

**TITLE XV: LAND USAGE**

Chapter

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## CHAPTER 150: BUILDING REGULATIONS

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#### ***Cross-reference:***

*Building Inspector, see § 31.05*

*Minimum Housing Standards, see Ch. 153*

## **GENERAL PROVISIONS**

### **§ 150.01 APPLICATION.**

(A) The provisions of this chapter 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 thereto;

(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 mechanical systems consisting of heating, ventilating, air conditioning and refrigeration systems, fuel burning equipment and appurtenances thereof; and

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

(B) The adoption of this chapter shall constitute a resolution within the meaning of G.S. § 143-138(d) making this chapter applicable to dwellings and out-buildings used in connection therewith and to apartment buildings used exclusively as the residence of not more than two families.

(Prior Code, § 150.01)

### **§ 150.02 EXTRATERRITORIAL EFFECT OF BUILDING REGULATIONS.**

All building regulations of the town pertaining to construction or renovation of properties within the town shall apply not only to the area within the corporate limits of the town, but also within the extraterritorial jurisdiction of the town as defined pursuant to G.S. § 160A-360.

(Prior Code, § 150.02)

### **§ 150.03 ADOPTION OF HOUSING CODE.**

(A) (1) *The North Carolina Model Housing Code*, most current edition, as amended, recommended by the State League of Municipalities is hereby adopted by reference and incorporated into this code of ordinances as if set forth in its entirety.

(2) The Model Housing Code and all amendments and ordinances not in conflict shall be known as the "Housing Code" and may be cited as such.

(B) *Copies of code to be filed with Clerk.* An official copy of each state regulatory code and official copies of all amendments thereto shall be kept on file in the office of the Town Clerk. The copies shall be the official copies of the code and the amendments.  
(Prior Code, § 150.03) (Ord. passed 10-17-1972)

#### **§ 150.04 DEBRIS FROM CONSTRUCTION.**

All refuse, scrap lumber and debris remaining both as a result of the repair of any new buildings or the erection and completion of any new buildings shall be removed by the property owner within ten days from the completion of the work.  
(Prior Code, § 150.04) Penalty, see § 150.99

### ***PERMITS***

#### **§ 150.15 CERTIFICATE OF ZONING COMPLIANCE REQUIRED.**

No person shall commence or proceed with the construction, reconstruction, alteration, repair, removal or demolition of any building or other structures or any part thereof without certificate of zoning compliance from the Town Zoning Officer.  
(Prior Code, § 150.15)

#### **§ 150.16 PERMIT REQUIRED.**

(A) *Building permit.*

(1) 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 a written permit therefor from the Building Inspector.

(2) No utility corporation shall install or connect water, sewer, electrical or other services to construction, reconstruction, repair, demolition or other building activity for which a permit is required by this section unless a building permit has been issued as provided in this section.

(B) *Plumbing permit.* No person shall commence or proceed with the installation, extension or general repair of any plumbing system without a written permit therefor from the Plumbing Inspector; provided that, no permit shall be required for minor repairs or replacements on the house side of a trap to an installed system of plumbing if the repairs or replacements do not disrupt the original water supply or the waste or ventilating systems.

(C) *Heating-air conditioning permit.* No person shall commence or proceed with the installation, extension, alteration or general repair of any heating or cooling equipment system without a written permit from the Heating-Air Conditioning Inspector; provided that, no permit shall be required for minor repairs or minor burner services or filter replacements of warm air furnaces or cooling system.

(D) *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 a written permit therefor from the Electrical Inspector; provided that, no permit shall be required for minor repair work such as the replacement of lamps or the connection of portable devices to suitable receptacles which have been permanently installed; provided, further, that, no permit shall be required for the installation, alteration or repair of the electrical wiring, devices, appliances and equipment installed by an electrical public utility corporation for the use of the corporation in the generation, transmission, distribution or metering of electrical energy or for the use of the corporation in the operation of signals or the transmission of intelligence.  
(Prior Code, § 150.16) (Ord. passed 12-11-1973)

#### **§ 150.17 FEES.**

Fees for permits shall be based upon the total estimated cost of the proposed work, including all subcontracts if any, but in no case shall the total estimated cost be less than the market value of similar completed work in the town as determined by the appropriate inspector. Permit fees shall be as indicated on the schedule of fees in the Town Clerk's office. The fees shall be double upon failure to obtain a permit before construction begins.  
(Prior Code, § 150.17) (Ord. passed 3-13-1973)

#### **§ 150.18 BOND.**

In all cases of demolition of a building or structure, a good and sufficient bond in the sum of \$500 shall be posted by the property owner or by his or her contractor at the time of application for a permit to ensure complete removal or demolition, including all rubble and debris. Failure on the part of the property owner or his or her contractor to completely demolish, remove and clear the premises after 30 days' notice by the Zoning Inspector shall be cause for forfeiture of the bond.  
(Prior Code, § 150.18)

#### **§ 150.19 APPLICATION.**

(A) Written application shall be made for all permits required by this subchapter and shall be made on forms provided by the Building or Electrical Inspector.

(B) The application shall be made by the owner of the building or structure affected or by his or her authorized agent or representative and, in addition to other information as may be required by the appropriate inspector to enable him or her to determine whether the permit applied for should be issued, shall show the following:

(1) Name, residence and business address of owner;

(2) Name, residence and business address of authorized representative or agent, if any;  
and

(3) Name and address of the contractor, if any, together with evidence that he or she has obtained a certificate from the appropriate state licensing board for the contractors, if it be required for the work involved in the permit for which application is made.  
(Prior Code, § 150.19)

### **§ 150.20 PLANS AND SPECIFICATIONS.**

Detailed plans and specifications shall accompany each application for a permit when the estimated total cost of the building or structure is in excess of \$10,000 and for any other building or structure where plans and specifications are deemed necessary by the appropriate inspector in order for him or her to determine whether the proposed work complies with the appropriate 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 the chapter and the appropriate regulatory codes. Where plans and specifications are required, a copy of the same shall be kept at the work until all authorized operations have been completed and approved by the appropriate inspector.  
(Prior Code, § 150.20)

### **§ 150.21 LIMITATIONS ON ISSUANCE.**

The following limitations shall be placed on the issuance of permits.

(A) No building permit shall be issued for any building or structure, the estimated total cost of which is more than \$30,000, unless the work is to be performed by a licensed general contractor.

(B) No building permit shall be issued for any building or structure, other than a one- or two-family dwelling, the estimated total cost of which is more than \$20,000, unless the plans bear the state seal of a registered architect or a registered engineer.

(C) Where any provision of the general statutes of the state or of this chapter requires that work be done by a licensed specialty contractor of any kind, no permit for the work shall be issued unless it is to be performed by the licensed specialty contractor.

(D) Where detailed plans and specifications are required under this chapter, no building permit shall be issued unless the plans and specifications have been provided.  
(Prior Code, § 150.21)

#### **§ 150.22 ISSUANCE.**

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, he or she shall issue the permit upon payment of the proper fee or fees as provided in § 150.17.  
(Prior Code, § 150.22)

#### **§ 150.23 WHEN PERMIT EXPIRES; WHEN NEW PERMIT REQUIRED.**

All permits issued under this subchapter shall expire by limitation six months after the date of issuance if the work authorized by the permit has not been commenced. If, after commencement, the work is discontinued for a period of 12 months, the permit therefor shall immediately expire. No work authorized by any permit which has expired shall thereafter be performed until a new permit therefor has been secured.  
(Prior Code, § 150.23)

#### **§ 150.24 APPROVAL REQUIRED FOR CHANGES IN WORK.**

After a permit has been issued, changes or deviations from the terms of the application and permit or changes or deviations from the plans or specifications involving any work under the jurisdiction of this chapter or of any regulatory code adopted herein shall not be made until specific written approval of the changes or deviations has been obtained from the appropriate inspector.  
(Prior Code, § 150.24)

#### **§ 150.25 REVOCATION.**

The Building Inspector may revoke and require the return of any permit by notifying the permit holder in writing stating the reason for the 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 inspector, for refusal or failure to comply with the requirements of this chapter and the appropriate regulatory codes or for false statements or misrepresentations made in securing the permit.  
(Prior Code, § 150.25)

**§ 150.26 CERTIFICATE OF OCCUPANCY.**

(A) No building, reconstructed building or building addition for which a building permit has been issued shall be occupied or used for its intended use unless and until a certificate of occupancy issued by the Building Inspector stating that construction, reconstruction or repair complies with the conditions set forth in the application for which the permit was issued.

(B) No utility company shall connect permanent service to any building until a certificate of occupancy shall have been issued by the Building Inspector as provided in division (A) of this section.

(Prior Code, § 150.26) (Ord. passed 9-10-1974)

**§ 150.99 PENALTY.**

Any person who violates any provision of this chapter for which no other penalty is set forth shall be subject to the provisions of § 10.99.

(Prior Code, § 150.99) (Ord. passed 9-10-1974)

