

STATE OF GEORGIA

COUNTY OF CLAYTON

ORDINANCE NO. 2010-122

AN ORDINANCE TO AMEND THE CODE OF CLAYTON COUNTY, GEORGIA, AS AMENDED, SPECIFICALLY, CODE OF CLAYTON COUNTY, GEORGIA, PART II, CHAPTER 18 "BUILDINGS AND BUILDING CODE REGULATIONS", TO ENFORCE THE GEORGIA STATE MINIMUM STANDARD CODE FOR CONSTRUCTION AND TO ADOPT AND ENFORCE THE INTERNATIONAL PROPERTY MAINTAINANCE CODE AND INTERNATIONAL EXISTING BUILDING CODE AS ADOPTED AND AMENDED BY THE STATE OF GEORGIA; AND TO DISOLVE THE FOUR EXISTING CONSTRUCTION BOARDS TO BE REPLACED BY ONE BOARD KNOWN AS THE CONSTRUCTION BOARD OF ADJUSTMENT AND APPEALS; TO REPEAL CONFLICTING LAWS, ORDINANCES, AND RESOLUTIONS; TO PROVIDE SEVERABILITY; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, the Georgia State Minimum Standard Codes for Construction, the International Property Maintenance Code and the International Existing Building Code promote the life, health, safety and general welfare of all citizens, and;

WHEREAS, said codes are also designed to protect the property of all citizens, and;

WHEREAS, it is the desire of the Clayton County Board of Commissioners to enforce, in all respects, the various Georgia State Minimum Standard Codes for Construction, the 2006 International Property Maintenance code and the 2006 International Existing Building Code;

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS,

CLAYTON COUNTY, GEORGIA AND IT IS HEREBY ORDAINED;

Section 1. The CODE OF CLAYTON COUNTY, GEORGIA, as amended, is hereby further amended by amending, CODE OF CLAYTON COUNTY, GEORGIA, Part II, Chapter 18, Buildings and Building Regulations, to delete in its entirety, and to add a new section, Chapter 18, Buildings and Building Code Regulations, to read as follows:

Chapter 18, Buildings and Building Code Regulations

ARTICLE I. IN GENERAL

Sec.18-1 APPLICABILITY.

The provisions of this chapter shall apply to the construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, removal, and demolition of any structure located in Clayton County, and to enforce the latest edition of the following mandatory Georgia State Minimum Standard Codes, as adopted and amended by the Georgia Department of Community Affairs:

International Building Code

International Mechanical Code

International Fuel Gas Code

International Plumbing Code

National Electrical Code

International Residential Code for One- and Two- Family Dwellings

International Energy Conservation Code

and to adopt and enforce the 2006 edition of the International Property Maintenance code and the 2006 edition of the Existing Building code, as adopted and amended by the Georgia Department of Community Affairs.

ARTICLE II. PURPOSE AND SCOPE

Sec.18-2.1 PURPOSE.

The purpose of this chapter is to provide for the administration and enforcement of the Georgia State Minimum Standard Codes for Construction, the International Property Maintenance code and the International Existing Building code as adopted and amended by the Georgia Department of Community Affairs. Hereinafter, the State Minimum Standard Codes for Construction and Permissive State Codes shall be referred to as “The Construction Codes”.

Sec.18-2.2 CODE REMEDIAL.

(A) GENERAL. The construction 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.

(B) QUALITY CONTROL. Quality control of materials and workmanship is not within the purview of the construction codes except as it relates to the purposes stated therein.

(C) PERMITTING AND INSPECTION. The inspection or permitting of any building, system or plan, under the requirements of construction codes shall not be construed in any court as a warranty of the physical condition of such building, system or plan or their adequacy. Neither Clayton County, nor any employee or official 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.18-2.3 SCOPE.

(A) APPLICABILITY:

(1) GENERAL. Where, in any specific case, different sections of these construction 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. All property owners, tenants, residents, or other persons occupying any property within the unincorporated portion of the county shall comply with the provisions of the Construction Codes.

(2) BUILDING. The provisions of the International Building Code, as adopted and amended by the Georgia Department of Community Affairs, shall apply to the construction, alteration, repair, equipment, use and occupancy, location, maintenance, removal and demolition, of every building or structure or any appurtenance connected or attached to such buildings or structures, **except in one - and two - family dwellings.**

(3) ELECTRICAL. The provisions of the National Electrical Code, as adopted and amended by the Georgia Department of Community Affairs, shall apply to the installation of the electrical systems, including alterations, repairs, replacement, equipment, appliances, fixtures, fittings, and appurtenances thereto.

(4) GAS. The provisions of the International Fuel Gas Code, as adopted and amended by the Georgia Department of Community Affairs, shall apply to the installation of consumer's gas piping, gas appliances, and related accessories as covered in this code. 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.**

(5) MECHANICAL. The provisions of the International Mechanical Code, as adopted and amended by the Georgia Department of Community Affairs, 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 - or two - family dwellings.**

(6) PLUMBING. The provisions of the International Plumbing Code, as adopted and amended by the Georgia Department of Community Affairs, shall apply to every plumbing installation, including alterations, repairs, replacement, equipment, appliances, fixtures, fittings and appurtenances, and when connected to a water or sewage system.

(7) ENERGY. The provisions of the International Energy Conservation Code, as adopted and amended by the Georgia Department of Community Affairs, 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 heater and illumination systems and equipment that will enable the effective use of energy in new building construction.

(8) ONE - AND TWO - FAMILY DWELLINGS. The provisions of the International Residential Code for one- and two- family dwellings, as adopted and amended by the Georgia Department of Community Affairs, shall apply to the construction, alteration, repair, equipment, use and occupancy, location, and

maintenance of every one- or two- family dwelling and any appurtenances connected or attached to such buildings or structures.

(B) FEDERAL AND STATE AUTHORITY. The provisions of the construction codes 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 the construction codes 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 text of the construction codes shall be considered an integral part of the construction codes.

(D) REFERENCED STANDARDS. Standards referenced in the text of the construction codes shall be considered an integral part of the construction codes. If specific portions of a standard are denoted by code text, only those portions of the standard shall be enforced. Where construction code provisions conflict with a standard, the construction 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 construction codes when constructed, altered, or repaired, shall be maintained in good working order. The owner, or his/her designated agent, shall be responsible for the maintenance of buildings, structures, electrical, gas, mechanical, and plumbing systems.

(F) EXISTING BUILDINGS.

(1) 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 construction codes provided that the alteration, repair, or rehabilitation work conforms to the requirements of construction codes for new construction.

(2) COMMERCIAL AND MULTI-FAMILY BUILDINGS Any additions to existing buildings, whether vertical or horizontal, which exceeds 25 percent of the original floor area; or any existing building undergoing a substantial renovation or repairs initiated within a (365) three hundred sixty five day period that cost more than 25 percent of the building's assessed value according to county tax records at the time of such renovation or repair shall require the entire structure to meet the requirements for new construction.

(3) SINGLE FAMILY BUILDINGS Any additions to existing buildings, whether vertical or horizontal, which exceed 50% of the original floor area; or any existing building undergoing substantial renovations or repairs initiated within a (365) three hundred sixty five day period that cost more than 50% of the building's assessed value according to county tax records at the time of such renovation or repair shall be deemed to meet the requirements for new construction.

(G) 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 construction codes as required by the County Officials.

(H) SPECIAL HISTORIC BUILDINGS. The provisions of the construction 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 County Official 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

SEC.18-2.4 BUILDING DEPARTMENT.

(A) ESTABLISHMENT There is hereby established a department to be called the Building Department and the person in charge shall be the Director of Community Development hereby known as a Building Official. The Board of Commissioners shall establish the qualifications for the Building Official and other Code Enforcement personnel.

(B) RESTRICTIONS ON EMPLOYEES. Any officer or employee connected with the department except one whose only connection is as a member of the board established by Section 10.1, shall not be financially interested in the furnishing of labor, material, or appliances for the construction, alteration, or maintenance of a building, structure, service, system, or in the making of plans of specifications thereof, unless he is the owner of such. This officer or employee shall not engage in any other work, which is inconsistent with his duties or conflict with the interests of the department.

(C) RECORDS. The Building Official or his/her designee 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 pursuant to the provisions of the Georgia Open Records Act.

(D) LIABILITY. Any officer or employee, or member of the Board of Adjustments and Appeals, charged with the enforcement of the construction codes, acting for the applicable governing authority in the discharge of his/her duties, shall not thereby render himself/herself 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/her duties. Any suit brought against any officer or employee or

member because of such act performed by him/her in the enforcement of any provision of the construction codes shall be defended by the governing jurisdiction until the final termination of the proceedings.

(E) REPORTS. The Building Official or his/her designee shall submit annually a report covering the work of the building department during the proceeding year. He/She may incorporate in said report a summary of the decisions of the Board of Adjustments and Appeals during said year.

SEC. 18-2.5 SERVERABILITY.

If any section, subsection, sentence, clause, or phrase of the Construction codes is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of the construction codes.

SEC. 18-2.6 VIOLATIONS AND PENALTIES.

Any person, firm, corporation or agent who shall violate a provision of the construction 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 or permitted there under, shall be guilty of misdemeanor. Each such person shall be considered guilty of a separate offense for each and every day or portion thereof during which any violation of any of the provisions of the Construction 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 laws.

A) INTERNATIONAL PROPERTY MAINTAINCE CODE After notice of violation and an opportunity to bring the property into compliance of at least 24 hours, any person who owns or occupies property that is not in compliance with the code shall be punished

as provided for in section 1-12 of this Code. Provided however, that in the event of imminent danger as defined in section 109 of the International Property Maintenance Code 2006 edition, compliance measures must be taken immediately and without further notice and allowing property to be in such a state as to create imminent danger shall be a violation punishable as provided for in section 1-12 of this Code.

ARTICLE III. POWERS AND DUTIES OF THE COUNTY OFFICIALS

SEC.18-3.1 GENERAL.

The Building Official and his/her designee, the Chief of Police and his/her designee, the Fire Marshal and his/her designee and the Clayton County Board of Health are hereby authorized and directed to enforce the provisions of the construction codes. They are hereinafter known as the County Officials. They are further authorized to render interpretations of the construction codes, which are consistent with its intent and purpose.

SEC.18-3.2 RIGHT OF ENTRY.

(A) RIGHT OF ENTRY Whenever necessary to make an inspection to enforce any of the provisions of the construction codes, or whenever the County Official has reasonable cause that there exists in any building or upon any premises any condition or code violation which make such building, structure, premises, electrical, gas, mechanical, or plumbing system unsafe, dangerous, or hazardous, the County Official may enter such building, structure, or premises at all reasonable times to inspect the same or to perform any duty imposed upon the County Official by these construction codes, provided that if such building or premises is occupied, he/she shall first present proper credentials and request entry. If such building, structure or premises are unoccupied, he/she shall first make a reasonable effort to locate the owner or other persons having charge or control of

such and request entry. If entry is refused, the County Official shall have recourse to every remedy provided by law to secure entry.

(B) WARRANT When the County Official has obtained a proper inspection warrant or other remedy provided by the law to secure entry, no owner or occupant or any other having charge, care, or control of any building, structure, or premises shall fail or neglect, after proper request is made and herein provided to promptly permit entry therein by the County Official for the purpose of inspection and examination pursuant to the construction codes.

SEC.18-3.3 STOP WORK ORDERS.

Upon notice from the County Official, work on any building, structure, electrical, gas, mechanical, or plumbing system that is being done contrary to the provisions of the construction codes or in a dangerous or unsafe manor, shall immediately cease. Such notice shall be in writing and shall be given to the owner of the property, or his/her agent, or to the person doing the work, and shall state the condition under which work may be resumed. Where an emergency exists or a substantial violation of a county code or ordinance exists, the County Official shall not be required to give a written notice prior to stopping the work.

SEC.18-3.4 REVOCATION OF PERMITS.

(A) MISREPRESENTATION OF APPLICATION. The County Official may revoke a permit or approval, issued under the provisions of the construction codes, in case 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 CODE PROVISIONS. The County Official may revoke a permit upon determination by the County Official that the construction, erection, alteration, repair, moving, demolition, installation, or replacement, of the building, structure,

electrical, gas, mechanical, or plumbing system for which the permit was issued is in violation of, or not in conformity with, the provisions of the construction codes.

(C) COUNTY OFFICIALS REVIEW AND DETERMINATION. In the event that a permit holder is or was engaged in any prohibited activity described in this section, an investigation shall be conducted by the County Official. If the County official's investigation reveals that there is reasonable belief that revocation of the permit is justified the permit holder shall be notified to appear before the County Official on a date certain and show cause why his permit should not be revoked. The permit holder may appear in person at such hearing and/or be represented by counsel. At this hearing, the permit holder shall be presented with the facts that establish the reasonable belief and will then be given an opportunity to present any evidence the permit holder wishes the County Official to consider. At the conclusion of the hearing, the County Official, based upon evidence available, shall enter a decision making a finding of fact and conclusion, which includes a statement that:

- (1) The evidence does not support a finding that the permit holder was engaged in any prohibited activity, and the issue is therefore terminated; or
- (2) The evidence does support a finding that the permit holder was engaged in prohibited activity, in which case the County Official may:
 - a. Issue a warning to the permit holder;
 - b. Revoke the permit; and/or
 - c. Take any other action regarding the permit as the County Official deems just and appropriate under the circumstances.

SEC. 18-3.5 UNSAFE BUILDINGS OR SYSTEMS.

All buildings, structures, electrical, gas, mechanical, or plumbing systems which are unsafe, unsanitary, or do not provide 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, as determined by the County Official 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 Unsafe Building Abatement Code.

SEC. 18-3.6 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 the construction codes or the Clayton County Code of Ordinances, shall be determined by the County Official.

SEC. 18-3.7 ALTERNATE MATERIALS AND METHODS.

The provisions of the construction 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 County Official. The County Official shall approve any such alternate, provided the County Official finds that the alternate for the purpose intended is at least the equivalent of that prescribed in the construction codes, in quality, strength, effectiveness, fire resistance, durability, and safety. The County Official shall require that sufficient evidence or proof be submitted to substantiate any claim made regarding the alternate.

ARTICLE IV. PERMITS AND CERTIFICATES

SEC. 18-4.1 PERMIT APPLICATION.

(A.) 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 construction codes, or to cause any such work to be done, he/she shall first make application to the County Official and obtain the required permit for the work.

EXCEPTIONS:

BUILDING:

1. Any portable or prefabricated accessory structure used as a tool or storage shed, playhouses, and similar uses, that is not on a permanent foundation and does not exceed 120 square feet.
2. Any site built building less than 120 square feet.
3. Fences not over 6 feet high.
4. Water tanks supported directly upon grade if the capacity does not exceed 5,000 gallons and the height to width or diameter ratio does not exceed 2 to 1.
5. Sidewalks and driveways not over 30 inches above grade and not over any basement or story below.
6. Painting, papering, tiling, carpeting, cabinets, countertops, and similar finish work.
7. Prefabricated swimming pools that are less than 24 inches deep.
8. Swings and other playground equipment.
9. Window awnings supported by an exterior wall which do not project more than 54 inches from the exterior wall and do not require additional support.
10. Temporary motion picture, television, and theater stage sets and scenery limited to 30 days unless a Special Event Permit is obtained.
11. Shade cloth structures constructed for nursery or agricultural purposes and not including service systems.

12. Movable cases, counters and partitions not over 6 feet in height.
13. Roof re-covering and replacement when none of the following conditions exist:
 - a. The existing roof or roof covering is water-soaked or has deteriorated to the point that the existing roof or roof covering is not adequate as a base for additional roofing.
 - b. The existing roof covering is wood shake, slate, clay, cement or asbestos-cement tile.
 - c. The roof has 2 or more applications of any type of roof covering.

ELECTRICAL:

1. Minor repair work, including the replacement of lamps or the connection of approved portable electrical equipment to approved permanently installed receptacles.
2. The provisions of this code shall not apply to electrical equipment used for radio and television transmissions, but do apply to equipment and wiring for the power supply and the installation of towers and antennas.
3. A permit shall not be required for the installation of any temporary system required for testing or servicing of electrical equipment and/or apparatus.

MECHANICAL AND GAS:

1. Portable heating, cooking, and clothes drying appliances.
2. Portable ventilation appliances and equipment.
3. Portable cooling units.
4. Steam, hot water or chilled water piping within any heating or cooling equipment or appliances.

5. The replacement of any minor part that does not alter the approval of the equipment or an appliance or make such equipment or appliance unsafe.
6. Portable evaporative coolers.
7. Self-contained refrigeration systems that contain 10 pounds or less of refrigerant, or that are actuated by motors of 1 horsepower or less.
8. Portable fuel cell appliances that are not connected to a fixed piping system and are not interconnected to a power grid.

PLUMBING:

1. The stopping of leaks in drains, water, soil, waste or vent pipes provided, however, that if any concealed trap, drainpipe, water, soil, waste or vent pipes becomes defective and it becomes necessary to remove and replace the same with new material, such work shall be considered as new work and a permit shall be obtained and inspections made.
2. The clearing of stoppages or the repairing of leaks in pipes, valves or fixtures, and the removal and reinstallation of water closets, provided such repairs do not involve or require the replacement or rearrangement of valves, pipes or fixtures.

Note: Exemption from the permit requirements of the construction codes shall not be deemed to grant authorization for any work to be done in violation of the provisions of the construction codes or any other laws or ordinances of Clayton County, Georgia.

(B) 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.

(C) MINOR REPAIRS. Ordinary minor repairs may be made with the written approval of the County Official without a permit, provided that such repairs shall not violate any of the provisions of the construction codes.

(D) INFORMATION REQUIRED. Each application for a permit, with the required fee, shall be filed with the County Official 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/her authorized agent. The building permit application shall indicate the proposed occupancy of all parts of the building and of that portion of the site or lot, if any, not covered by the building or structure, and shall contain such other information as may be required by the County Official.

(E) TIME LIMITATIONS. An application for a permit for any proposed work shall be deemed to have been abandoned 6 months after the date of filing of the application, unless before then a permit has been issued. One or more extensions of time for periods of not more than 90 days; each may be allowed by the County Official for the application, provided the extension is requested in writing and justifiable cause is demonstrated. The County Official has administrative discretion to determine whether additional fees for any such extensions may apply.

SEC. 18-4.2 DRAWINGS AND SPECIFICATIONS.

(A) REQUIREMENTS. Two (2) or more copies 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 the quality of material where quality is essential to conformity with the construction codes. Such information shall be

specific, and the construction 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.

(B) ADDITIONAL DATA. The County Official 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 County Official are to be prepared by a certified, licensed architect or engineer and shall be affixed with their official seal.

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

1. All group and occupancies.
2. Buildings and structures 3 stories or more high.
3. Buildings and structures 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 nor engineer, nor a certification that an architect or engineer is required unless the design is outside the scope of the International Residential code.

(D) 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 resistance floors intersect the exterior walls.

(E) 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 County Official may require a boundary line survey prepared by a qualified surveyor.

(F) HAZARDOUS OCCUPANCIES. The County Official may require the following:

(1) 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 access ways, 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.

(2) 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 materials stored.

SEC. 18-4.3 EXAMINATION OF DOCUMENTS.

PLAN REVIEW. The County Official 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 construction codes and all other pertinent laws or ordinances.

SEC. 18-4.4 ISSUING PERMITS.

(A) ACTION ON PERMITS. The County Official shall act upon an application for permit without unreasonable or unnecessary delay. If the County Official is satisfied that the work described in an application for a permit and the contract documents filed therewith conform to the requirements of the construction codes and other pertinent laws and ordinances, he/she shall issue a permit to the applicant.

(B) 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 construction codes or other pertinent laws or ordinances, the County Official 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.

(C) SPECIAL FOUNDATION PERMIT. When application for a permit to erect or enlarge a building has been filed and pending issuances of such permit, the County Official may, at his/her discretion, issue a special permit for the foundation only. The holder of such a special permit is proceeding at his own risk and without assurance that a permit for the remainder of the work will be granted nor that corrections will not be required in order to meet provisions of the construction codes.

(D) PUBLIC RIGHT OF WAY. A permit shall not be given by the County Official for the construction of any building, or for the alteration of any building where said building is to be changed and such change will affect the exterior walls, bays, balconies, or other appendages or projections fronting on any street, alley, or public lane, or for the placing

on any lot or premises of any building or structure removed from another lot or premises and it shall be the duty of the County Official to see that the street lines are not encroached upon except as provided for in Chapter 33 of the International Building Code.

SEC. 18-4.5 CONTRACTOR RESPONSIBILITIES.

It shall be the duty of every contractor, who shall make contracts for the installation or repairs of a building, structure, electrical, gas, mechanical, sprinkler, or plumbing systems, for which a permit is required, to comply with state and/or local rules and regulations concerning licensing which the applicable governing authority may have adopted. In such 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.

SEC. 18-4.6 CONDITIONS OF THE PERMIT.

(A) 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 construction codes, nor shall issuance of a permit prevent the County Official from thereafter requiring a correction of errors in plans, construction, or violations of the construction codes. Every permit issued shall become invalid unless the work authorized by such permit is commenced within 6 months from its issuance (commencement will be the first recorded inspection), or if the work authorized by such permit is suspended or abandoned for a period of 6 months from the time of the last recorded inspection. All permits will expire 18 months from issuance, except that the County Official is authorized to grant one or more extensions of time for additional periods of not more than 180 days each. The extension shall be requested in writing prior to the expiration of the existing permit and justifiable cause demonstrated.

(B) PLANS. When the County Official issues a permit, he/she shall enforce, in writing or by stamp, both sets of plans “Approved for Code Compliance.” One set of drawings so reviewed shall be retained by the County Official and the other set shall be returned to the applicant. The permitted drawings shall be kept at the site of work and shall be open to inspection by the County Official.

SEC. 18-4.7 FEES.

(A) PRESCRIBED FEES. A permit shall not be issued until the fees prescribed by Clayton County have been paid. Nor shall an amendment to a permit be released until the additional fee, if any, due to an increase in the estimated cost of the building, structure, electrical, plumbing, mechanical, or gas systems, etc. has been paid.

(B) WORK COMMENCING BEFORE PERMIT ISSUANCE. Any person who commences any work on a building, structure, electrical, gas, mechanical, or plumbing, etc. systems before obtaining the necessary permits, shall be subject to a penalty of 100% of the usual permit fee in addition to the required permit fees.

(C) ACCOUNTING. The County Official shall keep or cause to be kept a permanent and accurate accounting of all permit fees and other money collected the names of all persons upon whose account the same was paid, along with the date and the amount thereof.

(D) 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 application, in accordance with the following fee schedules:

(1) BUILDING:

A. All commercial and industrial building permits shall be paid per \$1,000.00 construction cost based on the latest building evaluation data compiled by the International Code Council as follows:

CONSTRUCTION COST	FEEES (PER THOUSAND)
\$0.00 to \$ 14,999.00	\$8.50
\$15,000.00 to \$49,999.00	\$7.50
\$50,000.00 to \$ 199,999.00	\$6.00
\$200,000.00 to \$499,999.00	\$5.50
\$500,000.00 to \$999,999.00	\$5.00
\$1,000,000.00 and over	\$4.50

Where permits are obtained for a shell building, permit fees shall be based on general occupancy classification, i.e., warehouse, retail, office, etc. Fees shall be computed at 80% of total estimated cost. Interior finish shall be permitted at the remaining percent.

B. Residential building permit fees shall be charged as follows:

\$0.14 per total square foot under roof line (includes attached garages, basements, porches, etc. -- all under roof.) There shall be a minimum permit fee for any and all types of construction of \$50.00

C. Re-inspection fees

1. 1st . . . \$25.00
2. 2nd . . . \$50.00
3. 3rd . . . \$100.00

D. Certificate of occupancy fees are hereby established and shall be paid at the time the permit is issued. The fees are as follows:

1. One- and two- family dwelling . . . \$35.00
2. Condominiums, each unit . . . \$35.00
3. Fee simple townhouses, each unit . . . \$35.00

4. Multi-family/Apartments, per building . . . \$140.00
5. Construction Office (trailer) . . . \$35.00
6. Temporary portable office, each unit . . . \$35.00
7. Tents . . . \$35.00
8. Swimming pools . . . \$35.00
9. Mobile home, each unit . . . \$35.00
10. Commercial and Industrial Buildings (completed) . . . \$140.00
11. Shell building, per building . . . \$70.00
12. Additions . . . \$35.00
13. Interior finish . . . \$70.00
14. Renovations . . . \$35.00
15. Storage building . . . \$35.00
16. Temporary utilities/temporary Certificate of Occupancy . . . \$35.00

(2) ELECTRICAL:

- A. Minimum permit fee . . . \$50.00
- B. Temporary power approval, per meter . . . \$50.00
- C. Re-inspection fee:
 1. 1st . . . \$25.00
 2. 2nd . . . \$50.00
 3. 3rd . . . \$100.00
- D. Temporary pole permit:
 1. Stand alone . . . \$50.00
 2. In addition to electrical permit . . . \$30.00

E. Residential (new construction) per total square feet under roof line. . .
\$.035

“Electric heat shall be permitted in addition to the above per K.W.”

F. Meter loops, service wires supply same (service panels and sub-panels):

1. Up to 60 amperes . . . \$5.25
2. 61 to 100 amperes . . . \$7.00
3. 101 to 200 amperes . . . \$8.75
4. 201 to 400 amperes. . . \$10.50
5. 400 and larger . . . \$10.50 plus \$.056 per amp over 400

G. Light circuits and circuits not otherwise covered (No.14 & No. 12)

1. Per circuit . . . \$.49
2. Per amp . . . \$.056

H. Transformers, rangers, heaters, furnaces, appliances, and aperture not
otherwise covered:

1. Up to 3.5 K.W. . . . \$2.80
2. 3.6 K.W. to 10 K.W. . . . \$7.00
3. 10.0 K.W. to 25 K.W. . . . \$8.75
4. 25 K.W. and over . . . \$8.75 plus \$.17 per K.W. over 25 K.W.

I. Motors:

1. Up to 5 HP . . . \$3.50
2. 5 ½ to 10 HP . . . \$4.90
3. 10 ½ to 20 HP . . . \$9.00
4. 20 ½ to 50 HP . . . \$16.80
5. 50 ½ and over . . . \$16.80 plus \$.035 per HP over 50 ½ HP

J. Commercial fixtures:

1. Up to 300 Watts, each unit . . . \$.50
2. Over 300 Watts, each unit . . . \$.90

K. Miscellaneous:

1. Gas pumps, connected only, each . . . \$9.00
2. X-Ray machines, each unit . . . \$21.00
3. Dryers, each unit . . . \$9.00
4. Water heaters, etc., each unit . . . \$9.00
5. Surface units, each unit . . . \$9.00
6. Oven units, each unit . . . \$9.00

L. Mobile home hookup . . . \$28.00

M. Swimming pool . . . \$28.00

N. Low voltage fees:

1. Minimum permit fee . . . \$50.00
2. General low voltage installations-television antenna, satellite antenna, data systems, phone systems, etc., distribution wiring only.
 - a. Central control unit or center, each . . . \$7.00
 - b. Each opening, device station . . . \$.35
3. Alarm systems:
 - a. Control center . . . \$7.00
 - b. Each device . . . \$.35
4. Telecommunication systems:
 - a. Control center . . . \$7.00
 - b. Each phone console device . . . \$.35

(3) MECHANICAL AND GAS:

A. Minimum permit fee . . . \$50.00

B. Re-inspection fees:

1. 1st . . . \$25.00
2. 2nd . . . \$50.00
3. 3rd . . . \$100.00

C. Residential fees:

1. New construction, per square foot of area under roof line . . . \$.035
2. Furnace, each unit . . . \$17.50
3. Replacement furnace, each unit . . . \$26.25
4. Air conditioning, per ton or portion . . . \$7.00
5. Bath fan, each unit . . . \$1.75
6. Vent-a-hood, each unit . . . \$1.75
7. Pre-fab fireplace, each unit . . . \$26.25
8. Gas line, each unit . . . \$8.75
9. Incinerator, each unit . . . \$8.75

D. Commercial fees:

1. Heating systems/furnace per 50,000 BTU input or portion thereof . . .
\$7.00
2. Air conditioning:
 - a. First 20 tons, per ton . . . \$7.00
 - b. 20 ½ tons and over, per ton . . . \$1.75
3. Exhaust fans, per 1,000 CFM . . . \$7.00
4. Grease hoods, per 1,000 CFM . . . \$7.00
5. Bath fans, each unit . . . \$1.75

6. Gas line, per linear foot . . . \$.175

7. Incinerator, each unit . . . \$26.25

E. Solar systems:

1. Solar collectors, per panel . . . \$3.50

2. Storage tanks, each unit . . . \$17.50

(4) PLUMBING AND GAS:

A. Minimum permit fee . . . \$50.00

B. Re-inspection fee:

1. 1st . . . \$25.00

2. 2nd . . . \$50.00

3. 3rd . . . \$100.00

C. Residential fees:

1. New construction, per square foot of area under roof line . . .
\$.035

2. Replacement fixtures, each unit (including water heaters) . . .
\$ 5.25

D. Commercial and Industrial fees:

1. Each fixture (unless otherwise noted) . . . \$5.25

2. Inside roof drains, each unit . . . \$5.25

3. Gas lights, per linear foot . . . \$.175

4. Water lines, per linear foot . . . \$.175

5. Sewer lines, per linear foot . . . \$.175

6. Sump pumps, each unit . . . \$9.00

7. Sewer ejectors, each unit . . . \$43.75

8. Interceptors, each unit . . . \$87.50

- 9. Baptistry (churches), each unit . . . \$9.00
- 10. Grease trap, each unit . . . \$43.75
- 11. Water heater:
 - a. First 50,000 BTU . . . \$5.25
 - b. Each additional 50,000 BTU or portion . . . \$17.50

E. Outside sprinkler lines/processed piping:

- 1. First 1,000 feet -- \$.17 per foot . . . \$170.00
- 2. Next 4,000 feet -- \$.084 per foot . . . \$336.00
- 3. Next 5,000 feet -- \$.07 per foot . . . \$350.00
- 4. Over 10,000 feet – maximum fee . . . \$875.00

(5) SWIMMING POOLS

A. For each swimming pool:

- 1. Public pool . . . \$280.00
- 2. Private pool . . . \$105.00

B. Pool filling system, including backflow prevention . . . \$4.20

C. Each water heater and/or vent . . . \$4.20

D. Gas piping system, each unit . . . \$4.20

E. Backwash receptor . . . \$4.20

(E) BUILDING PERMIT EVALUATIONS. If, in the opinion of the County Official, the valuation of a building, alteration, structure, electrical, gas, mechanical, or plumbing systems appears to be under estimated on the application, permit shall be denied, unless the applicant can show detailed estimates to meet the approval of the County Official. Permit valuations shall include total cost, such as electrical, gas, mechanical, plumbing equipment, and other systems, including material and labor.

SEC. 18-4.8 INSPECTIONS.

(A) EXISTING BUILDING INSPECTIONS. Before issuing a permit the County Official 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/She shall inspect all buildings, structures, electrical, gas, mechanical, and plumbing systems, from time to time, during and upon completion of the work for which a permit was issued. He/She shall make a record of every such examination and inspection and of all violations of the construction codes.

(B) MANUFACTURES AND FABRICATORS. When deemed necessary by the County Official, he/she 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 construction codes.

(C) INSPECTION SERVICE. The County Official may make, or cause to be made, the inspections required by 18- 4.8 (F). He/She may accept reports of inspectors of recognized inspection services provided that after investigation he/she is satisfied as to their qualifications and reliability. A certificate called for by any provision of the construction codes shall not be based on such reports unless the same are in writing and certified by a responsible officer of such service.

(D) INSPECTIONS PRIOR TO ISSUANCE OF CERTIFICATE OF OCCUPANCY OR COMPLETION. The County Official 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.

(E) POSTING OF PERMIT. Work requiring a permit shall not commence until the permit holder or his/her agent posts the permit card in a conspicuous place on the premises. The permit shall be protected from the weather and located in such position as to permit the County Official to conveniently make the required entries thereon. This permit card shall be maintained in such position by the permit holder until the Certificate of Occupancy or Completion is issued by the County Official.

(F) REQUIRED INSPECTIONS. The County Official upon notification from the permit holder or his/her agent shall make the following minimum inspections and such other inspections as necessary, and shall either release that portion of the construction or shall notify the permit holder or his/her agent of any violations which must be corrected in order to comply with the construction code:

BUILDING:

1. Foundation Inspection: To be made after trenches are excavated and forms erected and prior to placement of concrete.
2. Frame Inspection: To be made after the roof, all framing, fire blocking, and bracing are in place, all concealed wiring, all pipes, chimneys, ducts and vents are complete.
3. Final Inspection: To be made after the building is completed and ready for occupancy.

ELECTRICAL:

1. Underground Inspection: To be made after trenches or ditches are excavated, conduit or cable installed, and before any backfill is put in place.

2. 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.
3. 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.

PLUMBING:

1. Underground Inspection: To be made after trenches or ditches are excavated, piping installed, and before any backfill is put in place.
2. Rough-In Inspection: To be made after the roof, framing, fire blocking, and bracing is in place and all soil, waste, vent, and water piping is complete and tested, and prior to the installation of wall or ceiling membranes.
3. Final Inspection: To be made after the building is complete, all plumbing fixtures are in place and properly connected, and the structure is ready for occupancy.

MECHANICAL:

1. Underground Inspection: To be made after trenches or ditches are excavated, underground duct and fuel piping installed and tested, and before any backfill is put in place.
2. 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.

3. Final Inspection: To be made after the building is complete, the mechanical system is in place and properly connected, and the structure is ready for occupancy.

GAS:

1. Rough Piping Inspection: To be made after all new piping authorized by the permit has been installed and tested, and before such piping has been covered or concealed or any fixtures or gas appliances have been connected.
2. Final Inspection: To be made on all new gas work authorized by the permit and such portions of existing systems as may be affected by new work or any changes in order to insure compliance with all the requirements of the construction codes and the structure is ready for occupancy.

ENERGY:

1. Frame Inspection: To be made before exterior wall insulation is installed, to inspect that all holes and cracks through the structure envelope have been sealed in an appropriate manner as to restrict air passage.
2. Final Inspection: To verify installation and R-value of ceiling and floor insulation, to verify correct SEER ratings on appliances, and the structure is ready for occupancy.

(G) WRITTEN RELEASE. Work shall not be done on any part of a building, structure, electrical, gas, mechanical, or plumbing systems beyond the point indicated in each successive inspection without first obtaining a written release from the County Official. Such written release shall be given only after the completion of inspections has been made for each successive step of the construction or installation process.

(H) REINFORCING STEEL, STRUCTURAL FRAMES, INSULATION, PLUMBING, MECHANICAL, OR ELECTRICAL SYSTEMS. Reinforcing steel, structural frame, insulation, plumbing, mechanical, or electrical work of any part of any building or structure shall not be covered or concealed without first obtaining a release from the County Official.

SEC. 18-4.9 CERTIFICATES

(A) CERTIFICATE OF OCCUPANCY. A new building shall not be occupied or a change made in the occupancy, nature or use of a building or part of a building until after the County Official has issued a Certificate of Occupancy. Said certificate shall not be issued until all required electrical, gas, mechanical, plumbing, and fire protection systems have been inspected for compliance with the construction codes and other applicable laws and ordinances and released by the County Official.

1. ISSUING CERTIFICATE OF OCCUPANCY. Upon satisfactory completion of construction of a building or structure and installation of electrical, gas, mechanical, and plumbing systems in accordance with the construction codes, reviewed plans and specifications, and after the final inspection, the County Official shall issue a Certificate of Occupancy stating the nature of the occupancy permitted, the number of persons for each floor when limited by law, and the allowable load per square foot for each floor in accordance with the provisions of the construction code.

(B) CERTIFICATE OF COMPLETION. Upon satisfactory completion of a building, structure, electrical, gas, mechanical, or plumbing systems, a Certificate of Completion may be issued. This certificate is proof that the structure or system is complete and for certain types of permits is released for use and may be connected to a utility system. This certificate does not grant authority to occupy or connect a building, such as a shell building, prior to the issuance of a Certificate of Occupancy.

(C) SERVICE UTILITIES.

1. 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 construction codes for which a permit is required, until released by the County Official and a Certificate of Occupancy and/or Completion is issued.

2. TEMPORARY CONNECTION. The County Official may authorize the temporary connection of a building, structure, or system to the utility source of energy, fuel, or power for the purpose of testing building service systems and to supply power for the purpose of hoisting material used in buildings under construction or remodeling, and for the purpose of lighting such buildings or structures used in connection with the construction of such buildings. To allow the current to be turned on in certain parts of wiring installations which have been made safe to the satisfaction of the electrical division, and in order to allow tenants, lessees, or owners the use of certain completed parts of buildings before the entire job is completed. The application for temporary service shall state the period of time the service is required and the necessity for the same. No temporary approval shall be issued for a period of time no more than 90 days. If it is necessary for temporary service to remain for more than 90 days, a request for such extension of temporary approval shall be made, in writing, prior to the end of the 90 day period by the person holding the permit to the County Official and justifiable cause demonstrated.

(D) AUTHORITY TO DISCONNECT SERVICE UTILITIES. The County Official shall have the power to authorize disconnection of utility service to the building, structure or system regulated by the construction codes, in case of emergency where necessary to eliminate an immediate hazard to life or property. The County Official shall notify the serving utility, and wherever possible the owner or 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.

ARTICLE V. TESTS

SEC. 18-5.1 TESTS.

(A) WHEN REQUIRED. The County Official may require tests or test reports as proof of compliance. Required tests are to be made at the expense of the owner or his/her agent by an approved testing laboratory or other approved agency.

ARTICLE VI. CONSTRUCTION STANDARDS

SEC. 18-6.1 RESIDENTIAL SINGLE FAMILY AND MULTI-FAMILY DWELLING CONSTRUCTION STANDARDS.

A. APPLICABILITY. This section shall apply to all multi-family apartments, duplexes, townhouses, and condominium developments and single family dwellings unless otherwise noted.

B. EXTERIOR SIDING. All buildings utilizing vinyl siding or stucco siding must have 7/16 OSB sheathing under the vinyl or stucco on all floors of the structure. Stucco must be Portland cement based stucco, installed over wire lathe with 10-pound felt. Porous fillers, such as expanded plastic or foam may not be added to exterior stucco.

C. INTERIOR AMENITIES. Multi-family dwelling units shall have hookups for washers and dryers. All sheetrock shall be glued and screwed utilizing appropriate building materials. There shall be sound insulation installed in all walls and floors between dwelling units.

D. RETAINING WALLS. Any retaining wall constructed more than 3 feet in height used to maintain a slope of 1 unit vertical in three units horizontal within 40 feet of any

building will be constructed of material that will not deteriorate. All retaining walls constructed more than 3 feet in height from the lowest horizontal plain to the top of the highest retaining wall will be designed by a licensed engineer and all designs will be submitted to Clayton County Community Development and Clayton County Transportation and Development for their approvals prior to the construction of the wall. Upon completion of the construction of the wall a letter of compliance from the engineer of record stating the wall meets his design will be submitted to Clayton County Community Development for each lot that the wall will affect. All retaining walls meeting the above criteria will have guards not less than 36 inches in height that do not allow passage of a sphere 4 inches in diameter. Required guards shall not be constructed with horizontal rails or other patterns that result in a ladder effect and all guards shall withstand a 200 live load applied in any direction at any point along the top. Drainage shall be provided around the retaining wall to relieve hydrostatic pressure. Drainage tiles, gravel, or crushed stone drains, perforated pipe, or other approved systems or material(s) shall be installed at the area to be protected. Gravel or crushed stone drains shall extend at least 1 foot beyond the outside edge of the footing and 6 inches above the top of the footing and be covered with an approved filler membrane material. The top of the open joints of drain tiles shall be protected with strips of building paper, and the drainage tiles or perforated pipe shall be placed on a minimum of 2 inches of washed gravel or crushed rock at least 1 sieve size larger than the tile joint opening or perforation and covered with not less than 6 inches of the same material.

EXCEPTION: A drainage system is not required when the wall is installed on well-drained ground or sand gravel mixture soils according to the United Soil Classification System, Group 1 soils.

ARTICLE VII. CODE AMMENDMENTS

SEC. 18-7.1 INTERNATIONAL PLUMBING CODE.

(A) Local amendments submitted to the Georgia Department of Community Affairs for review, which are adopted by reference thereto and incorporated as part of the County Code of Ordinances for Clayton County, Georgia, in Chapter 18, Buildings and Building Code Regulations, is hereby amended as follows:

1. By adding to Section 415 of the International Plumbing Code LAUNDRY TRAYS the following Section 415.3 and Section 415.3.1 will read as follows:

SECTION 415.3 REQUIRED PANS. Where washing machines are installed in locations where leakage of the washing machine or connections will cause damage, the washing machine shall be installed in a pan approved for such use.

SECTION 415.3.1 PAN DRAIN AND TERMINATION. A minimum 1 inch pan drain shall extend full-size and terminate over a suitably located indirect waste receptor or floor drain or extended to the exterior of the building and terminate not less than 6 inches and not more than 24 inches above the adjacent ground surface.

2. By adding to Section 712 of the International Plumbing Code SUMPS AND EJECTORS the following Section 712.5, Section 712.5.1, Section 712.5.2, Section 712.5.3, Section 712.5.4, and Section 712.5.5 will read as follows

SECTION 712.5 SINGLE FAMILY SEWAGE LIFT STATION. In the event that in any residence the building drain is lower than the sewer taps, a single family sewage lift station shall be required.

SECTION 712.5.1 REQUIRED. Every residence requiring a whole house sewage lift station shall meet the requirements set out herein.

SECTION 712.5.2 TANK. The tank of the single-family sewage lift station shall be a minimum of 1,000 gallons, if concrete, or 500 gallons, if fiberglass. The tank shall be located no closer than 10 feet to the residence.

SECTION 712.5.3 SEWER. The minimum incoming sewer line shall be 4 inches with a clean out located at the connection of the building drain and the sewer. The minimum outflow line shall be 2 inches with a check valve located adjacent to the pump.

SECTION 712.5.4 PUMP. The pump shall be a minimum 1/2 horsepower grinder type pump.

SECTION 712.5.5 ELECTRICAL. The pump shall be served by a dedicated circuit with the junction for the motor circuit located outside the tank in an accessible location. The system shall have a high level float switch connected to an audible alarm located in the dwelling and connected to a circuit separate from the pump. All electrical shall comply with the latest edition of the National Electrical Code.

18.7.2 INTERNATIONAL PROPERTY MAINTENANCE CODE

(A) Adoption of the following changes to the 2006 International Property Maintenance Code is hereby added:

1. In section 101.1 Title to delete the phrase “(NAME OF JURISDICTION)” and substitute in lieu thereof the phrase “Clayton County, Georgia”.
2. In section 103.5 Fees to delete said section in its entirety.
3. In section 302.4 Weeds to delete the phrase “(jurisdiction to insert height in inches)” and substitute in lieu thereof the phrase ten inches.
4. In section 304.14 Insect Screens to delete the phrase “(DATE) to (DATE)” and substitute in lieu thereof the phrase “May 1 to November 1”.

5. In section 602.3 Heat Supply to delete the phrase “(DATE) to (DATE)” and substitute in lieu thereof the phrase “September 1 to June 1”.
6. In section 602.4 Occupiable Work Spaces to delete the phrase “(DATE) to (DATE)” and substitute in lieu thereof the phrase “September 1 to June 1”.

ARTICLE VIII. MOVING BUILDINGS

SEC. 18-8.1 GENERALLY.

(A) HOURS FOR MOVEMENT; RULES AND REGULATIONS. Any person who desires to move along county maintained roads a house, or other building or buildings, or structures into, out of, or through the county shall do so in complete compliance with all rules and regulations issued by the Board of Commissioners, whether or not in effect at the time the permit is issued. The applicable regulations to be met by such persons are those in effect at the date the house, or other building, or buildings, or structure is to be moved. Such building or structure movement may only take place between the hours of 9:00 a.m. and 3:30 p.m., Monday through Thursday.

(B) PENALTY FOR VIOLATION OF ARTICLE. Any person violating the provisions of this article shall be guilty of a misdemeanor and punished in accordance with Section 1-12.

SEC. 18-8.2 MOVING PERMITS

(A) PERMIT. It shall be unlawful to move any house or other structure onto any vacant land in the unincorporated area of the county without first obtaining a permit therefore as prescribed in this division.

(B) APPLICATION. Any person desiring a permit required by this division shall file an application therefore with the county, together with a nonrefundable permit fee of \$150.00

(C) APPLICATION PROCEDURE; REQUIREMENTS

1. Any person who desires to move along county maintained roads a house, or other building or buildings, or structure into, out of, or through the county shall first make application to the Department of Community Development for an escort permit, such application to be made at least two calendar days prior to the date of movement.
2. The applicant shall certify the routing of the movement, the date and time of the movement, the tonnage weight of the loaded vehicle or vehicles moving the house, or other building or buildings, or structure and the safety precautions to be utilized in the protection of personal and property rights of others during such movement. The County Official may require additional information and/or safety precautions if, in his/her judgment, he/she does not believe the moving plan to be feasible or that the necessary safety precautions are being taken. If he/she does disapprove, he/she may require that a different routing and/or additional safety precautions be taken in order to protect the personal and property rights of individuals.
3. The applicant must, upon making application, give the width, length and height of the building to be moved. No routing will be approved for movement without assurance that the movement can be made without disturbing or damaging obstructions on the sides or above the route to be taken. If there are any road signs, mailboxes, overhead wiring, traffic lights, traffic signals, bridges, or other obstacles on the route chosen, it shall be the duty of the applicant to ensure that the building or structure that is being moved shall clear all of those obstructions without damage.
4. Any person who desires to move along county maintained roads a house, or other building or buildings, or structure into, out of, or through the county shall post with the Department of Community Development as cash bond in the sum of \$750.00. Such bond shall be used to repair, replace or otherwise compensate the county or any citizens of the

county damaged by the moving of a house, or other building or buildings, or structure through the county. However, nothing in this section shall be construed to limit the liability of any person to \$750.00. If, after 15 days from the receipt of a notice of claim for damages to the mover, the mover fails to respond, the County Official may, at his/her discretion, use such cash bond to replace, repair or otherwise compensate the person for damages caused by the movement of the house, or other building or buildings, or structure. The amount of cash bond expended shall be deposited by the mover within 10 days' notice by the County Official to maintain the cash bond at the minimum of \$750.00. Failure to post the cash bond and maintain the cash bond at \$750.00 shall result in the denial of any and all applications for moving along county maintained roads a house, or other building or buildings, or structure into or through the county. This bond shall be refunded upon written notification from the person that they are ceasing to do business in the county.

5. The applicant shall provide to the Department of Community Development a certification from the county tax commissioner, and the taxing authorities of any applicable municipality that all ad valorem property taxes assessed against the building structure to be moved have been paid in full. In the event the current year's property taxes have not been assessed and/or billed, the applicant or property owner shall cause to be paid to the tax commissioner, and any taxing authority of an applicable municipality, an amount of property taxes assessed against the property to be moved equal to 80% of the amount assessed and/or paid on the property for the year immediately preceding the current year. Any payment caused to be made by the applicant or property owner in accordance with this section which is in excess of the finally determined tax liability shall be refunded to the applicant or property owner as the case may be. If the amount finally determined to be the tax liability for the property exceeds the amount paid under this

section, the applicant or property owner shall be liable for the amount of the difference between the amount paid and the amount owed. In no event shall a moving permit be issued to an applicant to move any house, or other building or buildings, or structure through the county until the certification required by this section is tendered by the applicant. An applicant may have his business license suspended in the event any amounts provided to be paid under this section are due and owing to the county tax commissioner and/or taxing authorities of any applicable municipality.

(D) REMOVING INSPECTION FEE. If the house, or other building or buildings, or structure is to be relocated to a site within the unincorporated area of the county, such house, or other building or buildings, or structure must be inspected by a County Official prior to its removal from the original site. The purpose of this inspection is to determine if such house, or other building or buildings, or structure meets all applicable code standards of the county. If such house, or other building or buildings, or structure cannot be modified so as to comply with all applicable codes of the county, such house, or other building or buildings, or structure may not be moved into the county. The fee for this inspection shall be \$150.00

(E) DENIAL OF PERMIT. All applications for moving permits shall be checked by the County Officials as to routing, and no permit shall be granted where the width of the building exceeds 30 feet or exceeds the right-of-way width of the public road, street or thoroughfare.

(F) RELOCATION MOVING PERMITS TO BE APPROVED ONLY BY THE GOVERNING AUTHORITY; CRITERIA; INSPECTIONS. All applications for moving permits where the house, or other building or buildings, or structure being moved is to be relocated in the unincorporated area of the county shall be submitted to the Board of Commissioners of the county by the County Official prior to any permit being issued.

The Board of Commissioners, upon hearing an application, shall take into consideration all the factors involved, including the relocation site, the buildings in the community where the relocation site is located, and all other matters pertinent to compatibility and feasibility of the proposed house, or other building or buildings, or structure relocation, so as not to disturb the overall values of the community. Any house, or other building, or buildings, or structure that is to be relocated in the county must have an inspection before it is moved, and the County Official shall make his/her recommendation to the Board of Commissioners as to whether or not it meets all of the standards of the county zoning laws, building codes, and other related subjects. If the Board of Commissioners elects to award the relocation moving permit, once it is relocated it must meet the requirements of the current adopted codes and ordinances of Clayton County for a new structure prior to occupancy and within 90 days from the date it is relocated.

(G) ADDITIONAL FEES FOR RELOCATION MOVING INSPECTIONS. In addition to all other fees required by this article, including the escort permit fee, the application fee referred to in section 18-8.2(B), and the pre-moving inspection fee referred to in section 18-8.2(D), an additional \$150.00 shall be charged for the post-moving inspection which shall occur prior to the reconstruction of such house, or other building or buildings, or structure.

(H) PREARRANGEMENT ON CLEARANCE OF UTILITY LINES PRIOR TO PERMIT BEING ISSUED. The applicant for the permit shall give satisfactory arrangements to the County Officials as to the arrangements being made with the various utility companies for the clearance of utility lines along the entire route of the proposed movement.

(I) PENALTY FOR DIVISION VIOLATION. Any person who violates the provisions of this division shall be charged with a violation, and the Board of Commissioners, after

hearing the complaint and all of the evidence, if they find that in fact the division has been violated, may enter an order requiring compliance and, in addition, may refuse to grant any further permits to such person.

(J) SUBMISSION OF PLANS AND SPECIFICATIONS; CONFORMITY WITH ORDINANCES AND RESOLUTIONS. No permit to move a structure into the unincorporated area of the county required by this division shall be issued until the person desiring the permit to move such house, or other building or buildings, or structure shall have submitted plans and specifications showing the proposed additions or changes to be made on the house, or other building or buildings, or structure including foundation plans, plans for paving proposed driveways, if any, types of materials to be used in additions or changes, the proposed location of the plat of land; any and all pertinent information required for new construction, where applicable, shall likewise be given. Ordinances and resolutions applicable to new construction shall be complied with as nearly as practicable in applying for permits to move the house, or other building or buildings, or structure onto vacant land in the unincorporated area of the county and in improving the house, or other building or buildings, or structure moved onto vacant land in the unincorporated area of the county.

(K) PUBLIC NOTICE OF HEARING ON PERMIT APPLICATION. Upon filing of an application for a permit required by this division, the County Official shall post upon the land on which the house, or other building or buildings, or structure is to be moved a sign of not less than 12 square feet, which shall display thereon the fact that application has been filed to move the house, or other building or buildings, or structure on such land, the type of structure proposed and that a public hearing will be held before the Board of Commissioners on a day certain, not less than 10 nor more than 30 days from the date of filing the application, at which hearing all parties interested in such matter would have

the right to appear and be heard. The sign shall be located at the property in close proximity to a public road or thoroughfare and so that sign can be clearly seen by the public.

ARTICLE IX. TEMPORARY STRUCTURES

SEC. 18-9.1 APPLICABILITY.

Except where provisions contained within the County Code of Ordinances otherwise conflict with specific provisions of this article, the provisions contained herein will apply to all temporary structures so as to protect the public's life, health, and welfare regarding the building environment in the unincorporated areas of the county.

(A) SPECIAL BUILDING PERMIT REQUIRED; REMOVAL. A special building permit for a limited time shall be obtained before the erection of temporary structures such as buildings, sheds, canopies, and tents used in connection with any business or other nonresidential activity. Such structures shall be completely removed upon the expiration of time stated in the permit.

(B) INFORMATION REQUIRED. Each application for a building permit, with the required fee, shall be filed with the Department of Community Development and shall contain the following particulars:

1. A detailed description of the proposed structure;
2. The location of the premises upon which the structure will be erected;
3. The exact location of the structure on the premises;
4. The period of time the structure is to remain on the premises;
5. The proposed occupancy, if any, of the structure; and (food service will require approval of the Clayton County Board of Health)
6. Such other information as may be required by the department.
7. A letter of approval from the land owner with his/her contact information.

(C) LIMITATIONS ON NUMBER OF SIMILAR STRUCTURES. The County Official may limit the number of similar temporary structures within any prescribed geographical area where such structures or parts thereof, will be visible from a major arterial or collector street of the county.

(D) TEMPORARY EMISSION TESTING STRUCTURES. Provisions of this article shall specifically apply to all emission testing structures located within the unincorporated areas of the county. Provided, further, the Board of Commissioners, or its designee, shall be authorized to limit the number of such structures to 2 within the 4 commission districts; and to control, within the board's sole discretion, the design and materials used in the construction of such structures, the location of the premises upon which such structures will be erected, the exact location of the structures on the premises, and the period of time the structures will remain on the premises.

(E) VARIANCES ALLOWED. The Board of Commissioners, or its designee, may grant a variance of the requirements of this article when, in its opinion, the intent of this article will better be served by a relaxation of the requirements contained herein.

ARTICLE X. CONSTRUCTION BOARD OF ADJUSTMENT AND APPEALS

SEC. 18-10.1 APPOINTMENT.

There is hereby established a Board to be called the Construction Board of Adjustment and Appeals, which shall consist of five members and two alternates. The Governing Body shall appoint the Board.

SEC. 18-10.2 MEMBERSHIP AND TERMS.

(A) MEMBERSHIP. The Construction Board of Adjustment and Appeals shall consist of five members. Such Board members shall be composed of individuals serving the

Board of Commissioners with knowledge and experience in the construction codes, such as design professionals, contractors, or building industry representatives. Specifically, the Construction Board of Adjustment and Appeals shall at all times consist of one member certified and/or licensed by the Georgia Secretary of State's Office as a general contractor, one member as an electrical contractor, one member as a plumbing contractor and one member as a mechanical contractor. In addition to the regular members, there shall be two alternate members, each with certification and/or licensing from the Georgia Secretary of State's Office as either a general contractor, electrical contractor, plumbing contractor or mechanical contractor. Regular members as well as alternate members must reside in Clayton County. A Board member shall not act in a case in which he has personal or financial interest.

Note: Membership for those persons previously serving on any Board of Adjustments and Appeals as it relates to the Electrical Code, Plumbing Code, Mechanical Code or Gas Code is hereby dissolved as of June 8, 2010.

(B) TERMS. Construction Board of Adjustment and Appeals members shall be appointed for three-year terms and shall serve until their successor is appointed and confirmed. Initial appointment shall be as follows: two members for one year, two members for two years, and one member for three years. Each successive appointment shall be for three years. If a member moves outside of the County, it shall constitute a resignation from the Construction Board of Adjustment and Appeals. Vacancies shall be filled for an unexpired term in the manner in which original appointments are required to be made. The Governing Body shall appoint and confirm a member for the unexpired term of the vacating member. Continued absence of any member from required meetings of the Board shall, at the discretion of the applicable governing body, render any such member subject to immediate removal from office.

(C) QUORUM AND VOTING. Three (3) members of the Construction Board of Adjustment and Appeals shall constitute a quorum. In varying any provision of the construction codes, the affirmative votes of the majority present shall be required. In the event that regular members are unable to attend a meeting, the alternate members shall vote.

(D) SECRETARY OF THE BOARD. The County Official 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.

SEC. 18-10.3 POWERS.

The Construction Board of Adjustments and Appeals shall have the power, as further defined in 18-10.4, to hear the appeals of decisions and interpretations of the County Official and consider variances of the construction codes.

SEC. 18-10.4 APPEALS.

(A) DECISIONS OF THE BUILDING OFFICIAL. The owner of a building, structure or service system, or his/her duly authorized agent, may appeal a decision of the County Official to the Construction Board of Adjustment and Appeals whenever one of the following conditions are claimed to exist:

1. The County Official 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 the Construction codes 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 the Construction codes or any of the regulations there under have been misconstrued or incorrectly interpreted.
5. The County Official has revoked or taken other action regarding a permit

(B) VARIANCES. The Construction Board of Adjustments and Appeals, when so appealed to and after a hearing, may vary the application of any provision of the Construction codes to any particular case when, in its opinion, the enforcement thereof would do manifest injustice and would be contrary to the spirit and purpose of this or the Construction codes or public interest, and also finds all of 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 the 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 the Construction codes to other buildings, structures, or service systems.
4. That the variance granted is the minimum variance that will be made 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 the Construction codes and will not be detrimental to the public health, safety and general welfare.

(C) CONDITIONS OF VARIANCES. In granting the variance, the Board 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 the Construction codes. Violation of the conditions of a variance shall be deemed a violation of the Construction codes.

(D) NOTICE OF APPEAL. Notice of appeal shall be in writing and filed within 30 calendar days after the County Official renders the decision. Appeals shall be in a form acceptable to the County Official.

(E) UNSAFE OR DANGEROUS BUILDINGS OR SERVICE SYSTEMS. In the case of a building, structure, or service system, which in the opinion of the County Official, is unsafe, unsanitary or dangerous, the County Official may, in his/her order, limit the time for such notice of appeals to a shorter period.

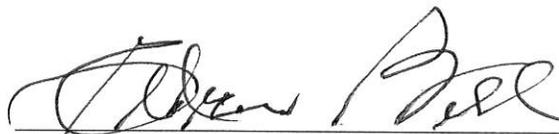
SEC. 18-10.5 RULES AND REGULATIONS.

The Board shall establish rules and regulations for its own procedure not inconsistent with the provisions of these procedures. The Board shall meet on call of the Chairman. The Board shall meet within 10 calendar days after notice of appeal has been received.

(A) DECISIONS. The Construction Board of Adjustment and Appeals 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 County Official or varies the application of any provision of the Construction codes, the County Official shall immediately take action in accordance with such decision. Every decision shall be promptly filed in writing in the office of the County Official 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 County Official for two weeks after filing. Every decision of the Board shall be final, subject however to such remedy as any aggrieved party might have at law or in equity.

SO ORDAINED, this the 8th day of June, 2010

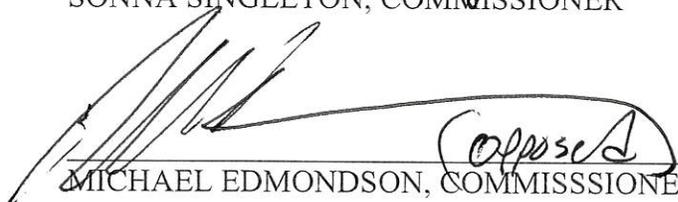
CLAYTON COUNTY BOARD OF COMMISSIONERS


ELDRIN BELL, CHAIRMAN


WOLF RALPH, VICE CHAIRMAN


GAIL B. HAMBRICK, COMMISSIONER


SONNA SINGLETON, COMMISSIONER


MICHAEL EDMONDSON, COMMISSIONER

ATTEST:


SHELBY D. HAYWOOD, CLERK