CHAPTER ___ BUILDING CODE INSPECTIONS

SECTION 1. AUTHORITY

Pursuant to NCGS Chapters 153A, 160D, and other applicable law, Caldwell County hereby establishes these Ordinances.

SECTION 2. JURISDICTION

This Chapter applies throughout Caldwell County, outside of the municipalities, except where a municipality's governing body has adopted a resolution authorizing the County to enforce this Chapter within its jurisdictional limits and has entered into an agreement with the County to perform building code services.

SECTION 3. DEFINITIONS

The following words, terms, and phrases, when used in this Chapter, shall have the meanings ascribed to them in this Section, except where the context clearly indicates a different meaning:

Board means the Caldwell County Board of Commissioners.

Building means any structure having a roof supported by columns or by walls, and intended for shelter, housing or enclosure of persons, animals, or chattels.

Building Inspector means a person authorized by the North Carolina Code Council to enforce the provisions of this Chapter.

Building Permit means a permit used by Caldwell County Central Permitting authorizing a person, contractor, firm, or corporation to construct, reconstruct, alter, repair, remove or demolish a structure in accordance with the most recent Code adopted by the North Carolina Code Council.

Building Setback Line means a line establishing the minimum allowable distance between the nearest portion of any building and the street or highway right-of-way line, when measured perpendicularly thereto.

Central Permitting means Caldwell County Central Permitting, including authorized inspectors.

Certificate of Compliance means a certificate issued by Central Permitting indicating a building is code-compliant to the point it was permitted.

Certificate of Occupancy means a certificate issued by Central Permitting indicating a building is compliant to the point it is ready to be occupied.

County means Caldwell County, North Carolina.

Dilapidated means a structure or dwelling unit which has decayed, deteriorated, or fallen into partial ruin, especially through neglect or misuse, and is unsafe for habitation.

Health Director means the Caldwell County Health Director or designee.

Lot means a parcel of land occupied, or capable of being occupied, by a building or group of buildings devoted to common use, together with the customary accessories and open spaces belonging to the same.

Lot Depth means the distance of the side lines of the lot measured.

Lot Width means the distance between the side lot lines measured at the building setback line.

Manufactured Home means a portable, manufactured housing unit designed for transportation on its own chassis and for placement on a temporary or semi-permanent foundation, having a measurement of over 32 feet in width. As used in this Section, Manufactured Home also means a double-wide manufactured home, which is 2 or more portable manufactured housing units designed for transportation on their own chassis, which connect on-site for placement on a temporary or semi-permanent foundation, having a measurement of over 32 feet in length and over 8 feet in width.

NCGS means the North Carolina General Statutes.

NC Building Code Council (BCC) means the North Carolina Building Code Council, which consists of 17 members appointed by the Governor, for the purpose of adopting and amending the NC State Building Code.

NC Building Code means the current editions of the NC State Building Code, NC State Residential Code, NC State Plumbing Code, NC State Mechanical Code, NC State Fuel Gas Code, NC State Energy Conservation Code, National Electrical Code, NC State Building; Existing Building Code, NC State Building; Fire Code, and State of NC Regulations for Manufactured Homes.

Person means any individual, corporation, firm, partnership, association, or other legal entity.

Rental Structures means dwelling units, structures, or properties available on a rental or lease basis.

Specialty Contractor means any licensed electrician, plumber or heating and air-conditioning contractor.

State Law means the laws, regulations, and rules of North Carolina.

Stop Work Order means a written directive issued by a code official for any

building, or part thereof, which is being demolished, constructed, reconstructed, altered or repaired in a manner in violation of State or local law, or is in a hazardous condition, and must state what is required to correct all violations.

SECTION 4. SCOPE AND ADOPTION OF REGULATORY CODES BY REFERENCE

This Chapter applies to the following:

(a) The location, design, materials, equipment, construction, reconstruction, alteration, repair, maintenance, moving, demolition, removal, use and occupancy of buildings or structures, including, but not limited, to manufactured homes and manufactured buildings; and

(b) 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; and

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

(d) The installation, erection, alteration, repair, use and maintenance of heating and air conditioning systems and appurtenances thereof.

SECTION 5. COMPLIANCE WITH REGULATORY CODES

(a) All buildings or structures which are placed, manufactured, constructed, reconstructed, erected, altered, extended, enlarged, repaired, demolished, or moved shall conform to the requirements, minimum standards, and other provisions of the NC Building Code.

(b) All electrical wiring, installations and appurtenances shall be erected, altered, repaired, used, and maintained in accordance with the minimum standards, requirements, and other provisions of the NC Building Code.

(c) Every building or structure intended for human habitation, occupancy or use shall have plumbing, plumbing systems or plumbing fixtures installed, constructed, altered, extended, repaired, or reconstructed in accordance with the minimum standards, requirements, and other provisions of the NC Building Code.

(d) All heating, air conditioning, refrigeration and ventilation installations and appurtenances shall be erected, repaired, used, and maintained in accordance with minimum standards, requirements, and other provisions of the NC Building Code.

SECTION 6. INSPECTION PROCEDURES

(a) Where required, Central Permitting inspects all buildings and structures, and any work therein, for which a permit of any kind has been issued, as often as necessary

to determine whether the work complies with this Chapter and the NC Building Code.

(b) When deemed necessary by the appropriate inspector, materials and assemblies may be inspected at the point of manufacture or fabrication, or inspections may be made by approved and recognized inspection organizations; provided, no approval shall be based upon reports of those organizations unless the same are in writing and certified by a responsible officer of the organization.

(c) All holders of permits, or their agents, must notify Central Permitting at each of the following stages and obtain approval before further work is performed:

1. Building permits.

    i. Site inspection occurs following an application and issuance of a building permit; and

    ii. Footing inspection occurs after trenches are excavated and the necessary reinforcement and forms are in place, but before concrete is poured. Drilled footings, piles and similar types of foundations are inspected as installed.

    iii. Foundation inspection occurs after all foundation support is installed.

    iv. Framing inspection occurs after all structural framing is in place and all roughing-in of electrical, plumbing, heating and duct work is installed, after all fire blocking, chimneys, bracing, and vents are installed, but before any of the structure is enclosed or covered. Poured-in-place concrete structural elements must be inspected before each pour of any structural component.

    v. Insulation inspection occurs after an approved framing and rough-in inspection, and after permanent roof covering is installed, with all insulation and vapor retarders in place, but before any wall covering or ceiling covering is applied.

    vi. Fireproofing inspection occurs after all areas required to be protected by fireproofing are lathed, but before the plastering or other fireproofing is applied.

    vii. Final inspection occurs after the building or structure has all doors hung, fixtures set, and it is ready for occupancy, but before the building is occupied.

2. Plumbing permits.

    i. Inspection of plans occurs before the installation of any plumbing materials.

ii. Inspection of plumbing. As required in the most current edition of the appliable code.

3. Electrical permits.

i. Temporary service inspection occurs when temporary service has been installed.

ii. Inspection of rough wiring occurs following as required in the most recent addition of the applicable code.

iii. Construction of temporary power with all electrical components includes a minimum of one installed ground fault circuit interrupter, and all other aspects of electrical system in a safe condition.

iv. Final inspection is required when the structure is ready for occupancy but before the building is occupied.

4. Heating, air conditioning, and venting permits.

i. An inspection of rough ducts, wiring and plumbing is required after the installation of all plumbing, wiring, ductwork, or other materials related to a heating, venting, or an air conditioning system.

ii. Final inspection of the heating, air conditioning, or venting systems will be required when the structure is ready for occupancy, but before the building is occupied.

SECTION 7. REQUESTS FOR INSPECTIONS

(a) Requests for inspections must be made to Central Permitting, then inspections are scheduled within 2 business days of the request.

(b) Re-inspections are made upon request. No inspections shall be requested unless all relevant work has been completed and is ready for inspection. Any work which has been concealed before a timely inspection shall be uncovered at the request of the inspector and placed in a condition to allow for proper inspection, provided the inspection. Approval or rejection of the work will be furnished by the inspector in the form of a notice posted on the building or given to the permit holder, agent, or contractor. Failure to request inspections or proceeding without approval at each stage of construction shall be deemed a violation of this Chapter.

SECTION 8. CERTIFCATE OF COMPLIANCE

No new building, or part thereof, shall be occupied, and no addition or enlargement of any existing building shall be occupied, and no existing building, after being altered or moved, shall be occupied, and no change in occupancy regarding permitted uses shall be made in any existing building or part thereof, until Central Permitting issues a Certificate of Compliance. Under hardship conditions, a temporary certificate of

compliance may be issued for occupancy of part of a building before its final completion. The contractor is responsible for calling in all inspections.

SECTION 9. OVERSIGHT NOT TO LEGALIZE VIOLATION

No oversight or error on the part of any inspector or employee of Central Permitting shall be deemed to legalize the violation of any provision of this Chapter or the NC State Building Code.

SECTION 10. POWERS OF INSPECTION OFFICIALS

(a) Inspectors are authorized, empowered, and directed to enforce all provisions of this Chapter and the most current code adopted by the NC BCC.

(b) Inspectors have the right of entry to any premises for the purpose of inspection or enforcement of the requirements of this Chapter. Should permission be denied, an inspector will seek an administrative warrant to enter the premises.

(c) Whenever any building, structure or part thereof is being demolished, constructed, reconstructed, altered or repaired in a hazardous manner or in violation of any provision of this Chapter, the NC State Building Code or any other law, or there are violations of the terms of any permit, or conditions exist to potentially endanger life or property, an inspector may order a Stop Work Order for the specific part of work which is in violation or presents the hazard(s). The Stop Work Order will list the specific work to be stopped, the reasons therefore, as well as the conditions under which the work may be resumed.

SECTION 11. SEWAGE SYSTEM INSPECTION

(a) The lot size of any structure or manufactured home requiring a private sewage system must comply with all State and County Regulations.

(b) All necessary permits and fees must be paid before electricity can be obtained.

SECTION 12. PERMITS

(a) No person shall commence or proceed with the construction, reconstruction, alteration, repair, removal, or demolition of any building or other structure, or any part thereof, without first securing a written permit from Central Permitting. No building permit is required for work estimated to cost less the amounts determined by State Law, and which does not involve any change of the structural parts or the stairways, elevators, fire escapes or other means of egress of the building or the structure.

(b) A permit for any electrical, plumbing, heating, air conditioning or refrigeration installations shall only be issued to North Carolina licensed persons, firms or corporations before any work has begun.

(c) A permit and inspection shall be required, regardless of cost of construction, for the following structures:

i. The installation of heating, electrical equipment, or service change in any structure, including a; or

ii. Any change in electrical service, installation of water heaters, electric ranges, or any other electrical equipment in any structure, including a manufactured home, if a new circuit is required.

(d) Once a person, owner, contractor, corporation, or firm has satisfied all requirements, a Certificate of Compliance and Certificate of Occupancy is issued through Central Permitting.

SECTION 13. APPLICATION

(a) Written application must be made for all permits required by this Chapter on forms provided by Central Permitting. The application must be made by the owner of the building or structure affected, or their agent or contractor.

(b) The application must provide the following information:

1. Name of the property owner.

2. The address of the property to be inspected.

3. Where applicable, the name and business address of the contractor, as well as the certificate from the appropriate NC State licensing board.

4. Where applicable, permits from Environmental Health for such things as septic, well, or food and lodging.

5. Any other information an inspector deems necessary.

SECTION 14. PLANS AND SPECIFICATIONS

Adequate working drawings or detailed plans and specifications must accompany each permit application for any building or structure where plans and specifications are deemed necessary by the inspector to determine whether the proposed work complies with all requirements. Plans must be drawn to scale with sufficient clarity to indicate the nature and extent of the work proposed, and the plans and specifications must contain information sufficient to indicate the work proposed will conform to the provisions of this Chapter and the NC Building Code. Where plans and specifications are required, a copy shall be kept at the work site until all authorized operations have been completed and approved by Central Permitting.

SECTION 15. LIMITATIONS ON ISSUANCE OF PERMITS

(a) Where any provision of the North Carolina General Statutes or any County

Ordinances require work be done by a licensed specialty contractor of any kind, or a subdivision plat approved and recorded with the Register of Deeds, no permit for the work shall be issued unless it conforms to the minimum requirements.

(b) Where detailed plans and specifications are required, no building permit shall be issued unless the plans and specifications have been provided, which are identified by the name, address, and contact number of the author, and when required by North Carolina General Statutes, the state seal of a registered architect or registered engineer.

SECTION 16. ISSUANCE OF PERMIT

After a complete application is filed, and the fees paid, an inspector reviews the proposed work to ensure compliance with all requirements.

SECTION 17. REVOCATION OF PERMITS

An Inspector may revoke and require the return of any permit by notifying the permit holder in writing and 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 requirements of this Chapter or NC State Building Code, or for false statements or misrepresentations made in securing the permit. Permits issued based upon incorrect, false, or fraudulent information may be revoked by the County.

SECTION 18. TIME LIMITATIONS ON VALIDITY OF PERMITS

All permits issued shall expire 6 months after the date of issuance if the work authorized by the permit has not commenced. If, after commencement, the work is discontinued for a period of 12 months, the permit shall immediately expire. No work authorized by any permit which has expired shall thereafter be performed until a new permit has been secured, including the payment of applicable fees.

SECTION 19. CHANGES IN WORK

After a permit has been issued, no changes or deviations from the terms of the application, plans and specifications of the permit can be made, except where the changes or deviations are clearly permissible under the NC State Building Code and until specific written approval of the changes or deviations has been obtained from Central Permitting.

SECTION 20. PERMIT FEES

(a) Fees for permits shall be charged at the time of the issuance of the permit and are based on the Board's adopted fee schedule. All fees must be paid before a permit can be issued.

(b) Any person, firm, contractor, or corporation who performs any construction work

or installation of electrical, heating, air conditioning, plumbing, ventilation, or refrigeration systems before obtaining a permit shall be charged double the applicable fee.

(c) Applicable fees cover all trips for all inspections, except for re-inspections.

SECTION 21. PERSONAL CONSTRUCTION AND ELECTRICAL WORK PERMITTED

Any person may be permitted to perform construction and electrical work upon their own property, except property intended or used for rent, sale, or gift, provided they obtain a permit from Central Permitting to do the specific work. The Building Inspector must be satisfied with the owner's competency to perform the work and the person cannot be assisted by another person in performing the work.

SECTION 22. EROSION AND RUNOFF CONTROL

(a) Contractors and property owners are required to place gravel, and maintain the gravel on all work site driveways, including residential, commercial, and industrial construction sites.

(b) Contractors and property owners must place bales of hay, straw or silt fencing to stop the threat of any dirt and/or mud runoff onto the land of an adjoining property or into a stream, waterway, or roadway, of less than 1 acre in size or when deemed necessary by Central Permitting. Sites of more than 1 acre must comply with the North Carolina Sedimentation Control Act.

(c) The Inspector will not make any inspections until these protective measures are in place. After subsequent inspections, if the Inspector finds evidence of mud and silt runoff, a Stop Work Order will be issued, and no further inspections will be made until the appropriate measures have been taken to correct the issue.

SECTION 23. LIABILITIES FOR DAMAGE

This Chapter shall not be construed to relieve from, or lessen the responsibility or liability of, any party owning, operating, controlling, or installing any electrical wiring, devices, appliances, or equipment for damages to person or property caused by any defect therein, nor shall the County be held as assuming any liability by reason of the inspection.

SECTION 24. ELECTRICAL RECONNECTIONS

Electrical inspections shall be conducted on all properties, including manufactured homes, by the Building Inspector prior to new electrical hookups, reconnections, or when required by a utility company.

SECTION 25. PLUMBING SYSTEMS TO BE TESTED

(a) To prevent the use of defective materials and to provide for water-tight joints, the piping of the entire drainage and ventage system shall be tested in the presence of the Plumbing Inspector by application of a water test, air test or other approved method. If the test is applied to the entire system, all openings in the piping shall be tightly closed except a minimum of 3 feet above the highest fixture, and the entire system filled with water to the point of overflow. If the system is tested in sections, each opening shall be tightly plugged, except the highest openings of the section under testing, and each section filled with water. No system shall be tested with less than a 10-foot head of water. In testing successive sections, at least the upper 10 feet of the next succeeding section shall be tested so no joint or pipe in the building is submitted to a test of less than a 10-foot head of water.

(b) In lieu of a water test, the Plumbing Inspector may require an air test, to consist of not less than 5 pounds per square inch for a period of not less than 15 minutes.

(c) If the water or air test reveals defective materials or workmanship, the defective portions shall be replaced or corrected, and the tests repeated. A roughing-in test is required before any piping of the plumbing system is concealed or fixtures set.

SECTION 26. MANUFACTURED HOME INSPECTIONS

(a) Manufactured Home specifications and regulations are in the North Carolina Regulations for Manufactured Homes.

1. After approval of septic and well permits from Environmental Health, and before any inspection can be made, the owner, agent or contractor must obtain a permit for:

    i. Any manufactured home being introduced into the County; or

    ii. Any manufactured home where there is a change of ownership.

(b) No permit for electrical, plumbing, heating, air conditioning or any other construction involving manufactured home s shall be issued by Central Permitting until a septic tank improvement permit and Certificate of Completion are issued by Environmental Health.

(c) Exceptions to the permit requirement include:

1. A manufactured home in a mobile home park; or

2. A manufactured home connected to a public or community sewerage system; or

3. A manufactured home located in the County prior to October 1, 1973.

(d) The owner, agent or contractor must provide a complete description of the manufactured home, including size, serial number, and address where the is to be placed.

(e) Only licensed electricians are allowed to install an electrical system on manufactured homes.

(f) Once all the required steps have been taken to comply with all requirements, a Certificate of Compliance will be issued.

SECTION 27. SPECIFICATIONS FOR SETTING UP MANUFACTURED HOMES

(a) Gravel, sand, or grout is permissible to level piers using 8-foot by 16-foot blocks, doubled and crisscrossed every 8 feet with 4-inch cap blocks to start piers.

(b) When wooden wedges are used to level a manufactured home, the total thickness of wood blocking plus wooden wedges must not be over 4 inches thick, and a cap block or wood must cover the entire surface of block.

(c) Foundation piers around the manufactured home shall not exceed 48 inches in height as measured from the inside floor surface of the manufactured home to the ground elevation.

(d) Manufactured homes shall be anchored to the ground according to the NC Building Code. The depth of anchor would depend on the type of soil and uplift requirements for sliding or over-turning, but in no case should be less than 4 feet deep.

(e) The electrical connection must comply with the NC Building Code.

(f) Sewage connections.

i. The connection must have at least one cleanout for one bath, or two cleanouts for two baths, one at each end of the manufactured home.

ii. The sewer riser pipe must be manufactured so a noncorrosive plug can be installed when a manufactured home is relocated, or if this is not possible, the sewer riser pipe shall be cut off 12 inches underground and buried.

iii. Before a manufactured home is relocated, either on the same parcel of land or to a different parcel of land, the property owner must obtain a Zoning Permit and any other applicable permits before Central Permitting can issue a permit.

iv. Travel trailers located in the County for occupancy more than 30 days must pass an electrical inspection and a sanitary sewage connection.

SECTION 28. RECREATIONAL VEHICLES (RVs)

(a) RVs are prohibited from being used as permanent housing; and

(b) A permit for the placement of an RV for temporary housing is required and will be issued only under the following circumstances:

1. The landowner is building a stick-built home for which Central Permitting has issued a permit; and

2. The temporary occupants of the RV are the same landowners where the RV is situated; and

3. Pursuant to a permit issued by the County, septic has been installed and temporary electric is permitted and in place.

(c) Temporary RV permits are valid for 1 year. Upon a documented hardship, a permit may be extended for up to 6 months; upon additional documented hardship, a permit may be extended for an additional 6 months, for a maximum total of 24 months. After 24 months, the permit shall automatically expire, and the RV must be removed from the property.

SECTION 29. PENALTY

Any person, contractor, firm, or corporation who violates the provisions of this Chapter shall, upon conviction, be guilty of a Class 1 misdemeanor, with a maximum penalty of 120 days in jail and a discretionary fine, as provided by law. Each 30 days of continued violation shall be considered a separate offense.