# Chapter 300. Buildings

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# Chapter 300. Buildings

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# Article 1. General

## Sec. 301-1. Purpose

The purpose of this article is to ensure and regulate the design and permitting of buildings and structures in the City of Snellville and to provide for the administration and enforcement of the Georgia State Minimum Codes for Construction, as adopted and amended by the Georgia Department of Community Affairs. Hereinafter, the Georgia State Minimum Standard Codes for Construction will be referred to as “the construction codes”.

## Sec. 301-2. Code Remedial

### 301-2.1. General

These construction codes are hereby declared to be remedial, and are 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.

### 301-2.2. 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.

### 301-2.3. Permitting and Inspection/No Warranty

The inspection or permitting of any building, system or plan, under the requirements of construction codes may not be construed in any court as a warranty of the physical condition of such building, system or plan or their adequacy. The City, nor any employee thereof, is not 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. This article and the construction codes does not create any duty or right of recovery against the City or any of its officials or employees.

# Sec. 301-3. Scope

## 301-3.1. Applicability

### A. General

Where, in any specific case, different sections of these construction codes specify different materials, methods of construction or other requirements, the most restrictive will govern. Where there is a conflict between a general requirement and a specific requirement, the specific requirement will be applicable.

### B. Building

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

### C. Electrical

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

### D. Gas

The provisions of the International Fuel Gas Code, as adopted and amended by the Georgia Department of Community Affairs, 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.

### E. Mechanical

The provisions of the International Mechanical Code, as adopted and amended by the Georgia Department of Community Affairs, 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- and two-family dwellings.

### F. Plumbing

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

**G. Fire prevention**

The provisions of the International Fire Code, as adopted and amended by the Georgia Department of Community Affairs, apply to the construction, alteration, repair, equipment, use and occupancy, location, and maintenance, of every building or structure or any appurtenances connected or attached to such buildings or structures.

**H. Energy**

The provisions of the International Energy Conservation Code, as adopted and amended by the Georgia Department of Community Affairs, regulate the design of building envelopes for adequate thermal resistance and low air leakage and the design and selection of mechanical, electrical, service water heating and illumination systems and equipment that will enable the effective use of energy in new building construction.

**I. One- and two-family dwellings**

The provisions of the International Residential Code for One and Tow Family Dwellings, as adopted and amended by the Georgia Department of Community Affairs, apply to the construction, alteration, repair, equipment, use and occupancy, location, maintenance, of every one- or two-family dwelling or any appurtenances connected or attached to such buildings or structures.

**J. The International Property Maintenance Code**

The provisions of the International Property Maintenance Code apply and provide code enforcement personnel with the necessary tools to have dangerous and unsafe buildings repaired or demolished.

**K. Existing Building Code**

The provisions of the International Existing Building Code, as approved and amended by the Georgia Department of Community Affairs, apply.

L. **Standard Unsafe Building Abatement Code**

The provisions of the Standard Unsafe Building Abatement Code, as approved and amended, apply and are enforced. See Sec. 305-5 (Unsafe Buildings or Systems).

**M. Standard Swimming Pool Code**

The provisions of the International Pool and Spa Code, as amended, apply to the protection of the health, safety and welfare by prescribing minimum standards for the design, construction, installation, repair or alterations of swimming pools, public or private, and equipment related thereto.

## 301-3.2. Federal and State Authority

The provisions of the construction codes will 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 will it deprive any individual or corporation of its legal rights as provided by law.

### 301-3.3. Appendices

Appendices referenced in the text of the construction codes are considered an integral part of the construction codes.

### 301-3.4. Referenced Standards

Standards referenced in the text of the construction codes are 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 will be enforced. Where construction code provisions conflict with a standard, the construction code provisions will be enforced. Permissive and advisory provisions in a standard will not be construed as mandatory.

### 301-3.5. Maintenance

All buildings, structures, electrical, gas, mechanical and plumbing systems, both existing and new, and all parts thereof, must be maintained in a safe and sanitary condition. All devices or safeguards, which are required by the construction codes when constructed, altered, or repaired, must be maintained in good working order. The owner, or his/her designated agent, is responsible for the maintenance of buildings, structures, electrical, gas, mechanical and plumbing systems.

## Sec. 301-4. Administration

The Building Department is created within and as a part of the Department of Planning and Development. The Director is the Building Official responsible for enforcement of this article and the construction codes.

### 301-4.1. Restrictions on employees.

An officer or employee connected with the Department, except one whose only connection is as a member of the board established by Sec. 309-1 (Appointments), may 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 or of specifications thereof, unless he is the owner of such. This officer or employee may not engage in any other work, which is inconsistent with his duties or conflict with the interests of the Department.

### 301-4.2. Records

The Building Official must keep, or cause to be kept, a record of the business of the Building Department. The records of the department must be open to public inspection pursuant to the provisions of the Georgia Open Records Act.

### 301-4.3. 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 duties, may 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 will be defended by the governing jurisdiction until the final termination of the proceedings.

## Sec. 301-5. Existing Buildings

### 301-5.1. 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 the construction codes for new construction. The Building Official will determine the extent to which the existing system must be made to conform to the requirements of the construction codes for new construction.

## Sec. 301-6. Change of Occupancy

If the occupancy classification of any existing building or structure is changed, the building, electrical, gas, mechanical and plumbing systems must be made to conform to the intent of the construction codes as required by the Building Official.

## Sec. 301-7. Special Historic buildings

The provisions of the construction codes relating to the construction, alteration, repair, enlargement, restoration, relocation or moving of buildings or structures are not 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 Building 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 within fire districts.

## Sec. 301-8. Violations and Penalties

Any person, firm, corporation or agent who violates a provision of the construction codes, or fails to comply therewith, or with any of the requirements thereof, or who erects, constructs, alters, installs, demolishes or moves 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 and permitted thereunder, will be guilty of violating this article and the construction codes. Each such person will 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 will be punished within the limits and as provided by State laws. Any fine assessed by a court of competent jurisdiction for a violation of this article may not be less than $250.00, nor more than $1,000.00.

## Sec. 301-9. Self-Inspection by Plumbers and Utility Contractors

The City is exempt from the provisions of O.C.G.A. § 8-2-26(d) relating to self-inspection of certain water and sewer lines, and such provisions are not applicable in the city.

# Article 2. Construction Codes

## Sec. 302-1. Purpose

The purpose of this article is to provide for the administration and enforcement of the Georgia State Minimum Standard Codes as adopted below.

## Sec. 302-2. Adopted

### 302-2.1. Enumeration

A. The following codes, as adopted by the Georgia Department of Community Affairs, are adopted by reference as ordinances of the City as fully as though set out at length herein. Copies of the codes listed below must be maintained on file in the office of the City Clerk where it must be available for inspection by the public:

1. International Building Code (IBC)
2. International Residential Code (IRC)
3. International Fire Code (IFC)
4. International Plumbing Code (IPC)
5. International Mechanical Code (IMC)
6. International Fuel Gas Code (IFGC)
7. National Electrical Code (NEC)
8. International Energy Conservation Code (IECC)
9. International Swimming Pool and Spa Code
10. International Property Maintenance Code

B. The codes provided in A above mean such codes as they are currently adopted by DCA, provided that any such code may hereafter be amended or revised as provided in O.C.G.A. § 8-2-23(a).

### 302-2.2. Appendices

The following appendices of the codes adopted in Sec. 302-1 (Enumeration) are adopted by reference as though they were set forth in full in this subsection:

A. Standard International Building Code: Appendix;

B. Standard International Mechanical Code: Appendix;

C. Standard International Gas Code: Appendix;

D. Standard International Plumbing Code: Appendix;

E. Standard International Fire Prevention Code: Appendix;

F. National Electrical Code: Appendix; and

G. CABO One and Two Family Dwelling Code: Appendix.

### 302-2.3. Additional Codes

The latest edition of the following codes, as adopted and amended by the State Department of Community Affairs, are adopted by reference as though they were set forth in full in this subsection:

A. Standard Housing Code, including chapter 1, Administration, and Appendix;

B. Standard Swimming Pool Code, including chapter 1, Administration;

C. Standard Excavation and Grading Code, including chapter 1, Administration;

D. Standard Unsafe Building Abatement Code, including chapter 1, Administration;

E. Standard Existing Building Code, including chapter 1, Administration, and Appendix; and

F. Standard Amusement Device Code, including chapter 1, Administration, and Appendix.

### 302-2.4. Compliance

It is unlawful for any person to engage in the construction or erection of any building, whether commercial, business or residential, unless such construction is accomplished in strict compliance with the various technical codes adopted in Sec. 302-1(Enumeration).

### 302-2.5. Enforcement

When reference is made to the duties of certain officials named in the various technical codes adopted in Sec. 302-1 (Enumeration), the designated City official who has duties corresponding to those of the named official in said construction codes will be responsible for their enforcement.

### 302-2.6. Permit and Inspection Fees

Permit and inspection fees and any other charges imposed or due under the various construction codes adopted Sec. 302-1 (Enumeration) will be as provided in the schedule of fees and charges on file in the office of the City Clerk.

### 302-2.7. Public Utilities

A. No public utility may furnish temporary electrical, water or gas connection, for construction purposes, unless the contractor has been issued a construction permit by the chief Building Official.

B. No public utility may furnish permanent electrical, water or gas connections until the contractor has been issued a certificate of occupancy by the chief Building Official.

C. No public utility may furnish power to a mobile home site until the owner has been issued either a building permit or a certificate of occupancy by the chief Building Official.

### 302-2.8. Water Supply and Sewage Disposal Facilities

A. Building permits will not be issued until plans for water supply and sewage disposal have been approved by the County Water Resources Department and/or County Environmental Health Department.

B. Certificates of occupancy will not be issued until the completed water supply and sewage disposal facilities have been approved by the County Water Resources Department and/or County Environmental Health Department.

### 302-2.9. Violations, Penalties

A. Any person violating any provision of the various construction codes adopted in Sec. 302-1 (Enumeration) will be punished as provided in Sec. 1-11 of the Snellville Code of Ordinances.

B. A conviction of the violation of any provision of the various construction codes adopted in Sec. 302-1 (Enumeration) will automatically suspend the business license of the offending contractor. The license may be reinstated by an application to the City Council upon a showing of good cause.

# Article 3. Flow Rate Restrictions on Plumbing Fixtures

## Sec. 303-1. Purpose

It is the purpose of this article to:

A. Require the use of ultra-low-flow plumbing fixtures in all new construction or when replacing plumbing fixtures during renovation or remodeling of existing buildings;

B. Require the certification of plumbing fixtures regarding flow rates and serviceability standards;

C. Promote compliance with State laws for the purpose of conserving water;

D. Maintain the integrity of drinking water supplies; and

E. Reduce wastewater flows.

## Sec. 303-2. Definitions

The following words, terms and phrases, when used in this article, will have the following meanings, except where the context clearly indicates a different meaning:

**Commercial building**. Any type of building other than residential.

**Construction.** The erection of a new building or the alteration of an existing building in connection with its repair or renovation, or in connection with making an addition to an existing building and includes the replacement of a malfunctioning, unserviceable or obsolete faucet, showerhead, toilet or urinal in an existing building.

**Plumbing fixtures.** Any toilet, urinal, showerhead, bathroom, lavatory and kitchen faucet and replacement aerators.

**Residential building.** Any building or unit of a building intended for occupancy as a dwelling, but not including a hotel or motel.

**Toilet.** Any fixture consisting of a water-flushed bowl with a seat, used for the disposal of human waste.

**Urinal**. Any fixture consisting of a water-flushed bowl used for the disposal of human waste.

## Sec. 303-3. Standards for Fixtures

No plumbing fixture may be installed which does not meet with the standards listed in this section or the State plumbing code, whichever is stricter. This includes all plumbing fixtures installed in newly constructed buildings or when replacing plumbing fixtures during remodeling or renovation of existing buildings, except as noted in Sec. 303-5 (Exceptions).

A. All plumbing fixtures installed in accordance this article may not exceed the following water use rates:

   1. Toilets: 1.6 gallons per flush

   2. Urinals: 1.0 gallon per flush

3. Showerheads: 2.5 gallons per minute, at 60 psi gauge pressure
4. Kitchen faucets: 2.5 gallons per minute
5. Bathroom and lavatory faucets: 2.0 per minute

B. The flow restriction device in a showerhead must be a permanent and integral part of the showerhead and must not be removable to allow flow rates in excess of that identified in A above.

C. Lavatory faucets located in restrooms intended for use by the general public must be of the metering or self-closing type, in addition to the flow requirement of A above.

D. The flow rates for all showerheads, kitchen, bathroom and lavatory faucets must be determined in accordance with ANSI/ASME A112.18.1M-1989 Plumbing Fixture Fittings, as amended, except that maximum flow rates may not exceed those identified in A above.

E. All toilets and urinals must be certified to meet the hydraulic performance standards for low consumption water closets specified in ANSI/ASME A112.19.2-1990 Vitreous China Plumbing Fixtures, as amended, and ANSI/ASME A112.19.6-1990 Hydraulic Requirements for Water Closets and Urinals, as amended.

## Sec. 303-4. Product Certification

The manufacturer must certify compliance with the standards listed in Sec. 303-3 by labeling the fixture and packaging as set forth in this section and providing, upon request, appropriate certification by an independent national testing organization acceptable to the chief Building Official. Effective April 1, 1992, all toilets, urinals, showerheads or faucets must be clearly labeled to indicate the maximum flow rate of water usage of the fixture at the specified test pressure. Toilets and urinals must also be labeled ASME A112.19.2M, as prescribed in section 8 of such standard. The label must be affixed to the fixture and remain there until the proper building and/or plumbing inspections have been conducted. The packaging must be clearly marked to identify water use rates when offered for retail.

## Sec. 303-5. Exceptions

Permission for the exceptions listed in this article must be obtained from the Building Official. New construction and the repair or renovation of an existing building may be exempt from the standards set forth in Sec. 303-3 for the following:

A. Showers and faucets installed for safety purposes, such as emergency eye wash stations, etc.

B. Plumbing fixtures specifically designed for the physically handicapped.

C. Fixtures specifically designed to withstand unusual abuse or for installation in a correctional institution which may require more water for proper operation.

D. Building renovation where significant plumbing modifications would be required to accommodate the lower flows or for specialized purposes which cannot be accommodated by existing technology.

## Sec. 303-6. Violation; Citation, Penalty

A citation for a violation of this article may be issued by the Building Official or their authorized representative. Any person violating this article will be tried before the municipal court. Upon conviction, such person found guilty of a violation of this article will be punished as provided in Sec. 1-11 of the Snellville Code of Ordinances.

## Sec. 303-7. Compliance and Enforcement

A. In addition to the penalty provided in Sec. 303-6 above, the City may take the following actions to compel compliance with this article and may maintain an action or proceeding in any court of competent jurisdiction to compel compliance with or restrain any violation of this article:

   1. Compliance with the requirements for installation and labeling at the time of installation in Sec. 303-3 will be determined by the chief Building Official or their agent in cases of new or replacement plumbing fixture installations, and compliance will be a condition for receipt of any occupancy permit.

   2. The appropriate water authority or water service agency may deny any service connection to an establishment which does not comply with the standards set forth in Sec. 303-3.

B. Compliance with the requirements in Sec. 303-4 regarding the labeling of plumbing fixtures offered for retail sale will be determined by the chief Building Official or their agent. The agency will have access to all establishments which offer for sale or sell such plumbing fixtures for purposes of determining compliance with Sec. 303-4.

# Article 4. Property Maintenance

## Sec. 304-1. General

### 304-1.1. Title

The title of this article is the Snellville Property Maintenance Ordinance and may be cited hereinafter as this article.

### 304-1.2. Purpose

The purpose of this article is to establish minimum requirements and standards for premises and structures in order to promote and protect the public health, safety, convenience, order and general welfare of the citizens of the city.

### 304-1.3. Scope

This article shall apply to all commercial, office, industrial, multifamily, and single-family residential structures and premises and shall constitute the minimum requirements and standards for existing structures and premises.

### 304-1.4. Definitions

Unless otherwise noted, terms not defined in this subsection will have their meaning as defined in the general provisions of the construction code, or in the absence of such definition, words will be defined as provided for in Article 2 of Chapter 100 of this UDO. Whenever the term "dwelling unit," "premises," "building," "rooming house," "rooming unit" or "story" are stated in this article, they shall be construed as if they were followed by the words "or any part thereof." The following definitions shall apply in the interpretation and enforcement of this article:

**Boarding-up**. Erecting, installing, placing, or maintaining boards over the doors, windows, or other openings of any building or structure or otherwise securing such openings by a means other than the conventional method used in the original construction and design of the building or structure.

**Exterior property**. The open space on the premises and on adjoining property under the control of owners or operators of such premises.

**Local agent**. Any person or entity empowered by a creditor, mortgagee, or transferee to:

A. Ensure security and maintenance;

B. Comply with code enforcement orders issued by the City;

C. Provide a trespass authorization upon request of an enforcement officer;

D. Conduct inspections; and

E. Serve as an agent authorized to receive any citation under this article and notice pertaining to any court or enforcement proceeding in connection with the enforcement of this article.

**Operator.** Any person who has charge, care or control of a structure or premises which is let or offered for occupancy. A real estate broker or salesperson licensed pursuant to O.C.G.A. title 43, ch. 40 (O.C.G.A. § 43-40-1 et seq.) is not an operator for the purposes of this article unless such broker or salesperson is under contract to provide property management services to the owner of such structure or premises.

**Owner.** Any person, agent, operator, firm or corporation having a legal or equitable interest in the property; or recorded in the official records of the State or County as holding title to the property; or otherwise having control of the property, including the guardian of the estate of any such person, and the executor or administrator of the estate of such person if ordered to take possession of real property by a court.

**Premises**. a lot, plot or parcel of land including any structures thereon.

**Property**. Any unimproved or improved residential or nonresidential real property, or portion thereof, situated in the City of Snellville and includes the buildings or structures located on the real property regardless of condition.

**Securing.** Such measures as may be directed by the Director that render the property inaccessible to unauthorized persons, including, but not limited to, the repairing of fences and walls, chaining or padlocking of gates, the repairing of doors, windows or other openings.

## 304-1.5. Penalties

### A. Fine and/or Sentence

Any person convicted by a court of competent jurisdiction of violating any provision of this article shall be guilty of violating a duly adopted ordinance of the City and shall be punished either by a fine not less than $250.00 per day and not to exceed $1,000.00 per day, or by a sentence of imprisonment not to exceed 60 days in jail, or both a fine and jail or work alternative. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

### B. Powers of the Court

The court shall have the power and authority to order the violation corrected in compliance with this article and the court may require payment of restitution or impose other punishment allowed by law.

### C. Other Legal Remedies

In any case in which a violation of this article has occurred, the City, in addition to other remedies provided by law, may petition for a restraining order, injunction, abatement, or take any other appropriate legal action or proceeding through a court of competent jurisdiction to prevent, restrain, or abate such unlawful use or activity.

### 304-1.6. Transfer of ownership

It is unlawful for the owner of any building or structure who has received a notice of violation to sell, transfer, mortgage, lease or otherwise dispose of such building or structure until the provisions of the notice of violation have been complied with, or until such owner shall furnish to the chief of police a signed and notarized statement from the grantee, transferee, mortgagee or lessee, acknowledging the receipt of such notice of violation and fully accepting the responsibility, without condition, for making the corrections or repairs required by such notice of violation. Any citation for violation of this section shall be issued to the transferor of the property listed on the face of the document evidencing conveyance of the property.

## Sec. 304-2. International Property Maintenance Code

### 304-2.1. Adopted

A certain document, three copies of which are on file in the office of the City Clerk of the City of Snellville, being marked and designated as the International Property Maintenance Code, 2012 edition, and the Georgia State Amendments thereto as revised January 1, 2015, as published by the International Code Council, be and is hereby adopted as the Property Maintenance Code of the City of Snellville, in the State of Georgia for regulating and governing the conditions and maintenance of all property, buildings and structures; by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; and the condemnation of buildings and structures unfit for human occupancy and use, and the demolition of such existing structures as herein provided; providing for the issuance of permits and collection of fees therefore; and each and all of the regulations, provisions, penalties, conditions and terms of said property maintenance code on file in the office of the City of Snellville are hereby referred to, adopted, and made a part hereof, as if fully set out in this article, with the additions, insertions, deletions and changes, if any, prescribed in Sec. 304-2.2.

### 304-2.2. Same—Modifications

The following sections are hereby revised:

Section 101.1. Insert: City of Snellville

Section 103.5. Insert: Fee Schedules of the Planning & Development and Police Departments

Section 111. Insert: Appeals shall go to the Municipal Court of the City of Snellville

Section 111.2. Delete this Section in its entirety

Section 111.7. Clarification: The Court referenced is the Municipal Court of the City of Snellville

Section 302.4. Insert: Twelve (12) inches

Section 304.14. Insert: January 1 to December 31

Section 602.3. Insert: November 1 to March 31

Section 602.4. Insert: November 1 to March 31

All references to the "Department of Property Maintenance" and its "Code Official" shall be revised to read "Department of Planning and Development" and its "Director of Planning and Development" respectively.

### 304-2.3. Service of Process

Notwithstanding any provisions of the International Property Maintenance Code of 2012 to the contrary, complaints issued by a public officer in accordance with this article must be served in the following manner:

A. At least 14 days prior to the date of the hearing, the public officer must mail copies of the complaint by certified mail or statutory overnight delivery, return receipt requested, to all interested parties whose identities and addresses are reasonably ascertainable. Copies of the complaint must also be mailed by first-class mail to the property address to the attention of the occupants of the property, if any, and must be posted on the property within 3 business days of filing the complaint and at least 14 days prior to the date of the hearing.

B. In addition to the method identified in A above and Section 107.3 of the International Property Maintenance Code, service may be perfected by certified mail or statutory overnight delivery, return receipt requested, to the most recent address shown in County tax filings and mailed at least 14 days prior to the date of the hearing.

C. For interested parties whose mailing address is unknown, a notice stating the date, time, and place of the hearing must be published in the newspaper in which the sheriff's advertisements appear in such County once a week for two consecutive weeks prior to the hearing.

D. A notice of lis pendens must be filed in the office of the clerk of superior court in the county in which the property, dwelling, building, or structure is located at the time of filing the complaint in the appropriate court. Such notice must have the same force and effect as other lis pendens notices provided by law.

E. Orders and other filings made subsequent to service of the initial complaint must be served in the manner provided in this subsection on any interested party who answers the complaint or appears at the hearing.

F. Any interested party who fails to answer or appear at the hearing will be deemed to have waived all further notice in the proceedings.

## Sec. 304-3. Buildings

### 304-3.1. Numbering Requirements

**A. Assignation**

Street numbers shall be assigned by the Department in accordance with this UDO.

**B. Single-family Detached and two-family Dwelling Requirements**

Each single-family attached and two-family dwelling must have posted and maintained in a conspicuous place on the property, visible from the street, providing general public access, the street number of such dwelling unit in figures at least 4 inches high on a contrasting background that will allow 24-hour visibility.

**C. Multifamily Requirements**

Each multifamily building (including single-family attached dwellings) with three or more dwellings must have posted and maintained in a conspicuous place on the building, visible from the parking lot or street providing general public access, the addresses or numbers of the building in figures at least 6 inches high on a contrasting background and each individual apartment/unit within the building shall be marked on or about its main entrance with the individual apartment/unit number and/or address in figures at least 4 inches high on a contrasting background that will allow 24-hour visibility. In addition to these requirements, where a multifamily building has more than one exterior entrance, each such entrance shall be marked, in figures at least 4 inches high on a contrasting background, with the number and/or address of each and every individual apartment/unit or numerical range of apartment units to which access is provided through that common entrance.

**D. Business and Other Nonresidential Building Requirements**

Each business or other nonresidential building must have posted and maintained in a conspicuous place of the property, visible from the street providing public access, the address and/or street number of such building in figures at least 4 inches high on a contrasting background that will allow 24-hour visibility. If the numbers are not placed within 15 feet of the back of the street curbing or edge of the street surface, then such figures shall be at least 6 inches high. A quadrant designation will be posted as part of the address in figures at least 2 inches high on a contrasting background of a material that will allow 24-hour visibility and be placed with the number designation.

### 304-3.2. Exterior Surface Treatment

All exterior surfaces, including, but not limited to, doors, door and window frames, cornices, porches and trim shall be maintained in good repair. Exterior wood surfaces, other than decay resistant woods, shall be protected from the elements and decay by painting or other protective covering or treatment. Peeling, flaking and chipped paint shall be eliminated and surfaces repainted. All siding and masonry joints must be maintained weather-resistant and watertight.

## Sec. 304-4. Exterior Walls

Exterior walls of buildings shall be maintained free from holes, breaks, loose, or rotting materials, and shall be maintained weatherproof and properly surface coated as needed to prevent deterioration.

### 304-4.1. Foundation Walls

All foundation walls shall be maintained so as to carry the safe design and operating dead and live loads of the structure and shall be maintained plumb and free from open cracks and breaks so as not to be

detrimental to public safety and welfare. Every foundation, exterior wall, and other exterior surface shall be maintained in a workmanlike state of maintenance and repair.

### 304-4.2. Roofs

Roofs of buildings shall be maintained so that they are structurally sound and in a safe condition and have no defects which might admit rain or cause dampness in the interior portions of a building. All portions, additions or sections of a roof, including, but not limited to, the fascia, eave, soffit, sheathing, rafter tail, barge rafter, vent screening, gutter, downspout, roof jack, and metal flashing, shall be complete with all trim strips, moldings, brackets, braces and supports attached or fastened in accordance with common building practices. Gutters must be free of vegetation and in good repair. Roof drainage shall be adequate to prevent rainwater from causing dampness or deterioration in the walls or interior portion of the building.

### 304-4.3. Exterior Stairways, Decks, Porches, and Balconies

Exterior stairways, decks, porches and balconies, and all appurtenances attached thereto, of buildings shall be maintained so that they are structurally sound, in good repair, with proper anchorage and capable of supporting the imposed loads.

### 304-4.4. Windows.

Windows of buildings shall be fully supplied and maintained with glass window panes or with a substitute approved by the Director of the Department of Planning and Development, and such glass or substitute material shall be without open cracks or holes. Screens, if provided, shall be securely fastened to the window and maintained in good repair. Windows other than fixed windows shall be capable of being opened with reasonable ease and shall be held in position by appropriate window hardware.

### 304-4.5. Exterior Doors and Frames

Exterior doors of buildings shall be maintained so that they fit reasonably well within their frames so as to substantially prevent rain and wind from entering a building. Exterior door jambs, stops, headers and moldings shall be securely attached to the structure and maintained in good condition without splitting or deterioration. Additionally, exterior doors shall be provided with proper hardware and maintained in proper working condition.

### 304-4.6. Garage Doors

Garage doors shall be capable of being closed reasonably plumb, properly attached, and the exterior surface of garage doors shall be maintained weatherproof so as to prevent deterioration.

## Sec. 304-5. Decorative Features

Cornices, belt courses, corbels, terra cotta trim, wall facings, shutters, light fixtures, and similar decorative features shall be maintained in good repair with proper anchorage and in a safe condition.

## Sec. 304-6. Vacant structures

Vacant structures shall be maintained in good repair and be in compliance with all applicable laws, codes, and ordinances. Any vacant structure shall, at a minimum:

A. Have all doors and windows and other openings weathertight and secured against entry by the general public as well as animals. The vacant structure shall be secured using the conventional methods used in the original construction. Where securing the structure through conventional methods is not feasible or where the owner desires to board up the vacant structure, the owner or interested party must obtain a separate boarding-up permit from the Department of Planning and Development.

B. All roof and roof flashings shall be sound and tight such that no rain will penetrate the structure and must allow for appropriate drainage so as to prevent deterioration of the interior walls or other interior portions of the structure.

C. The structure must be maintained in good repair, be structurally sound and free from rubbish, garbage and other debris.

D. Supporting members of the structure shall be capable of bearing both live and dead loads and the foundation walls likewise shall be capable of supporting an appropriate load.

E. The exterior of the structure shall be free of loose or rotten materials as well as holes. Any exposed metal, wood or other surface shall be protected from the elements by appropriate weather coating materials (paint or similar treatment).

F. All balconies, canopies, signs, metal awnings, stairways, fire escapes or other overhanging extensions shall be in good repair and appropriately anchored. The exposed metal and wood surface of such overhanging extensions shall also be protected from the elements against rust or decay by appropriate application of paint or similar weather coating.

G. Any accessories or appurtenant structures, including, but not limited to, garages, sheds or other storage facilities, shall meet the standards set forth in this section.

H. Have a plan for winterization of the vacant property if necessary.

I. Retaining walls, drainage systems, or other structures must be maintained in good repair and be structurally sound. Any existing fence shall be maintained in good repair with gates locked at all times.

J. Be in compliance with all applicable provisions of this chapter and all other applicable codes and ordinances of the City of Snellville.

## 304-6.2. Boarding-Up Structures

### A. Boarding-Up Permit

No person, firm, association or corporation may erect, install, place, or maintain boards over the doors, windows or other opening of any building or structure or otherwise secure such opening by a means other than the conventional method used in the original construction and design of the building or structure without first obtaining a valid boarding-up permit in accordance with this section. Any properties with boards existing at the time of the adoption of the ordinance from which this section is derived will have 60 days from the date of the adoption of the ordinance from which this section is derived to submit an application to the Department of Planning and Development for a permit to continue to board.

### B. Permit Issuance

The Department may issue a boarding-up permit only upon satisfaction of the following conditions:

1. Submission of a written application by the owner of the property or his authorized representative, including the following information:
    a. Name, address and telephone number of the owner;
    b. Name, address and telephone number of any local agent of the owner;
    c. Tax parcel identification number of the premises on which the structure is situated;
    d. Common address of the structure;
    e. Other information as may be required by the department.
2. Payment of the required fee by the owner of the property or his authorized representative.
3. Submission of a written statement or plan by the owner or the property or his authorized representative specifying:
    a. Length of time the owner expects the boarding-up to continue;
    b. Proposed plan to secure or board up the structure, including a detailed description regarding the manner and materials.
    c. Proposed maintenance plan detailing the monitoring and maintenance of the structure and premises in conformance with this article.
    d. The City may conduct an inspection of the subject property to ensure that the structure is boarded up in accordance with the plan approved by the Department of Planning and Development.
4. A boarding-up permit issued pursuant to this section shall authorize the boarding-up or other securing of a building or structure for a period of six months. An owner of a property desiring to continue to board his property beyond the 6-month term must submit a renewal application to renew the boarding-up permit and continue to meet the requirements for the issuance of a new boarding-up permit. The permit may be renewed within 30 days of the expiration of the original

upon payment of necessary fees. A new permit must be obtained if the original permit is not renewed within 30 days of the expiration of the original permit.

5. No boarding-up permit shall be required to board-up a building for up to 30 days in the event of a temporary emergency situation, including, but not limited to, damage caused by vandalism, theft or weather. In the event an emergency situation requires a building or structure to be boarded-up for more than 30 days, the owner of the building or structure or his authorized representative must obtain a valid building permit for repair or a valid boarding-up permit in accordance with this section.
6. The boarding of doors, windows, or other openings of any building or structure or any means of securing such openings, other than by the conventional method used in the original construction and design of the building or structure, shall be according to the specifications approved under the permit. All boarded openings shall be painted with a minimum of two coats of exterior paint, which is of a color compatible with the exterior color of the building or structure.
7. Any structure which is boarded shall be in compliance with all applicable codes and ordinances of the City.
8. Any structure which is boarded up shall be posted with the name, permit information, and 24-hour contact phone number of the local agent.

### 304-6.3. Burned Structures

Whenever any building or structure is partially burned, the owner or person in control shall, within 30 days after completion of the scene investigation by the fire department and/or insurer of the property, remove from the premises all refuse, debris, and all charred and partially burned lumber and material. If such building or structure shall be burned to such an extent that it is rendered incapable of being repaired, the owner or person in control shall, within 60 days after completion of the scene investigation by the fire department and/or insurer of the property, remove from the premises all the remaining portion of the building or structure. If the building or structure is to be repaired, a permit shall be obtained and work shall begin within 60 days after completion of the scene investigation by the fire department and/or insurer of the property and shall be completed within 180 days from the date a permit is obtained.

## Sec. 304-7. Property

### 304-7.1. Fences and walls

A. Fences and walls shall be maintained in a structurally sound condition and in good repair. Fences shall be free from loose or rotting materials and shall have braces and supports attached or fastened in accordance with common building practices. Fences shall be maintained free of nails protruding more than 1/16 -inch beyond the face of any uncovered fence member.

B. All multifamily parcels which contain eight units per acre or more, excluding single-family attached dwellings on parcels that contain a minimum of three acres, shall be fenced on all sides with a chain-link or wrought iron fence, or other material approved by the Director of the Department of Planning and Development, no less than 4 feet in height. Any new fence required by the adoption of the ordinance from which this article is derived shall be constructed within 6 months from the effective date of the ordinance from which this article is derived.

C. All damaged or missing portions of a fence shall be replaced with comparable materials and shall be attached to the existing portion of the fence. Fences shall not be externally braced in lieu of replacing or repairing posts, columns or other structural members.

### 304-7.2. Graffiti

It shall be a violation of this article for any person having a legal or equitable interest in a parcel of real property to permit graffiti to remain on a structure located thereon for a continuous period of more than 72 hours. For purposes of this section, the term "graffiti" shall have the same meaning as set forth in O.C.G.A. § 17-15A-2.

### 304-7.3. Yards

The unpaved areas of front yards and side (street) yards must be maintained with grass, ground cover or other type of landscaping to such an extent that the soil is not subject to erosion.

### 304-7.4. Grass, weeds, and uncultivated vegetation

A. Premises and exterior property shall be maintained free from grass, weeds, or uncultivated vegetation in excess of 12 inches in height, except in forests.

B. Property owners abutting a right-of-way shall not allow yard trimmings to accumulate on a public street or sidewalk.

C. The unpaved areas of front yards shall be maintained with grass, ground cover or other type of landscaping to such an extent that the soil is not subject to erosion.

## Sec. 304-8. Junk vehicles

A. Junk vehicles shall not be kept, permitted, parked, stored or maintained on any premises or public right-of-way, except as provided for in paragraph B below.

**B. Exceptions**

1. Junk vehicles, limited to a maximum of two, which are kept within a fully enclosed building on property in residential zoning districts provided the owner or occupant of the property is in the process of reconditioning the junk vehicles for personal use.

2. Junk vehicles which are kept on property in zoning districts authorized by the UDO for repairing, reconditioning or remodeling junk vehicles and provided that such vehicles are not stored for

the purpose of salvage of parts but is in the continual process of repair, reconditioning or remodeling.

3. Unauthorized vehicles which are kept on property in zoning districts as authorized by the UDO for a junk or salvage yard.

### 304-8.2. Driveways and walkways

All private driveways and walkways connecting a driveway to a building shall be maintained in a passable condition so as to allow safe vehicular and pedestrian ingress and egress to the building served. For purposes of this section, there is a rebuttable presumption that a private driveway or walkway is impassable if the driveway or walkway contains a grade separation of 6 inches or more.

### 304-8.3. Open or outdoor storage

The open or outdoor storage of appliances, building material or debris, equipment, garbage, glass, material, merchandise, rubbish, trash or similar items shall not be permitted, maintained or stored on any premises, except as provided in “b” below.

Exceptions:

A. Property where outdoor storage is authorized by the UDO.

B. Cut wood which is neatly stacked in lengths not to exceed 3 feet for the personal use of the owner or occupant and which is stored in a side (interior) or rear yard.

C. Rubbish, garbage, trash or other similar items placed outside for collection by an authorized waste hauler not more than 24 hours prior to the designated collection date for that property.

## Sec. 304-9. Trees

### A. Dead Trees

Dead trees shall not be allowed to exist or to be maintained on any premises which are hazardous to persons on adjacent property or to adjacent property. A finding by a registered forester or certified arborist shall constitute prima facie evidence that a tree is in danger of falling upon adjacent lots or public streets due to the death of the tree.

Exceptions:

1. Property covered by a valid land disturbing permit.

2. Tree debris. Felled trees, slash, or removed tree limbs shall not be permitted or maintained on the ground on any premises for more than 14 days.

### B. Tree Stumps

Tree stumps greater than 12 inches in height above ground level shall not be permitted or maintained on any premises for more than 14 days after the tree has been cut.

Exceptions:

1. Property covered by a valid land disturbing permit.
2. Cut wood which is neatly stacked in lengths not to exceed 3 feet and which is stored in a side (interior) or rear yard.
3. Composting activities which comply with State law.

### 304-9.2. Swimming pools

Swimming pools, spas, and similar structures aboveground, on ground, or in ground shall be maintained in a safe, clean, sanitary, secure, and structurally and mechanically sound condition, so as to prevent stagnant water, which is conducive to the harboring or breeding of mosquitoes or other insects. A finding by a health official of the County environmental health department shall constitute prima facie evidence that stagnant water in a swimming pool is conducive to the breeding or harboring of mosquitoes or other insects. All swimming pools shall be completely surrounded by a fence or other barrier having a minimum height of 4 feet. When the sides of an aboveground pool are used as the barrier the ladder or steps shall be capable of being secured, locked or removed to prevent access; or the ladder or steps shall be surrounded by a barrier which meets these requirements.

### 304-9.3. Registered Agents

Prior to the issuance of a certificate of occupancy for any multifamily development, commercial, office or industrial property, or mobile home park, or during the first 30 calendar days of each year, whichever occurs earlier, the owner and each occupation tax certificate holder for each multifamily development, commercial, office, or industrial property, or mobile home park must designate the name, address, and 24 hour phone number of an agent for the property. The agent shall reside in the City or County and must be on 24-hour call, 7 days a week, to accept notices of violation regarding any provision of the City of Snellville Code. In addition, written notice to such agent will be deemed delivered on the third business day following the mailing of such notice by first class mail to the agent at the address listed in such registration. The registration required by this section shall be submitted to the licensing and revenue section of the Department. Such registration shall be confirmed at the time of each annual registration. In the event that the holder of an occupation tax certificate or the owner of the property desires to change the name or contact information with regard to the registered agent, the occupation tax certificate holder and/or owner shall supply written notice to the licensing and revenue section of the Department. No change in registration shall be effective until written modification thereof is received by the licensing and revenue section of the Department.

## Sec. 304-10. Residential Occupancy Limitation

### 304-10.1. Privacy

Dwelling units, hotel units, rooming units and dormitory units shall be arranged to provide privacy and be separate from other adjoining spaces.

### 304-10.2. Minimum Room Widths

A habitable room, other than a kitchen, shall not be less than 7½ feet in any plan dimension. Kitchens shall have a clear passageway of not less than 3 feet between counter fronts and appliances or counter fronts and walls.

### 304-10.3. Minimum ceiling heights.

Habitable spaces, hallways, corridors, laundry areas, bathrooms, toilet rooms and habitable basement areas shall have a clear ceiling height of not less than 7 feet.

Exceptions:

A. In one- and two-family dwellings, beams or girders spaced not less than 4 feet on center and projecting not more than 6 inches below the required ceiling height.

B. Basement rooms in one- and two-family dwellings occupied exclusively for laundry, study or recreation purposes, having a ceiling height of not less than 6 feet 8 inches with not less than 6 feet 4 inches of clear height under beams, girders, ducts and similar obstructions.

C. Rooms occupied exclusively for sleeping, study or similar purposes and having a sloped ceiling over all or part of the room, with a clear ceiling height of at least 7.5 feet over not less than 50 percent of the required minimum floor area. In calculating the floor area of such rooms, only those portions of the floor area with a clear ceiling height of 5 feet or more shall be included.

### 304-10.4. Bedroom Requirements

A. **Area for sleeping purposes.** Every bedroom occupied by one occupant shall contain at least 70 square feet of floor area, and every bedroom occupied by more than one occupant shall contain at least 50 square feet of floor area for each occupant thereof.

B. **Prohibited occupancy.** Kitchens and nonhabitable spaces shall not be used for sleeping purposes.

### 304-10.5. Overcrowding

Dwelling units shall not be occupied by more occupants than permitted by the following table:

| Space | Minimum Area in Square Feet | | |
|---|---|---|---|
| | 1-2 Occupants | 3—5 Occupants | 6 or More Occupants |
| Living Room: [1] [2] | No Requirements | 120 | 150 |
| Dining Room: [1] [2] | No Requirements | 80 | 100 |
| Kitchen: [2] | 50 | 50 | 60 |
| Bedrooms | Shall comply with Sec. 304-10.4.A | | |

Tables notes:

[1] Combined living room and dining room spaces shall comply with the requirements of this table if the total area is equal to that required for separate rooms and if the space is located so as to function as a combination living room/dining room.

[2] The minimum occupancy area required by this table is not be included as sleeping area in determining minimum occupancy area for sleeping purposes. Sleeping areas shall comply with Sec. 304-10.4.

Notwithstanding any other provision of this Code to the contrary, individuals shall only occupy any residential dwelling unit in compliance with the definition of family in the UDO unless a variance has been granted. The number of occupants of a dwelling unit may be further limited based upon septic system limitations and parking regulations applicable to a specific property.

### 304-10.6. Efficiency Unit

Nothing in this article shall prohibit an efficiency dwelling unit meeting the following requirements:

A. An efficiency unit occupied by not more than two occupants shall have a clear floor area of not less than 220 square feet. An efficiency unit occupied by three occupants shall have a clear floor area of not less than 320 square feet. These required areas shall be exclusive of the areas required by paragraphs B and C below.

B. The unit shall be provided with a kitchen sink, cooking appliance and refrigeration facilities, each having a clear working space of not less than 30 inches in front.

C. The unit shall be provided with a separate bathroom containing a water closet, lavatory and bathtub or shower.

D. The maximum number of occupants shall be three.

### 304-10.7. Short term Occupancy

This article shall not apply to any occupancy which has not lasted, or is not intended to last, more than 1 week.

## Sec. 304-11. Enforcement and Unlawful Acts

### 304-11.1. Enforcement.

A. This article shall be enforced by the chief of police or the Director, as applicable.

B. Whenever it is necessary to make an inspection to enforce the provisions of this article, or whenever a police officer or code enforcement officer has reasonable cause to believe that there exists upon any property a condition or violation which is unsafe, dangerous, hazardous, or detrimental to the public interest, the officer may enter upon the grounds of such property at all reasonable times to inspect the same; provided, however, that if such structure or property is occupied, the officer shall first present proper credentials and request entry upon such grounds. If such entry is refused, the officer shall have recourse to every remedy provided by law to secure entry upon such grounds.

### 304-11.2. Unlawful Acts

A. It shall be unlawful for a person, firm or corporation to conflict with or in violate this article.

# Article 5. Powers and Duties of the Building Official

## Sec. 305-1. In General

The Building Official is authorized and directed to enforce the provisions of this chapter. The Building Official is further authorized to render interpretations of the construction codes, which are consistent with its intent and purpose.

## Sec. 305-2. Right of Entry

A. Any owner, applicant or authorized agent, upon submitting a request for a permit or by accepting a permit issued pursuant to this chapter, will be deemed to have agreed and consented to allowing the Building Official or their authorized representative to conduct an inspection to enforce any provisions of the construction codes. Whenever necessary to make an inspection to enforce any of the provisions of the construction codes, or whenever the Building Official has reasonable cause to believe that there exists in any building or upon any premises any condition or code violation which makes such building, structure, premises, electrical, gas, mechanical or plumbing systems unsafe, dangerous or hazardous, the Building Official may enter such building, structure or premises at all reasonable times to inspect the same or to perform any duty imposed upon the Building Official by these construction codes; provided that, if such building or premises is occupied, they must first present proper credentials and request entry. If such building, structure, or premises is unoccupied, they must 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 Building Official will have recourse to every remedy provided by law to secure entry.

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

## Sec. 305-3. Stop Work Orders

Upon notice from the Building 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 manner, must immediately cease. Such notice must be in writing and must be given to the owner of the property, or to his agent, or to the person doing the work, and must state the conditions under which work may be resumed. Where an emergency exists, the Building Official is not be required to give a written notice prior to stopping the work.

## Sec. 305-4. Revocation of Permits

### 305-4.1. Misrepresentation of Application

The Building 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.

### 305-4.2. Violation of Code Provisions

The Building Official may revoke a permit upon determination by the Building Official that the construction, erection, alteration, repair, moving, demolition, installation or replacement of the building, structure, electrical, gas, mechanical or plumbing systems for which the permit was issued is in violation of, or not in conformity with, the provisions of the construction codes.

## Sec. 305-5. Unsafe Buildings or Systems

All buildings, structures, electrical, gas, mechanical or plumbing systems which are unsafe, unsanitary, do not provide adequate egress, 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, or are considered unsafe buildings or service systems, are hereby declared illegal and must be abated by repair and rehabilitation or by demolition in accordance with the provisions of the Standard Unsafe Building Abatement Code.

## Sec. 305-6. 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, will be determined by the Building Official.

## Sec. 305-7. 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 Building Official. The Building Official must approve any such alternate, provided the Building 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 Building Official will require that sufficient evidence or proof be submitted to substantiate any claim made regarding the alternate.

# Article 6. Permits

## Sec. 306-1. Permit Application

### 306-1.1. 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, must first make application to the Building Official and obtain the required permit for the work.

### 306-1.2. Exception

Permits are not required for the following mechanical work:

A. Any portable heating appliance;

B. Any portable ventilation equipment;

C. Any portable cooling unit;

D. Any steam, hot or chilled water piping within any heating or cooling equipment regulated by the construction codes;

E. Replacements of any part which does not alter its approval or make it unsafe;

F. Any portable evaporative cooler;

G. Any self-contained refrigeration system containing ten pounds (4.54 kilograms) or less of refrigerant and actuated by motors of one horsepower (746 watts) or less.

### 306-1.3. Work Authorized

A building, electrical, gas, mechanical or plumbing permit must 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 are required.

### 306-1.4. Minor Repairs

Ordinary minor repairs may be made with the approval of the Building Official without a permit, provided that such repairs may not violate any of the provisions of the construction codes.

### 306-1.5. Information Required

Each application for a permit, with the required fee, must be filed with the Building Official on a form furnished for that purpose, and must contain a general description of the proposed work and its location. The application must be signed by the owner their authorized agent. The building permit application must 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 must contain such other information as may be required by the Building Official.

### 306-1.6. Time Limitations

An application for a permit for any proposed work will be deemed to have been abandoned 6 months after the date of filing for the permit, 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 Building Official for the application provided the extension is requested in writing and justifiable cause is demonstrated.

## Sec. 306-2. Drawings and Specifications

### 306-2.1. Requirements

The applicant must provide three paper copies and one electronic copy of specifications and of drawings drawn to scale with sufficient clarity and detail to indicate the nature and character of the work, must accompany the application for a permit. Such drawings and specifications must contain information, in the form of notes or otherwise, as to the quality of materials, where quality is essential to conformity with the construction codes. Such information must be specific, and the construction codes may not be cited as a whole or in part, nor may the term "legal" or its equivalent be used, as a substitute for specific information. All information, drawings, specifications and accompanying data must bear the name and signature of the person responsible for the design.

### 306-2.2. Site Contamination and Remediation

The applicant must provide three paper copies and one electronic copy of materials demonstrating conformance with applicable State or federal laws regarding site contamination and remediation.

### 306-2.3. Additional Data

The Building 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 Building Official to be prepared by an architect or engineer must be affixed with their official seal.

### 306-2.4. Design Professional

The design professional must be an architect or engineer legally registered under the laws of this state regulating the practice of architecture or engineering and must affix their official seal to said drawings, specifications and accompanying data, for the following:

A. All Group A, E and I occupancies.

B. Buildings and structures three stories or more high.

C. Buildings and structures 5,000 square feet (465 m 2) or more in area.

For all other buildings and structures, the submittal must bear the certification of the applicant that some specific State law exception permits its preparation by a person not so registered.

D. Exception: Single-family dwellings, regardless of size, require neither a registered architect nor engineer, nor a certification that an architect or engineer is not required.

### 306-2.5. Structural and Fire Resistance Integrity

Plans for all buildings must 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.

### 306-2.6. Site Drawings

Drawings must show the location of the proposed building or structure and of every existing building or structure on the site or lot. The Building Official may require a boundary line survey prepared by a qualified surveyor.

### 306-2.7. Hazardous Occupancies

The Building Official may require the following:

**A. General site plan.**

A general site plan drawn at a legible scale which must 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 must be identified with the hazard classes and the maximum quantities per hazard class of hazardous materials stored.

**B. Building floor plan.**

A building floor plan drawn to a legible scale, which must include, but not be limited to, all hazardous materials storage facilities within the building and must 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 must be identified on the plan with the hazard classes and quantity range per hazard class or the hazardous materials stored.

## Sec. 306-3. Sec. 18-273. Examination of Documents

### 306-3.1. Plan Review

The Building Official must examine or cause to be examined each application for a permit and the accompanying documents, consisting of drawings, specifications, computations, and additional data, and must 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. 306-4. Issuing Permits

### 306-4.1. Action on Permits.

The Building Official must act upon an application for a permit without unreasonable or unnecessary delay. If the Building 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, the Building Official must issue a permit to the applicant.

### 306-4.2. Refusal to Issue Permits

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 Building Official may not issue a permit, but will return the contract documents to the applicant with their refusal to issue such permit. Such refusal must, when requested, be in writing and must contain the reason for refusal.

### 306-4.3. Special Foundation Permit

When application for permit to erect or enlarge a building has been filed and pending issuance of such permit, the Building Official may, at his 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 or that corrections will not be required in order to meet provisions of the construction codes.

### 306-4.4. Public Right-of-Way

A permit may not be given by the Building Official for the construction or 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, unless the applicant

has made application at the office of the director of public works for the right-of-way lines of the public street on which he/she proposes to build, erect or locate said building. It is the duty of the Building Official to see that the right-of-way lines are not encroached upon except as provided for in City codes.

## Sec. 306-5. Contractor Responsibilities

It is the duty of every contractor who makes contracts for the installation or repairs of building, structure, electrical, gas, mechanical, sprinkler or plumbing systems, for which a permit is required, to comply with State 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 must supply the local government with their license number before receiving a permit for work to be performed.

## Sec. 306-6. Conditions of the permit.

### 306-6.1. Permit Intent

A permit issued will 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 will issuance of a permit prevent the Building Official from thereafter requiring a correction of errors in plans, construction, or violations of the construction codes. Every permit issued will become invalid unless the work authorized by such permit is commenced within 6 months after its issuance, or if the work authorized by such permit is suspended or abandoned for a period of 6 months after the time the worked is commenced. One or more extensions of time, for periods not more than 90 days each, may be allowed for the permit. The extension must be requested in writing prior to the expiration of the existing permit and justifiable cause must be demonstrated. Extensions that are granted must be in writing by the Building Official.

### 306-6.2. Plans

When the Building Official issues a permit, they must endorse, in writing or by stamp, both sets of plans "Reviewed for Code Compliance." One set of drawings so reviewed must be retained by the Building Official and the other set must be returned to the applicant. The permitted drawings must be kept at the site of work and must be open to inspection by the Building Official or their authorized representative.

## Sec. 306-7. Fees

### 306-7.1. Payment of Fees

A permit may not be issued until the fees prescribed by the governing body have been paid. Nor may 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, and mechanical or gas systems, etc., has been paid.

### 306-7.2. Work Commencing Before Permit Issuance

Any person who commences any work on a building, structure, electrical, gas, mechanical or plumbing, etc., system before obtaining the necessary permits, will be subject to a penalty of 100% of the usual permit fee in addition to the required permit fees.

### 306-7.3. Accounting

The Building Official must keep a permanent and accurate accounting of all permit fees and other money collected, and the names of all persons upon whose account the same was paid, along with the date and amount thereof.

### 306-7.4. Schedule of Permit Fees

On all buildings, structures, electrical, plumbing, mechanical and gas systems or alterations requiring a permit, a fee for each permit must be paid as required at the time of filing application, in accordance with the fee schedules as set by the governing body.

### 306-7.5. Building Permit Valuations

If, in the opinion of the Building Official, the valuation of building, alteration, structure, electrical, gas, mechanical or plumbing systems appears to be underestimated on the application, permit will be denied, unless the applicant can show detailed estimates to meet the approval of the Building Official. Permit valuations must include total cost, such as electrical, gas, mechanical, plumbing equipment and other systems, including materials and labor.

## Sec. 306-8. Inspections

### 306-8.1. Existing Building Inspections

Before issuing a permit the Building 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. They must 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. They must make a record of every such examination and inspection and of all violations of the construction codes.

### 306-8.2. Manufacturers and Fabricators

When deemed necessary by the Building Official they must make, or cause to be made, an inspection of materials or assemblies at the point of manufacture or fabrication. A record must be made of every such examination and inspection and of all violations of the construction codes.

### 306-8.3. Inspection Service

The Building Official may make, or cause to be made, the inspections required by Sec. 306-8.6. They 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 may not be based on such reports unless the same are in writing and certified by a responsible officer of such service.

### 306-8.4. Inspections Prior to Issuance of Certificate of Occupancy or Completion.

The Building Official must inspect or cause to be inspected at various intervals all construction or work for which a permit is required, and a final inspection must 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.

### 306-8.5. Posting of Permit

Work requiring a permit may not commence until the permit holder or their agent posts the permit card in a conspicuous place on the premises. The permit must be protected from the weather and located in such position as to permit the Building Official or representative to conveniently make the required entries thereon. This permit card must be maintained in such position by the permit holder until the certificate of occupancy or completion is issued by the Building Official.

### 306-8.6. Required Inspections

The Building Official, upon notification from the permit holder or their agent, must make the following inspections and such other inspections as necessary, and must either release that portion of the construction or notify the permit holder or their agent of any violations which must be corrected in order to comply with the construction codes:

**A. Building**

1. Foundation inspection: To be made after trenches are excavated and forms erected.
2. Frame inspection: To be made after the roof, all framing, fireblocking and bracing are in place, and all wiring, all pipes, chimneys, ducts and vents are complete.
3. Final inspection: To be made after the building is completed and ready for occupancy.

**B. 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, fireblocking 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.

**C. 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, fireblocking and bracing is in place and all soil, waste and vent piping is complete, 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.

Note: See Section 312 of the International Plumbing Code for required tests.

**D. Mechanical:**

1. Underground inspection: To be made after trenches or ditches are excavated, underground duct and fuel 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 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.

**E. Gas:**

1. Rough piping inspection: To be made after all new piping authorized by the permit has been installed, and before any such piping has been covered or concealed or any fixtures or gas appliances have been connected.
2. Final piping inspection: To be made after all piping authorized by the permit has been installed and after all portions which are to be concealed by plastering or otherwise have been so concealed, and before any fixtures or gas appliances have been connected. This inspection must include a pressure test.
3. 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 to assure that the installation and construction of the gas system is in accordance with reviewed plans.

Note: See Section 406 of the International Fuel Gas Code for required tests.

**F. Energy:**

1. Foundation inspection: To be made before slab concrete is poured in place, and to verify that perimeter insulation has been installed correctly on any slab on grade foundations, if required.

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

**G. Swimming pool:**

1. Site inspection: Required only for private swimming pools.
2. Initial construction inspection: To inspect reinforcing steel or basket inspection and erosion control inspection.
3. Final inspection: All swimming pool installations must be completed with all fences, gates, decks, plumbing equipment, filters, heaters and appliances in place. The pool must be completely filled with water and in operation before final inspection.

### 306-8.7. Written Release

Work may not be done on any part of a building, structure, electrical, gas, mechanical or plumbing system beyond the point indicated in each successive inspection without first obtaining a written release from the Building Official. Such written release will be given only after an inspection has been made of each successive step in the construction or installation as indicated by each of the foregoing three inspections.

### 306-8.8. Reinforcing Steel, Structural Frames, Insulation, Plumbing, Mechanical, or Electrical Systems

Reinforcing steel, structural frame, insulation, plumbing, work of any part of any building or structure may not be covered or concealed without first obtaining a release from the Building Official.

### 306-8.9. Plaster Fire Protection

In all buildings where plaster is used for fire protection purposes, the permit holder or his agent must notify the Building Official after all lathing and backing is in place. Plaster may not be applied until the release from the Building Official has been received.

## Sec. 306-9. Certificates

### 306-9.1. Certificate of Occupancy

**A. Building occupancy**

A new building may not be occupied or a change made in the occupancy, nature or use of a building or part of a building until after the Building Official has issued a certificate of occupancy. Said

certificate may 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 Building Official.

**B. 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 Building Official will issue a certificate of occupancy that includes the following:

1. The building permit number.
2. The address of the structure.
3. The name and address of the owner.
4. A description of that portion of the structure for which the certificate is issued.
5. A statement that the described portion of the structure has been inspected for compliance with the requirements of this Code for the occupancy and division of occupancy and the use for which the proposed occupancy is classified.
6. The name of the Building Official.
7. The edition of the code under which the permit was issued.
8. The use and occupancy, in accordance with the provisions of Chapter 3, 2012 International Building Code currently in affect.
9. The type of construction as defined in Chapter 6, 2012 International Building Code currently in affect.
10. The design occupant load.
11. If an automatic sprinkler system is provided, whether the sprinkler system is required.
12. Any special stipulations and conditions of the building permit.

**C. Temporary/partial occupancy**

A temporary/partial certificate of occupancy may be issued for a portion of a building, which may safely be occupied prior to final completion of the building.

**D. Existing building certificate of occupancy**

A certificate of occupancy for any existing building may be obtained by applying to the Building Official and supplying the information and data necessary to determine compliance with the construction codes for the occupancy intended. Where necessary, in the opinion of the Building Official, two sets of detailed drawings, or a general inspection, or both, may be required. When, upon examination and inspection, it is found that the building conforms to the provisions of the construction codes and other applicable laws and ordinances for such occupancy, a certificate of occupancy must be issued.

**E. Revocation**

The Building Official is authorized to, in writing, suspend or revoke a certificate of occupancy or completion issued under the provisions of this Code wherever the certificate is issued in error, or on the basis of incorrect information supplied, or where it is determined that the building or structure or portion thereof is in violation of any ordinance or regulation or any provisions of this Code.

**F. Certificate of completion**

Upon satisfactory completion of a building, structure, electrical, gas, mechanical or plumbing system, a certificate of completion may be issued. This certificate is proof that a 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.

### 306-9.2. Service Utilities

**A. Connection of Service Utilities**

No person may 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 Building Official and a certificate of occupancy or completion is issued.

**B. Temporary Connection**

The Building Official may authorize the temporary connection of the building or system to the utility source of energy, fuel or power for the purpose of testing building service systems or for use under a temporary certificate of occupancy.

**C. Authority to Disconnect Service Utilities**

The Building Official has 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 Building Official must notify the serving utility, and whenever possible the owner and 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 must be notified in writing, as soon as practical thereafter.

## Sec. 306-10. Posting Floor Loads

### 306-10.1. Occupancy

An existing or new building may not be occupied for any purpose which will cause the floors thereof to be loaded beyond their safe capacity. The Building Official may permit occupancy of a building for mercantile, commercial or industrial purposes by a specific business when he is satisfied that such capacity will not thereby be exceeded.

### 306-10.2. Storage and Factory-Industrial Occupancies

It is the responsibility of the owner, agent, proprietor or occupant of Group S and Group F occupancies, or any occupancy where excessive floor loading is likely to occur, to employ a competent architect or engineer in computing the safe load capacity. All such computations must be accompanied by an affidavit from the architect or engineer stating the safe allowable floor load on each floor in pounds per square foot uniformly distributed. The computations and affidavit must be filed as a permanent record of the building department.

### 306-10.3. Signs Required

In every building or part of a building used for storage, industrial or hazardous purposes, the safe floor loads, as reviewed by the Building Official on the plan, must be marked on plates of approved design which must be supplied and securely affixed by the owner of the building in a conspicuous place in each story to which they relate. Such plates may not be removed or defaced, and if lost, removed or defaced, must be replaced by the owner of the building.

# Article 7. Moving and Demolition of Buildings

## Sec. 307-1. Condition Precedent to Permit

A. Whenever any dwelling or other structure formerly used for human habitation in excess of 150 sq. ft., or any commercial building or other structure formerly occupied in the conduct of any trade or business in excess of 150 sq. ft., is removed from a location within the city to another and different location, either within or without the city, or there is to be a demolition of the structure, the applicant for the permit to move or demolish such structure must agree in writing that they will leave the premises in a safe and sanitary condition and is required to do the following:

1. Remove from such location or premises all trash, debris, garbage and other similar material.
2. Fill all holes and depressions caused by the removal of any part of the structure or caused as a result of compliance with this article, which might become a harboring place for insects, rodents or vermin.
3. Tear down and remove all underpinnings, pilasters, steps, plumbing connections and fixtures above ground level. All water, gas and sewer lines must be closed off, sealed and made to be gastight and watertight.
4. Fill or cover all wells with a concrete cap.

B. Until the premises is completely restored to a safe and sanitary condition, the premises must be secured by a fence to prevent unauthorized entry.

## Sec. 307-2. Time Limits; Costs

A. All persons to whom this article is applicable must comply with its provisions within 30 days following the date of the removal of any structure specified herein.

B. If any such person fails to comply with the provisions of this article, the City, its agents, employees, designees or contractors are authorized to enter upon the premises and to perform the work necessary thereon to comply with this article. The work may be performed by City forces or by parties employed by the City and the cost thereof charged against the person failing or refusing to comply. Any person applying for a permit under this article grants to the City an easement on the premises to perform the work.

## Sec. 307-3. Permit to Move Building; Fees; Issuance; Bond

A. No person owning or leasing a building or a portion of a building to be moved, may move or authorize the moving of any house, dwelling, apartment building or other similar structure or any portion thereof from within the city to a point outside the city or from within the city to another point within the city; or from a point outside the city to a point within the city, or from a point outside the city through the city to another point outside the city without first having obtained a permit to do so. No person may be issued a permit to move or authorize the moving of any house, dwelling, apartment building or other similar structure or any portion thereof in the city or into the

city or from the city to a point outside the city or through the city until they have paid a permit fee as set forth in the schedule of fees and charges.

B. Before moving a structure or any portion of a structure for which a permit has been issued the mover is required to give 2 days' notice to the Chief of Police of the Snellville Police Department prior to such moving.

C. Where application for a permit to move a structure or a portion thereof as identified in A above has been filed and the requisite permit fee paid, where written agreement regarding cleanup of the site has been signed and where all applicable ordinances of the City have been complied with, the Building Official is authorized to issue a permit to the applicant.

D. No permit to move a structure or any portion thereof from inside the city to a point inside or outside the city may be issued until the applicant posts with the City Clerk a cash bond in the amount set forth in the schedule of fees and charges.

## Sec. 307-4. Permit to Locate Building onto Vacant Land; Application Fee

When any person desires to move or authorize the moving of a house, apartment, duplex or other similar structure or any building, excluding any house, dwelling, apartment or other structure formerly used for human habitation which is 150 square feet or less, onto any vacant land in the city, they must file an application for a permit with the City and must pay a fee as set forth in the schedule of fees and charges in addition to any other required fees or bonds specified in this article.

## Sec. 307-5. Placement on Vacant Land without Permit; Submission of Plan

A. It is unlawful to move any house or other structure onto vacant land without a permit. No permit to move a house or other building onto vacant land in the city may be granted, and no house or other structure may be placed on vacant land in the city, until the person desiring a permit to move a house or other structure must have submitted all required plans and specifications showing the proposed additions or changes to be made on the structure including foundation plans; plans for paving proposed driveways, if any; types of materials to be used in additions or changes; the proposed location on the plat of land; and any and all pertinent information required for new construction, where applicable. Provisions of this UDO and ordinances applicable to applying for permits to move houses or other buildings onto vacant land in the city and in improving houses and other buildings moved onto vacant land in the city must be followed and all resultant fees paid.

B. It be unlawful to move any structure onto any land within the city (whether the move is to be temporary or permanent) unless a permit has been granted therefor as provided in this article. Any violation of this section will be a continuing violation and each day of violation will constitute a new offense.

## Sec. 307-6. Demolition of Buildings

A. Whenever any person desires to demolish any house, dwelling, apartment or other similar structure formerly used for human habitation or any commercial, industrial, or other structure formerly used in the conduct of any trade or business, they must, before being entitled to the issuance of a permit,

agree in writing that they will, following the demolition of the structure, take all necessary action including the following to ensure that the premises or location where the structure is demolished must be left in a sanitary condition and free from all trash, debris and structures which might become a harboring place for insects, rodents or vermin:

1. Remove from such location or premises all trash, debris, garbage and other similar material.
2. Fill all holes and depressions caused by the removal of any part of the structure, or caused as a result of compliance with this article, which might become a harboring place for insects, rodents or vermin.
3. Tear down and remove all underpinnings, pilasters, steps, plumbing connections and fixtures above ground level. All water, gas and sewer lines must be closed off, sealed and made to be gastight and watertight.
4. Fill or cover with a concrete cap all wells.

B. No permit to demolish a structure may be issued until the applicant posts with the City Clerk a cash bond in the amount set forth in the schedule of fees and charges. The cash bond is to be returned to the applicant after the permitted structure has been demolished and the applicant has placed the premises or location in the condition as set forth in this article. If the permit holder fails to comply with this requirement, all or any portion of the cash bond will be applied by the City to the cost of City forces entering upon the premises or location and placing them in the condition as specified in this article. No permit or bond is required for the demolition of sheds or other accessory buildings where the structure was not used for human habitation or any commercial, industrial, trade or business purpose, or any building not having gas, water, electricity and other utilities connected.

C. It is unlawful to demolish any house, dwelling or other similar structure formerly used for human habitation or any commercial, industrial or other structure formerly used in the conduct of any trade or business without a proper permit. Any violation of this section will be a continuing violation and each day of violation will constitute a new offense.

## Sec. 307-7. Transporting Structure

A. Any person transporting any house, dwelling, apartment or other structure formerly used for human habitation, or any commercial building or other structure formerly occupied in the conduct of any trade or business across or along the public roads or highways of the City must establish that it is licensed by the State public service commission or must furnish proof that it has in effect public liability insurance with minimum coverage of $1,000,000.00 to protect the property and persons who may be damaged as a result of the moving of the structure.

B. A permit may be required by the State or federal departments of transportation for the transport of a structure on City, County, State or federal roads. Any required transport permit is the sole responsibility of the applicant.

## Sec. 307-8. Eminent Domain Proceedings; Exemption from Fees

When an owner of a single-family dwelling or the owner of a two-family dwelling who resides in the dwelling is effectively evicted by eminent domain proceedings or other governmental action, and desires to move his dwelling to another properly zoned location in the city where he will thereafter reside as his home, such owner must obtain a permit as specified in this article but is not required to pay the moving permit fees.

## Sec. 307-9. Penalties

Any violation of this article is punishable as provided in Sec. 1-11 of the Snellville Code of Ordinances.

# Article 8. Tests

## Sec. 308-1. Generally

The Building Official may require tests or test reports as proof of compliance. Required tests are to be made at the expense of the owner or their agent, by an approved testing laboratory or other approved agency.

# Article 9. Construction Board of Adjustment and Appeals

## Sec. 309-1. Appointment

The Board of Appeals will act as the construction board of adjustment and appeals. The Director will be an ex-officio member of the Board of Appeals, without voting privileges, when any matter concerning this article is heard by the board of appeals.

## Sec. 309-2. Powers

The construction board of adjustments and appeals has the power, as further defined in Sec. 309-3, to hear the appeals of decisions and interpretations of the Building Official and consider variances of the construction codes.

## Sec. 309-3. Appeals

### 309-3.1. Decision of the Building Official

The owner of a building, structure or service system, or his duly authorized agent, may appeal a decision of the Building Official to the construction board of adjustment and appeals whenever any one of the following conditions are claimed to exist:

A. The Building 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.

B. The provisions of the construction codes do not apply to this specific case.

C. That an equally good or more desirable form of installation can be employed in any specific case.

D. The true intent and meaning of the construction codes or any of the regulations thereunder have been misconstrued or incorrectly interpreted.

### 309-3.2. 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:

A. That special conditions and circumstances exist which are peculiar to the building, structure or service system involved and which are not applicable to others.

B. That the special conditions and circumstances do not result from the action or inaction of the applicant.

C. 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 system.

D. That the variance granted is the minimum variance that will make possible the reasonable use of the building, structure or service system.

E. 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.

### 309-3.3. Condition of Variances

In granting the variance, the board may prescribe a reasonable time limit within which the action for which the variance is required must 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 will be deemed a violation of the construction codes.

### 309-3.4. Notice of Appeal

Notice of appeal must be in writing and filed within 30 days after the Building Official renders the decision. Appeals must be in a form acceptable to the Building Official.

### 309-3.5. Unsafe or Dangerous Buildings or Service Systems

In the case of a building, structure, or service system, which, in the opinion of the Building Officials, is unsafe, unsanitary or dangerous, the Building Official may, in his order, limit the time for such notice of appeals to a shorter period.

## Sec. 309-4. Rules and Regulations

The board must establish rules and regulations for its own procedure not inconsistent with the provisions of these procedures. The board must meet on call of the chairman. The board must meet within 30 days after notice of appeal has been received.

### 309-4.1. Decisions.

The construction board of adjustment and appeals must, in every case, reach a decision without unreasonable or unnecessary delay. Each decision of the board must also include the reasons for the decision. If a decision of the board reverses or modifies a refusal, order, or disallowance of the Building Official or varies the application of any provision of the construction codes, the Building Official must immediately take action in accordance with such decision. Every decision must be promptly filed in writing in the office of the Building Official and must be open to public inspection. A certified copy of the decision must be sent by mail or otherwise to the appellant and a copy must be kept publicly posted in the office of the Building Official for two weeks after filing. Every decision of the board will be final, subject however to such remedy as any aggrieved party might have at law or in equity.