
|-------------------------------|----------------|
| Up to \$15,000. | \$175 |
| \$15,000 to \$50,000. | \$250 |
| Over \$50,000. | \$5 per \$1000 |

(C) **Mobile Homes.**

- (1) Single wide. \$100
Single wide on basement. \$225
- (2) Double wide. \$150
Double wide on basement. \$275
- (3) Triple wide. \$200
Triple wide on basement. \$325

(D) **Other permit fees.**

- (1) Mechanical \$40*
- (2) Basement only \$125
- (3) Camper. \$75
- (4) Electric. \$40*
- (5) Insulation. \$40*
- (6) Moving permit \$150
(Includes moving, foundation and hookup only. Other changes or remodeling requires a separate permit.)
- (7) Plumbing. \$40*
- (8) Re-inspect. \$50
- (9) Safety. \$40*
- (10) Signs. \$50
- (11) Temp. holding fee \$300

*Add \$75 if multiple inspections required.
(Ord. Passed 7-7-75; Am. Ord. Passed 7-1-02)

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***150.30 NONCOMPLIANCE.**

In the event the County Building Inspector has determined that an owner, contractor, or permittee to whom has been issued a building permit has failed to comply with the provisions of the North Carolina Building Code and has either issued a stop order pursuant to G.S.*153A-361; revoked the permit pursuant to G.S.*153A-362; directed the permittee to correct the defect pursuant to G.S.*153A-365, or issued an order to take corrective action pursuant to G.S.*153A-369, which order has not been complied with, the Building Inspector shall not thereafter issue to the same owner, contractor, or permittee any other building permit for construction of any structure in the county until the owner, contractor, or permittee has taken whatever action is necessary to correct the defects cited by the Building Inspector.
(Ord. Passed 10-18-89)

CONDEMNATION OF UNSAFE BUILDINGS

***150.40 ADOPTION OF ADMINISTRATION AND ENFORCEMENT REQUIREMENTS.**

The 1991 edition of Volume 1-A of the North Carolina State Building Code Administration and Enforcement Requirements and the General Statutes pertaining to the enforcement of the North Carolina State Building Code is hereby adopted by Ashe County in reference to the condemnation of unsafe buildings.

***150.41 DUTY OF BUILDING INSPECTOR.**

- (A) Any building or structure or part thereof, partially destroyed or otherwise, which is found by the Building Inspector to be in such a dilapidated state of disrepair or other substandard condition as to be dangerous to life, health, or other property, or to constitute a fire or safety hazard or public nuisance shall be declared by the Building Inspector be unsafe.
- (B) Such unsafe condition may be caused by defective construction, overloaded or any other hazardous condition or circumstances as set out in G.S.*153A-366. The Building Inspector shall have authority, and it shall be his duty to condemn as unsafe each such building and affix a notice of the dangerous character of the building to a conspicuous place on its exterior wall, as provided in G.S. *153A-366.
(Ord. Passed 7-7-75)

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***150.42 REMOVING NOTICE FROM CONDEMNED BUILDING.**

No person shall remove a notice that has been affixed to a building by a local inspector and that states the dangerous character of the building.
(Ord. Passed 7-7-75)

***150.43 DUTY OF OWNER; PROCEDURE FOR NOTICE AND HEARING.**

(A) If the owner of a building that has been condemned as unsafe pursuant to G.S.*153A-366 fails to take prompt, corrective action, the Building Inspector shall by certified or registered mail to his last known address or by personal service, give his written notice:

- (1) That the building is in a condition that appears to constitute a fire or safety hazard or to be dangerous to life, health, or other property.
- (2) That a hearing will be held before the Inspector at a designated place and time, not later than ten days after the date of the notice, at which time the owner is entitled to be heard in person or by counsel and to present arguments and evidence pertaining to the matter; and
- (3) That following the hearing, the Inspector may issue any order to repair, close, vacate, or demolish the building that appears appropriate.

(B) If the name or whereabouts of the owner cannot after due diligence be discovered, the notice shall be considered properly and adequately served if a copy thereof is posted on the outside of the building in question at least ten days before the day of the hearing and a notice of the hearing is published at least once not later than one week before the hearing, as provided in G.S.*153A-368.

(Ord. Passed 7-7-75)

***150.44 ORDER TO TAKE CORRECTIVE ACTION.**

If, upon a hearing held pursuant to G.S.*153A-368, the Inspector finds that the Building is in a condition that constitutes a fire or safety hazard or renders it dangerous to life, health, or other property, he shall issue a written order, directed to the repair, closing, vacating, or demolishing the building or taking other necessary steps, within such period, not less than 60 days, as the Inspector may prescribe, as provided in G.S.*153A-369.

***150.45 APPEAL.**

An owner who has received an order under G.S.*153A-369 may appeal from the order to the Board of Commissioners by giving written notice of appeal to the Inspector and the Clerk within ten days following the day the order is issued. In the absence of an appeal, the order of the Inspector is final. The Board of Commissioners shall hear any

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appeal within a reasonable time and may affirm, modify and affirm, or revoke the order, as provided in G.S.*153A-370.
(Ord. Passed 7-7-75)

***150.46 FAILURE TO COMPLY WITH ORDER.**

No owner of a building shall fail to comply with an order issued pursuant to G.S.*153A-369 from which no appeal has been taken, or fail to comply with an order of the Board of Commissioners following an appeal.
(Ord. Passed 7-7-75) Penalty, see *150.99

ADMINISTRATION AND ENFORCEMENT

***150.55 DEPARTMENT OF INSPECTIONS.**

- (A) *Organization.* An inspection department, known officially and designated as the Department of Inspections, is hereby established pursuant to G.S. Chapter 153A, Article 18, Parts I & II, and may consist of a building inspector, a plumbing and heating inspector, an electrical inspector, and such other personnel as may be authorized by the Board of Commissioners. One person may fill one or more of these positions. The Chairman of the Board of Commissioners may designate a Department Head.
- (B) *Duties.*
- (1) It shall be the duty of the Department of Inspections to enforce all of the provisions of this chapter and of the regulatory codes adopted herein; to make all inspections necessary to determine whether or not the provisions of this chapter and such codes are being met; and to enforce any zoning, and subdivision regulations and other codes adopted by the county.
 - (2) The Department of Inspections shall be responsible for the enforcement of any ordinance or code adopted by the Board of Commissioners relating to the construction, alteration, repair, etc., closing and demolition of dwellings unfit for human habitation, pursuant to G.S. Chapter 153A, Article 18, Parts 1 and 4.
- (C) *Conflicts of interest.* No member of the Department of Inspections shall be financially interested in the furnishing of labor, material, or appliances for the construction, alteration, or maintenance of any building or any part or system thereof, or in the making of plans or specifications therefore, or in the subdivision and development of land. No member of the Department of Inspections shall engage in any work which is inconsistent with his duties or with the interest of the county.

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- (D) *Reports and records.* The Department of Inspections and each employee, shall keep complete, permanent, and accurate records in convenient form of all applications received, permits issued, inspections and re-inspections made, and all other work and activities of the Department of Inspections. Written monthly reports shall be submitted to the Planning Board and Board of Commissioners, and to other agencies, as required.
(Ord. Passed 7-7-75)

***150.56 INSPECTION PROCEDURE.**

No new building or part thereof shall be occupied, and no addition or enlargement of any existing building shall be occupied, and no existing building after being altered or moved shall be occupied, (and no change in occupancy, with regard to permitted uses as provided now or hereafter, shall be made in any existing building or part thereof), until the Department of Inspections has examined and inspected the building and found that the building in all respects conforms to the provisions of this chapter and all applicable ordinances of the county and the State of North Carolina.

- (A) *Inspections.* The Department of Inspections shall inspect all buildings and structures and work therein for which a permit of any kind has been issued as often as necessary in order to determine whether the work complies with this chapter and the appropriate codes. When deemed necessary by the appropriate inspector, materials and assemblies may be inspected at the point of manufacture or fabrication, or inspections may be made by approval and recognized inspection organizations; provided, no approval shall be based upon reports of such organizations unless the same are in writing and certified by a responsible officer of such organization. All holders of permits, or their agents, shall notify the Department of Inspection at each of the following stages so that approval may be given before work is continued:

(1) *Building permits.*

- (a) Site inspection. It shall be made upon application for a building permit.
- (b) Foundation inspection. It shall be made after trenches are excavated and the necessary reinforcement and forms are in place, and before concrete is placed. Drilled footings, piles, and similar types of foundations shall be inspected as installed.
- (c) Framing inspection. It shall be made after all structural framing is in place and all roughing-in of plumbing and electrical and heating has been installed, after all fire blocking, chimneys, bracing and vents are installed, but before any of the structure is enclosed or covered. Poured-in-place concrete structural elements shall be inspected before each pour of any structural member.

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- (d) Fireproofing inspection. It shall be conducted after all areas required to be protected by fireproofing are lathed, but before the plastering or other fireproofing is applied.
 - (e) Final inspection. It will be conducted after building or structure has all doors hung, fixtures set, and ready for occupancy, but before the building is occupied.
- (2) *Plumbing permits.*
- (a) Inspection of rough plumbing. This step is the same as division (1)(c) above.
 - (b) Final inspection. This step is the same as division (1)(e) above.
 - (c) Septic tanks. See page 8.
- (3) *Electric permits.*
- (a) Temporary service inspection. It shall be required when temporary service has been installed.
 - (b) Inspection of rough wiring. An electrical inspection will be required after the installation of rough wiring. This step is the same as division (1)(c) above, under building permits.
- (4) *Heating, air conditioning, and venting permits.*
- (a) Inspection of rough ducts, wiring and plumbing. An inspection will be required after the installation of all rough plumbing, wiring, ductwork or other materials related to a heating, venting, or an air conditioning system.
 - (b) Final inspection. A final inspection of the heating, air Conditioning or venting system will be required when the structure is ready for occupancy, but before the building is occupied.
- (B) *Requests for inspections.*
- (1) Requests for inspections shall be made to the office of the Department of Inspections. Such requests must be on forms provided by the Department. The Department shall make inspections as soon as practical after the requested inspection date.
 - (2) Inspections may be made at the convenience of the Inspector. No work shall be inspected until it is in proper and completed condition ready for inspection. All work which has been concealed before a timely inspection and approval shall be uncovered at the request of the Inspector and placed in condition for proper inspection, provided that the inspection is made within 24 hours following the requested inspection date (excluding Saturdays, Sundays and legal holidays). Approval or rejection of the work shall be furnished by the appropriate inspector in the form of a notice posted on the building or given to the permit holder or his agent or contractor. Failure to request inspections or proceedings without approval at each stage of construction shall be deemed a violation of this chapter. (Ord. Passed 7-7-75)

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***150.57 OVERSIGHT NOT TO LEGALIZE VIOLATION.**

No oversight or dereliction of duty on the part of any inspector or other official or employee of the Department of Inspections shall be deemed to legalize the violation of any provision of this chapter or any provision of any regulatory code herein adopted.
(Ord. Passed 7-7-75)

***150.58 POWERS OF INSPECTIONS OFFICIALS.**

- (A) *Authority.* Inspectors are hereby authorized, empowered, and directed to enforce all the provisions of this chapter and other regulatory codes adopted.
- (B) *Right of entry.* Inspectors shall have the right of entry on any premises within the jurisdiction of the regulatory codes herein between the hours of 8:00 am and 5:00 pm, Monday through Friday, excluding legal holidays, for the purpose of inspection or enforcement of the requirements of this chapter and regulatory codes, upon presentation of proper credentials.
- (C) *Stop orders.* Whenever any building or structure or part thereof is being demolished, constructed, reconstructed, altered, or repaired in a hazardous manner or in violation of any provision of this chapter or any other county ordinance, or in violation of any provisions of any regulatory code adopted by the county, or in violation of the terms of the permit or permits issued therefore, or in such manner as to endanger life or property, the appropriate inspector may order the specific part of such work which is in violation or presents such a hazard, to be stopped immediately. Such order shall be in writing to the owner of the property or to his agent, or to the person doing the work, and shall state the reasons therefore and the conditions under which the work may be resumed.
(Ord. Passed 7-7-75)

***150.59 EVIDENCE OF INSURANCE REQUIRED OF CONTRACTORS.**

Every person carrying on the business of building contractor, plumbing contractor, or electrical contractor within the county must have a policy of general liability insurance insuring the person up to a minimum of \$10,000 for claims arising out of negligent work or conduct by him in the course and scope of his work performed as a contractor.
(Ord. Passed 7-7-75)

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***150.60 VIOLATIONS.**

It shall be unlawful for any person willfully to fail or refuse to comply with any final order or direction of the Building Inspector or the Board of Commissioners made by virtue and in pursuance of this chapter, and any person violating this chapter shall, upon conviction, be punished as provided by North Carolina General Statutes for the violation of county ordinances, and every day such person shall willfully fail or refuse to comply with any final order or direction of the Inspections Department or the Board of Commissioners made by virtue and in pursuance of this chapter, shall constitute a separate and distinct offense.

(Ord. Passed 7-7-75)

***150.61 EQUITABLE ENFORCEMENT.**

Whenever a violation is deemed a misdemeanor under the provision of this chapter, the county, either in addition to or in lieu of other remedies, may initiate any appropriate action or proceeding to prevent, restrain, correct or abate the violation or to prevent the occupancy of the building involved, as provided by G.S.153A-372.

(Ord. Passed 7-7-75)

MOUNTAIN RIDGE PROTECTION

150.70 MOUNTAIN RIDGE PROTECTION LAW.

The Board of Commissioners elects for the County to be covered under the provisions of G.S.113A, Article 14 entitled "Mountain Ridge Protection Law", provided, however that the Board elects to eliminate the requirements for an elevation of 3,000 feet as permitted by G.S.113A-206(6), thereby allowing state prohibition to apply to any Ridge 500 feet or more above an adjacent valley floor, as stated by G.S.113A, Article 14.

(Ord. Passed 12-21-83)

***150.99 PENALTY.**

- (A) Whoever violates any provision of this chapter for which no penalty is otherwise provided shall be punished as provided in *10.99.
- (B) Any person who violates the requirements of *150.07 shall be guilty of a misdemeanor any may be penalized the maximum amount specified by G.S.*14-4. Each day of continuing violation shall be considered a separate offense. The county may additionally impose such penalties as deemed

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appropriate and authorized by G.S.*153A-123, including fines, injunctions, and orders of abatement.

(Ord. Passed 4-17-91)

- (C) A violation of *150.30 shall be punishable as provided by G.S.*14-4; and in addition thereto, the county may proceed to enforce compliance with *150.30 and the Building Code pursuant to the equitable authority given it in G.S.153A-372.
- (D) Whoever violates the provisions of *150.41 is guilty of a misdemeanor, as provided in G.S.*153A-367.
- (E) Whoever violates *150.45 is guilty of a misdemeanor as provided in G.S.153A-371.

(Ord. Passed 7-7-75)