

CHAPTER 150: BUILDING REGULATIONS

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Cross-reference:

Planning Board, see §§ 30.01 through 30.11

Statutory reference:

State Building Code, see G.S. Chapter 143, Article 9

Ord. passed 5-5-1975; Am. Ord. passed 10-2-2023)

ADOPTION OF REGULATORY CODES BY REFERENCE**§ 150.01 SCOPE.**

(A) The provisions 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 or structure or any appurtenances connected or attached to the building 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 heating and air conditioning systems and appurtenances thereof;

(4) The installation, erection, alteration, repair, use, and maintenance of electrical systems and appurtenances thereof;

(B) The codes herein adopted by reference shall constitute a resolution within the meaning of G.S. Chapter 160D-1101 et seq., making the regulatory codes herein adopted applicable to dwellings and out-buildings used in connection therewith.

(Ord passed 5-5-75; Ord. passed 11-21-77; Am. Ord. passed 7-19-21)

§ 150.02 COMMERCIAL CONSTRUCTION CODE.

The current edition of the *North Carolina State Building Code*, as adopted by the State Building Code Council and as revised, is adopted by reference as fully as though set forth herein as the Commercial Construction Code of the county.

(Ord. passed 11-21-77)

§ 150.03 COMMERCIAL PLUMBING CODE.

The current edition of the *North Carolina State Building Code*, as adopted and published by the State Building Code Council and as revised, is adopted by reference as fully as though set forth herein as the Commercial Plumbing Code of the county.

(Ord. passed 11-21-77)

§ 150.04 HEATING, AIR CONDITIONING, REFRIGERATION AND VENTILATION CODE.

The current edition of the *North Carolina State Building Code*, as adopted and published by the State Building Code Council and as revised, is adopted by reference as fully as though set forth herein as the Heating, Air Conditioning, Refrigeration, and Ventilation Code of the county.

(Ord. passed 11-21-77)

§ 150.05 ELECTRICAL CODE.

The current edition of the *North Carolina State Building Code*, as adopted by the State Building Code Council by reference to the National Electrical Code of the National Fire Protection Association and as revised, is adopted by reference as fully as though set forth herein as the Electrical Code of the county.

(Ord. passed 11-21-77)

§ 150.06 FIRE PREVENTION CODE.

The current edition of the *North Carolina State Building Code*, as adopted and published by the State Building Code Council and as revised, is adopted by reference as fully as though set forth herein as the Fire Prevention Code of the county.

(Ord. passed - -)

§ 150.07 GAS CODE.

The current edition of the *North Carolina State Building Code*, as adopted and published by the State Building Code Council and as revised, is adopted by reference as fully as though set forth herein as the Gas Code of the county.

(Ord. passed - -)

§ 150.08 RESIDENTIAL CONSTRUCTION CODE.

The current edition of the *North Carolina State Building Code*, as adopted and by the State Building Inspectors Associations and as published by the State Building Code Council and as revised, is adopted by reference as fully as though set forth herein as the Residential Construction Code of the county for one and two family residential buildings.

(Ord. passed 11-21-77)

§ 150.09 MODULAR CONSTRUCTION.

The current edition of the *North Carolina State Building Code*, as adopted and published by the State Building Code Council and as revised, is adopted by reference as fully as though set forth herein as the Modular Construction Regulations for the county.

(Ord. passed - -)

§ 150.10 EXISTING BUILDINGS CODE.

The current edition of the *North Carolina State Building Code*, as adopted by the State Building Code Council and the North Carolina Department of Insurance, and as revised, is adopted by reference as fully as though set forth herein as the Existing Buildings Code of the county.

(Ord. passed - -)

§ 150.11 ENERGY CODE.

The current edition of the *North Carolina State Building Code*, as adopted by the State Building Code Council, effective January 1, 1996, and as revised, is hereby adopted by reference as fully as though set forth herein as the Energy Code of the county.

(Ord. passed - -)

§ 150.12 MANUFACTURED/MOBILE HOMES REGULATIONS.

The 2019 edition of the *State of North Carolina Regulations for Manufactured/Mobile Homes*, as adopted and published by the Commissioner of Insurance and as revised, is hereby adopted by

reference as fully as though set forth herein as the Manufactured/Mobile Homes Regulation of the county.

(Ord. passed - -)

§ 150.13 HANDICAPPED ACCESSIBILITY CODE.

The current edition of the *North Carolina State Building Code*, as adopted by the State Building Code Council, and as revised, is hereby adopted by reference as fully as though set forth herein as the Handicapped Accessibility Code of the county.

(Ord. passed - -)

§ 150.14 ADMINISTRATION AND ENFORCEMENT.

The current edition of the *North Carolina State Building Code*, as adopted by the State Building Code Council, and as revised, is adopted by reference as fully as though set forth herein as the Administration and Enforcement Requirements of the county.

(Ord. passed - -)

§ 150.15 COPIES OF CODES KEPT ON FILE.

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 Board of Commissioners. Such copies shall be the official copies of the codes and the amendments.

(Ord. passed 11-21-77)

§ 150.16 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 the amendments are filed with the Clerk to the Board of Commissioners as provided in § 150.09.

(Ord. passed 11-21-77)

§150.17 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*.

(B) Every building or structure intended for human habitation, occupancy, or use shall have plumbing; 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*).

(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*).

(D) All heating, air conditioning, refrigeration, and ventilation installations and appurtenances shall be erected, altered, repaired, used, and maintained in accordance with minimum standards, requirements, and other provisions of the *North Carolina State Building Code*.

(E) Every building or structure intended for human habitation, occupancy or use shall have a Certificate of Occupancy issued before the building or structure may be occupied, unless specified portions of the building or structure are permitted to be occupied by the Building Inspector. (Ord. passed 11-21-77; Am. Ord. passed 10-2-23) Penalty, see §10.99

PERMITS

§ 150.20 BUILDING PERMIT REQUIRED.

No person, firm, or corporation, shall commence or proceed with construction, reconstruction, alteration, placement, enlargement, removal, moving, or demolishing of any building, manufactured home, or other structure, or any part thereof in the county or the extra-territorial jurisdiction of any municipality of which the County Building Inspections Department has code enforcement authority without first securing a separate written permit for each building, manufactured home, or structure from the Building Inspections Department. The elevation of the building at the first habitable floor level shall be recorded on all building permits.

(Ord. passed 5-5-75; Am. Ord. passed 4-3-00) Penalty, see § 10.99

§ 150.20A REQUIREMENTS FOR OBTAINING BUILDING PERMIT.

The person, firm, or corporation requesting a permit shall provide the Building Inspections Department with the following documentation:

- a) A completed application for the specific type of permit requested.
- b) A sanitary sewage system permit from the County Health Department or written approval from the sanitary district to which the structure will be connected.

c) A set of blueprints or plans relative to the proposed structure as deemed necessary by the Building Inspections Department.

d) An approval from the County Planning Department for construction on a mountain ridge, within a floodway or watershed area or before the placement of any off-premises sign.
(Am. Ord. passed 4-3-00)

§ 150.21 REVIEW OF BUILDING PERMITS.

The County Development Services Department shall review all permit applications for new construction or substantial improvements to determine whether proposed building sites are in a location that has a flood hazard and to check the elevation of structures. The Development Services Department will report such information to the Building Inspections Department. Any proposed new construction or substantial improvement (including prefabricated and mobile homes) must:

(A) Be designed (or modified) and anchored to prevent flotation, collapse, or lateral movement of the structure.

(B) Use constructive materials and utility equipment that are resistant to flood damage, and

(C) Use construction methods and practices that will minimize flood damage.
(Ord. passed 5-5-1975; Am. Ord. passed 10-2-2023) Penalty, see § 10.99

§ 150.22 RECORDS AND REPORTS OF BUILDING PERMITS.

The County Building Inspections Department shall keep records of all building permits issued and shall submit copies to the County Manager, Tax Supervisor, Health Department, and other offices and agencies of the county as the Board of Commissioners may require or as may be provided by law.

RATES AND CHARGES

§150.40 PERMIT AND INSPECTION FEES.

(A) *Generally.* 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 contractor or his or her agent shall be responsible for the permit fees charged to enable him or her to perform the work for which the permit is issued.
(Ord. passed 11-5-92)

(B) *Schedule of Fees.* The schedule of fees as adopted by the Board of County Commissioners and as revised, is adopted by reference as fully as though set forth herein as the Building Permit and Inspection Fee Schedule. The Board of Commissioners shall establish and revise the schedule of fees from time to time by resolution not part of this chapter.

(Am. Ord. passed 7-12-99)

DEPARTMENT OF INSPECTIONS

§ 150.50 ORGANIZATION OF DEPARTMENT.

An Inspections Department, known officially and designated as the Department of Inspections, is established pursuant to G.S. Chapter 160D-1101 *et seq.*, and may consist of a Building Inspector, a Plumbing and Heating Inspector, an Electrical Inspector, a Fire Inspector and such other personnel as may be authorized by the Board of Commissioners. The Board of Commissioners may designate a Department Head.

(Ord. passed 11-21-77; Am. Ord. passed 7-19-21)

§ 150.51 GENERAL DUTIES OF THE DEPARTMENT AND INSPECTORS.

(A) It shall be the duty of the Department of Inspections to enforce all of the provisions of the regulatory codes adopted herein; and to make all inspections necessary to determine whether or not the provisions of the codes are being met.

(B) The North Carolina State Building Code, Volume I, General Construction, the North Carolina Uniform Residential Building Code and the State of North Carolina Regulations for Mobile Homes shall be enforced by the Building Inspector. The North Carolina Plumbing Code shall be enforced by the Plumbing Inspector. The North Carolina Heating Code shall be enforced by the Heating-Air Conditioning Inspector. The North Carolina Electrical Code shall be enforced by the Electrical Inspector.

(Ord. passed 11-21-77)

§ 150.52 CONFLICTS OF INTEREST.

The Department of Inspections employees and agents shall comply with N.C. G.S. Chapter 160D-1108 and 160D-109(c) (Ord. passed 5-5-75; Am. Ord. passed 11-21-77; Am. Ord. passed 7-19-21)

§ 150.53 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 reinspections

made, and all other work and activities of the Department of Inspections. Written monthly reports shall be submitted to the Tax Supervisor and to other agencies, as required.
(Ord. passed 11-21-77)

§ 150.54 EFFECTIVE DATE AND REVISION OF ORIGINAL ORDINANCE

This revised ordinance revises and supplants the ordinance in Chapter 150 originally adopted May 5, 1975, and all subsequent amendments, and shall be effective on and after October 2, 2023.