



THE DEPARTMENT OF BUSINESS AND DEVELOPMENT SERVICES ADMINISTRATIVE PROCEDURES FOR THE ENFORCEMENT OF THE GEORGIA STATE MINIMUM STANDARD CODES

CHAPTER 1

ADMINISTRATION

Section 101: General

101.1 Title. The provisions of this Chapter and the following Chapters shall constitute and be known as “The Administrative Procedures for the Enforcement of the Georgia State Minimum Standard Codes”.

101.2 Purpose. The purpose of this Chapter is to provide for the administration and enforcement of the Georgia State Minimum Standards Codes. Wherever the word “code” is used in this chapter it shall mean the Georgia State Minimum Standard Codes.

101.3 Gender. A word importing the masculine gender only shall extend and be applied to females and to firms, partnerships, incorporations as well as to males or any other legal entity when applicable under federal or state law.

SECTION 102: Intent

102.1 Scope. The provisions of the technical codes shall apply to the construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, and demolition of every building or structure or any appurtenances connected or attached to such buildings or structures.

102.2 Code Remedial. The technical codes are hereby declared to be remedial and shall be construed to secure the beneficial interests and purposes thereof—which are public safety, health, and general welfare— through structural strength, stability, sanitation, adequate light and ventilation, and safety to life and property from fire and other hazards attributed to the built environment and provide safety to fire fighters and emergency responders during emergency operations.

102.3 Permitting and Inspection. The issuance of permits/affidavits or inspection of any building, structure, system, or plan by any authority, under the requirements of the technical codes, shall not be construed in any court as a warranty of the physical condition of such building, system, structure, or plan, or their adequacy. No authority, or any employee thereof shall be liable in tort for damages for any defective, or hazardous, illegal condition, or inadequacy in such building, system, structure, or plan, nr for any failure of any component of such, which may occur subsequent to such issuance of permits/ affidavits or inspection.

102.4 Building. The provisions of the International Building Code shall apply to the construction, alteration, repair, enlargement, replacement, equipment, use and occupancy, location, and demolition of every building or structure or any appurtenances connected or attached to such buildings or structures.

Exception: Detached one- and two-family dwellings and multiple single-family dwellings (townhouses) — not more than three stories above grade plane in height with a separate means of egress and their accessory structures— shall comply with the International Residential Code.

102.5. Electrical. The provisions of the National Electrical Code shall apply to the installation of electrical systems, including alterations, repairs, replacement, equipment, appliances, fixtures, fittings, and appurtenances thereto.

102.6 Gas. The provisions of the International Gas Code shall apply to the installation of consumers' 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 installations and operation of residential and commercial gas appliances and related accessories.

102.7 Mechanical. The provisions of the International Mechanical Code shall apply to the installation of mechanical systems, including alterations, repairs, replacement, equipment, appliances, fixtures, fittings, and/or appurtenances, including ventilating, heating, cooling, air conditioning and refrigeration systems, incinerators, and other energy-related systems.

102.8 Plumbing. The provisions of the International Plumbing Code shall apply to every plumbing installation, including alterations, repairs, replacement, equipment, appliances, fixtures, fittings, and appurtenances and when connected to a water or sewerage system.

102.9 One and Two Family Dwellings. The provisions of the International Residential Code shall apply to the construction, alteration, repair, equipment, use, and occupancy of detached one and two family dwellings, one-family town houses, or any appurtenances connected or attached to such buildings and structures and to their accessory structures, except as amended by the Georgia Department of Community Affairs.

Exception: The Green Building Code may be used as an optional code as adopted and amended by the Georgia Department of Community Affairs.

102.10 Fire Prevention. The provisions of the International Fire Code shall apply to matters affecting or relating to structures, processes, and premises from the hazard of fire and explosion arising from the storage, handling, or use of structures, materials, or devices; from conditions hazardous to life, property, or public welfare in the occupancy of structures or premises; and from the construction, extension, repair, alteration, or removal of fire suppression and alarm systems or fire hazards in the structure or on the premises from occupancy or operation.

102.11 Energy. The provisions of the International Energy Conservation Code shall apply to all matters governing the design and construction of buildings for energy efficiency.

102.12 Property Maintenance. The provisions of the International Property Maintenance Code shall apply to the maintenance of all properties, including buildings, electrical, gas, mechanical, plumbing, low voltage, and fire protection systems of buildings within Macon-Bibb County. All devices or safeguards required by the technical codes when constructed, altered, or repaired shall be maintained in good working order. The owner or their designated agent shall be responsible for the maintenance of premises, buildings, structures, electrical, gas, mechanical, plumbing, and fire protection systems.

Section 103: Applicability

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

103.2 Other Laws. The provisions of the technical codes shall not be held to deprive any federal or state agency—or any applicable governing authority having jurisdiction—of any power or authority that had on the effective date of the adoption of this code or of any remedy then existing for the enforcement of its orders, nor shall it deprive any individual or corporation of its legal rights as provided by law.

103.3 Appendices. To be enforceable, the appendices included in the technical codes must be referenced in the code text or specifically included in the adopting ordinance.

103.4 Referenced Codes Standards. Codes and standards referenced in the technical codes shall be considered an integral part of the codes without separate adoption. If specific portion of a code or standard is denoted by code text, only those portions of the code or standard shall be enforced. Where differences occur between provisions of the technical codes and referenced codes and standards, the provisions of the codes shall apply. Permissive and advisory provisions in a standard shall not be construed as mandatory.

103.5 Partial Invalidity. In the event that any part or provision of the technical codes are held to be illegal or void, this shall not have the effect of making void or illegal any of the other parts. See Section 117 severability.

Section 104: Existing Buildings

104.1 General. Alterations, repairs, or rehabilitation work may be made to any existing building, structure, or system in accordance with Chapter 34 of the International Building Code, as amended by the Georgia Department of Community Affairs. Necessary permits and plan review shall be obtained as required by other sections of these regulations.

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

104.3 Special Historic Buildings. The provisions of the technical codes relating to the construction, alteration, repair, enlargement, and restoration of structures shall not be mandatory for existing buildings or structures identified and classified by the state or local jurisdiction as historic buildings when such buildings or structures are judged by the Building Official to be safe and in the public interest of health, safety, and welfare, regarding any proposed construction, alteration, repair, enlargement or restoration of said buildings.

104.4 Mobile Homes/Manufactured Homes. No Mobile Home or Manufactured Home as defined by the Official Code of Georgia Annotated (OCGA), Sections 8-2-131 and 8-2-160 shall be used for any purpose other than as a dwelling unit. The Building Official is authorized to allow other uses of such structures, provided modifications are made that will cause such modified structures to be in compliance with all laws, rules, regulations, and code provisions enforced by the department, which are applicable to the proposed use. Any and all modifications to such structure will cause and all previously affixed, implied, or otherwise stated seal of approval of such structures to be invalidated.

104.5 Legal Occupancy of Existing Structures. The legal occupancy of any structure existing on the date of adoption of this code shall be permitted to continue without change, except as is specifically covered in this code, the Life Safety Code or the International Fire Code, or as is deemed necessary by the Building Official for the general safety and welfare of the occupants and the public.

104.6 Maintenance Existing multi-family dwellings and commercial properties buildings, electrical, gas, mechanical, plumbing, low voltage and fire protection systems shall be maintained in accordance with the International Property Maintenance Code. All devices and safeguards shall be maintained in good working order.

Section 105: Building Department

105.1 The Department Business and Development Services. The Department of Business and Development Services shall be responsible for the administration and enforcement of these administrative procedures, and the codes of Macon-Bibb County Georgia and other duties assigned by the governing authority. The Director of the department shall be known as the "Building Official."

105.2 Employee Qualifications

105.2.1 Building Official's Qualifications and Appointment. The Building Official shall be a graduate of a bona fide college or university and possess a degree in architecture, engineering, construction technology or other related degree acceptable to the appointing authority. The Building Official shall have at least five (5) years experience as an architect, engineer, construction inspector, building contractor, superintendent of construction or any combination of these, three (3) years, which shall have been in a position of responsible charge. The Building Official shall possess or obtain, within eighteen (18) months of the date of employment as Building Official, certification as a Certified Building Official (CBO) by the Council of American Building Officials or International Code Council. Any equivalent combination of education and experience acceptable to the appointing authority

shall satisfy the qualification requirements. The Building Official shall be appointed and approved by the governing authority and shall not be removed from such position except for good cause and in accordance with State law.

105.2.2 Opinion or Discretion of the Building Official. Whenever in the codes reference is made to the opinion or discretion of the Building Official, such reference shall be deemed to be a judgment and finding of fact after reasonable investigation.

105.2.3 Technical Staff Qualifications. The Building Official may hire such number of managers, inspectors, plans examiners, assistants, and other employees as authorized. The Department of Business and Development Services shall establish necessary qualifications, education, and experience necessary to carryout their job responsibilities. Field Inspectors, Plans Examiners, and Codes Inspection Manager position's shall possess or obtain within eighteen (18) months of the date of employment, appropriate certification administered through the certification program of the International Code Council. A person shall not be hired as inspector of construction, plans examiner or Codes Inspection Manager shall have at least 5 years experience as a contractor, engineer, architect, foreman, superintendent or competent mechanic in trade for which they are being hired or any equivalent combination of education and experience acceptable to the Building Official. The assistant director shall have the same qualifications as required for the director under section 105.2.1.

105.3 Authorized Representative of the Building Official. The Building Official may designate as his deputy an employee in the department, during his absence or disability, to exercise all the powers of the Building Official. If the Building Official is incapable of appointing a deputy-building official, the governing authority may so designate an individual to serve in his absence. Employees of the department, in the performance of the normal and usual responsibilities of the position for which they are employed, shall have powers as delegated by the building official to ensure the enforcement of the technical codes.

105.4 Restrictions on Employees. No employee of the department shall be financially interested in the furnishing of labor, maintenance of a building, structure, service system, or in the making of construction documents thereof, which is within the jurisdiction of the department, unless he or she is the owner of such. No employee shall engage in any other action, which is inconsistent or in conflict with his or her duties, or the interests and duties of the department.

Section 106: Powers and Duties of the Building Official

106.1 General. The Building Official is hereby authorized and directed to enforce the provisions of the technical codes. The Building Official shall have the authority to render interpretations of these codes and to adopt policies and procedures in order to clarify the application of their provisions. Such interpretations, policies, and procedures shall be in compliance with the intent and purpose of the technical codes. Such policies and procedures shall not have the effect of waiving requirements specifically provided for in the technical codes.

106.2 Applications and permits. The Building Official shall receive applications, review construction documents; shall issue permits for the erection, modification, alteration, and demolition of structures; shall inspect the premises for which such permits have been issued; and shall enforce compliance with the provisions of the technical codes.

106.3 Department Records. The Building Official shall keep or cause to be kept records of the business of the department. Those records so established by state statutory requirements as public records, subject to review and access by the public, shall be made available upon written request. Such request shall be subject to departmental procedures. (Refer to OCGA Title 50, Chapter 18, "Inspection of Public Records.")

106.4 Inspections. The Building Official or his designated agent shall make all of the required inspections, or the Building Official shall have the authority to accept reports of inspection by approved agencies or individuals. Reports of such inspections shall be in writing and be certified by a responsible officer of such approved agency or by the responsible individual. The Building Official is authorized to engage such expert opinion as deemed necessary to report upon unusual technical issues that arise.

106.5 Liability. The Building Official, member of the Board of Appeals, or employee charged with the enforcement of the technical codes, while acting for the jurisdiction in good faith and without malice in the discharge of his duties as required by the codes or other pertinent laws or ordinances, shall not thereby be rendered liable personally and is hereby relieved from personal liability for any damage accruing to persons or property as a result of any act or by reason of an act or omission in the discharge of official duties. Any suit instituted against an officer or employee because of an act performed by that officer or employee in the lawful discharge of duties and under the provisions

of the technical codes shall be defended by legal representative of the jurisdiction until the final termination of the proceedings.

106.6 Right of Entry. Where it is necessary to make an inspection to enforce any provision of the 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 that makes such building, structure, or premises unsafe, dangerous, or hazardous, the Building Official is authorized to 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 the technical codes; provided, that if such building or premises is occupied, that credentials be presented to the occupant and entry requested. If such building, structure or premises is unoccupied, the Building Official shall first make a reasonable effort to locate the owner, or other persons having charge or control of the structure or premises, and request entry. If entry is refused, the Building Official shall have recourse to every remedy provided by law to secure entry. After obtaining 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 shall fail or neglect, after proper request is made as herein provided, to promptly allow entry therein by the Building Official for any purpose of inspection and examination pursuant to this Code.

106.7 Stop Work Orders. Upon notice from the Building Official, work on any building, structure, electrical, low voltage, gas, mechanical, plumbing, or fire protection systems that is being done contrary to the provisions of the technical codes or the administrative procedures, or in a dangerous or unsafe manner, shall immediately cease. Such notice shall be in writing and shall be given to the owner of the property, or his designated agent, or to the person doing the work, and shall state the conditions under which work may be resumed. Where an emergency exists, the Building Official shall not be required to give a written notice prior to stopping the work. Unlawful continuance of work, except as directed to remove the violation, shall be subject to penalties as prescribed by law.

106.8 Modifications to Existing Buildings. Wherever there are practical difficulties involved in carrying out the provisions of the technical codes, the Building Official shall have the authority to grant modifications for individual cases, upon application of the owner or owner's representative, provided the Building Official shall first find that special individual reason makes the strict letter of the technical codes impractical and the modification is in compliance with the intent and purpose of the technical codes and that such modification does not lessen health, accessibility, life and fire safety, fire resistance ratings, or structural requirements.

106.9 Alternative Materials, Design and Methods of Construction and Equipment. The provisions of the technical codes are not intended to prevent the installation of any material or to prohibit any design or method of construction not specifically prescribed by the technical codes, provided that any such alternative has been reviewed and approved by the Building Official. An alternative material, design, or method of construction shall be approved where the Building Official finds that the proposed design is satisfactory and complies with the intent of the provisions of the technical codes, and that the material, method, or work offered is, for the purpose intended, at least the equivalent of that prescribed in the codes in quality, strength, effectiveness, fire resistance, durability, and safety. The Building Official shall require sufficient evidence or proof to be submitted to substantiate any claim made regarding the alternative.

106.10 Research Reports. Supporting data, where necessary to assist in the approval of materials or assemblies not specifically provided for in the technical codes, shall consist of valid research reports from approved sources.

106.11 Used Materials and Equipment. The use of used materials, which meet the requirements of the technical codes for new materials, will be permitted.

Section 107: Permits

107.1 Required. Any owner, authorized agent, contractor, or subcontractor who desires to construct, enlarge, alter, repair, demolish, or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert, or replace any building, electrical, gas, mechanical, plumbing, low voltage, or fire protection systems, the installation of which is regulated by the technical codes, or to cause any such work to be done, shall first make application to the department and obtain the required permit or affidavit for the work.

107.2 Work Exempt from Permits. Exemptions from permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of the technical codes or any other laws or ordinances of this jurisdiction.

107.3 Docks & Boathouses. The construction, reconstruction and repairs of boat docks and boathouses in the Lake Tobesofkee Recreation Area shall be as prescribed in Section 13-36 of this code.

Permits shall not be required for the following:

A. Building

1. Alterations or repairs to existing buildings or structures whose building permit valuation for the proposed work does not exceed two thousand dollars (\$2,000.00), does not involve structural elements of a building, and only if approved by the Building Official or his agent.
2. Separate and independent accessory buildings or structures, which meet all of the following conditions, are not required to be permitted.
 - (a) Limited to single story, detached, accessory structures.
 - (b) Four hundred square feet (400 sq. ft.) or less of gross building area.
 - (c) Not occupied by humans and not attached to any other building or structure.
 - (d) Site approvals may be required by the department for compliance with applicable codes. Planning and Zoning approval is required for all accessory structures.
3. Exterior balconies, porches, or decks that do not exceed two hundred (200) square feet of gross floor area and are not more than thirty inches (30”) above adjacent grade or finished floor level below such balcony, porch, or deck.
4. The construction, reconstruction, repair or maintenance of barns and other outbuildings not intended, and not in fact used for human habitation and located in agricultural areas of the county within areas zoned for agricultural uses by the Bibb County Planning and Zoning Commission are exempt from the requirements of permitting. Inspections may be required to ascertain that such buildings are not in fact for human habitation.
5. Roof repairs for maintenance purposes only, performed with like materials and with no replacement or installation of structural members and decking.
6. Ordinary minor repairs as prescribed by Section 107.5 of these procedures.
7. Signs and towers twenty-five (25) feet or less in height
8. Retaining walls not part of a structure, fences, swimming pools, and shade-cloth used for nursery or agricultural purposes, and swings and playground equipment.

B. Electrical

1. Temporary electrical power poles at construction sites and construction trailers with 200 amps service or less.
2. Servicing or repairing electrical appliances.
3. Ordinary minor repairs as stated in Section 107.5 of these procedures.

C. Plumbing

1. Any steam, hot, or chilled water piping within any heating or cooling equipment regulated by the technical codes.
2. Replacement of any part that does not alter the manufactures approvals or make it unsafe.

3. Ordinary minor repairs as stated in Section 107.5 of these procedures.
4. The stopping of leaks in drains, water, soil waste, or vent pipes provided, however, that any concealed trap, drain pipe, water, or soil is replaced with new materials is considered new work and a permit is required.
5. The clearing of stoppages or repairing of leaks in pipes, valves, or fixtures, provided such repairs do not require the replacement or rearrangement of valves, pipes, or fixtures.
6. Any plumbing system or gas piping system, or portion thereof, which is under the authority of the Macon-Bibb County Health Department or Macon Water Authority.

D. Mechanical

1. Any portable heating appliance.
2. Any portable ventilation equipment.
3. Any portable cooling unit.
4. Any steam, hot, or chilled water piping within any heating or cooling equipment regulated by the technical code.
5. Replacement of any part that does not alter its approval or make it unsafe.
6. Any portable evaporative cooler.
7. Any self-contained refrigeration system containing 10 lb. (5 kg) or less of refrigerant and actuated by motors of 1 horsepower (746 W) or less.
8. Ordinary minor repairs as determined by 107.5 of these procedures.

E. Gas

1. Any portable heating appliance.
2. Replacement of any part that does not alter its approval or make it unsafe.

107.3 Work Authorized by Permit. A General Contractors, Building, Electrical, Mechanical, Plumbing, Fire Protection, and Low Voltage Permit shall carry with it the right to alter, construct, or install the work as indicated on such permit and/or shown on construction documents filed in and approved by the department. No single permit can be applicable for work on more than one (1) building or structure. No permit shall authorize encroachment on any properties beyond the legally defined property lines/ boundary lines of the building site without appropriate legal documentation authorizing such encroachment being submitted to the Building Official by the owner or his authorized agent of both properties.

107.4 Emergency repairs. Where equipment replacements and repairs must be performed in an emergency situation, the permit application shall be submitted within the next working business day to the permitting department

107.5 Ordinary/Minor Repairs. Ordinary minor repairs may be made with the approval of the department without a permit, provided that such repairs shall not violate any of the provisions of the technical codes. Application or notice to the Building Official is not required for ordinary repairs to structures, replacement of lamps, or the connection of approved portable electrical equipment to approved, permanently installed receptacles. Such repairs shall not include the cutting away of any wall, partition or portion thereof, the removal or cutting of any structural beam or load-bearing support, or the removal or change of any required means of egress, or rearrangement of parts of a structure affecting the egress requirements; nor shall ordinary repairs include addition to, alteration of, replacement, or relocation of any standpipe, water supply, sewer, drainage, drain leader, gas, soil, waste, vent or similar piping, electric wiring or mechanical, or other work affecting public health or general safety.

107.6 Public service agencies. A permit shall not be required for the installation, alteration, or repair of generator, transmission, distribution, or metering or other related equipment that is under the ownership and control of public service agencies by established right.

107.7 Application for Permit. Each application for a permit shall be submitted with the required fee, or shall otherwise follow payment procedures established by the department. The application shall be filed with the department on a form furnished for that purpose, containing an accurate and complete, general description of the proposed work, valuation, and property location where work is to take place. The application shall be signed by the owner, contractor, or his authorized agent and shall contain such other information as may be required by the Building Official.

107.8 Time Limitations. The permit shall become invalid unless the work authorized by such permit is commenced within six (6) months after issuance, or if such work is suspended or abandoned for a period of six (6) months after the work has commenced. One or more extensions or time periods of not more than 6 months or 180 days each may be allowed by the Building Official for the permit provided the extension is requested in writing and justifiable cause is demonstrated.

107.9 Validity of Permit. The issuance or granting of a permit or affidavit shall not be construed to be a permit for, or an approval of, any violation of any of the provisions of the technical codes or of any other ordinance of the jurisdiction. Permits or affidavits presuming to give authority to violate or cancel the provisions of the technical codes or other ordinances of the jurisdiction shall not be valid. The issuance of a permit or affidavits based on construction documents and other data shall not prevent the Building Official from requiring the correction of errors in the construction documents and other data.

107.10 Suspensions or Revocation of Permits or Affidavits. The Building Official is authorized to suspend or revoke a permit or affidavit issued under the provisions of these procedures wherever the permit or affidavit was issued in error or on the basis of incorrect, inaccurate, or incomplete information, or in violation of any ordinance or regulation or any of the provisions of the technical codes.

107.11 Prerequisites to Obtaining Permits.

Certificates of Appropriateness, Zoning Compliance, or No Zoning Required Forms issued by the Planning and Zoning Commission shall be required prior to issuing a permit on all General Contractor or Building Permits for new construction and alterations, additions, renovations, modifications, or demolition/wrecking of existing buildings or structures.

Permit applications for buildings or structures located or to be located on property not regulated by the Macon-Bibb County Planning and Zoning Commission shall have the appropriate authorization and the proposed work shall otherwise meet the requirements of these regulations prior to permitting the proposed work.

Contractors and sub-contractors shall be registered with the department prior to permits being issued. Registration with the department requires the applicable State Card issued through the Georgia State Construction Licensing Board or the State Fire Marshals Office and a current Occupational/Business License issued by a local jurisdiction within the State of Georgia

D. Applicants for permits to perform work regulated by the technical codes upon their own commercial property, and who are not doing contractual work, shall possess the appropriate State of Georgia Contractors License for work being performed.

E. Applicants for permits to perform work regulated by the technical codes may purchase the appropriate permits to perform work upon a one- and two-family dwelling in which the applicant resides or the work being performed falls under “specialty contracting work” as defined by the Georgia State Contractors Licensing Board. The applicant shall perform the work permitted. The Building Official may revoke a permit if such individual demonstrates an inability to understand or comply with the technical codes.

F. Application for a permit to demolish/wreck a building or structure shall provide zoning, letter from the Macon Water Authority (MWA) stating that water has been disconnected, and where damage to Macon-Bibb County property may occur, applications for permits shall be accompanied by a Public Liability and Property Damage Policy or Certificate naming **Macon-**

Bibb County as a payee beneficiary and stating that a minimum (15) day notice shall be provided by the insurer to the department prior to a cancellation of such policy or certificate. The insurance shall be a minimum amount of \$500,000.00. The purpose of such insurance is to protect the property of Macon-Bibb County from damages from such work and to protect the county against any claims that might arise from injuries to life or property caused by such work. The certificate of insurance shall be filed with the department prior to the permit being issued or any work commencing. The Building Official may waive the requirements for insurance for any detached one- and two-family dwelling less than three stories in height or any commercial structure less than two stories in height when it is determined by the Building Official that such demolition does not constitute a hazard to life or property.

107.12 Conditional Permit. When an owner or his authorized agent of a building or structure on which work requiring permits as set forth in Section 107.1 of these procedures fails to obtain such permit prior to commencement of the work, and who has caused or allowed the building, structure, or work to be completed or substantially completed shall be required to obtain a Conditional Permit, subject to fees as established by the department. The owner/contractor is subject to penalties provided for in the Macon-Bibb County Code of Ordinances. Neither the issuance of the Conditional Building Permit, nor the payment of any fees or penalties, shall be construed as approval by the Building Official, or any employee of the department, of work already performed and/or concealed. However, the Building Official is authorized to require the owner to demonstrate by acceptable means verification that any such work was performed and/or installed in accordance with the technical codes. The Conditional Building Permit will be issued for the purpose of documenting the existence of the building, structure, or work performed, and to authorize completion of the project subject to compliance with these procedures and the technical codes.

Section 108: Construction Documents

108.1 Submittal Documents. When required by the Building Official, three or more copies of specifications, and drawings drawn to scale with sufficient clarity and detail to indicate the nature and character of the work, shall accompany the Plan Submittal Application. Construction documents shall be of sufficient clarity to indicate the location, nature, and extent of the work proposed and show in detail that it will conform to the provisions of the technical codes and relevant laws, ordinances, rules, and regulations, as adopted and enforced by the department. Where applicable, drawings, specifications, and accompanying data shall bear the name, signature, and seal of the person responsible for the design in accordance with OCGA Title 43, Chapters 4 & 15.

Exception: The Building Official is authorized to waive the submission of construction documents and other data not required to be prepared by a registered design professional if it is found that the nature of the work applied for is such that review of construction documents is not necessary to obtain compliance with the technical codes.

108.2 Design Professional. For the purpose of these regulations, a design professional shall be an architect or engineer legally registered under the laws of this state regulating the practice of architecture or engineering. A design professional is required to affix his official signature and seal to drawings, specifications, and accompanying data for the following:

1. All assembly, educational, and institutional occupancies.
2. Buildings and structures three stories or more in height.
3. Buildings and structures 5,000 sq. ft. (465m²) or more in total gross floor area of all floors.
4. All new structures, additions, or alterations having a construction value of \$100,000.00 or more exclusive of land costs and site development outside building.
6. All new and existing structures defined in OCGA § 25-2-13(b).
7. Outdoor advertising signs, signs exceeding twenty-five feet, and communication towers.
8. All other buildings, structures, or systems as deemed necessary by the Building Official because of the complexity of the work proposed or for other reasons at the discretion of the Building Official.

9. Pre-engineered structures or systems.
10. Electrical engineer required to stamp and sign the following:
 - a. Projects where electrical contract work exceeds \$100,000.00.
 - b. New electrical service equipment having a total rating exceeding 200 KVA.
 - c. Electrical service exceeding 600 volts.
11. Structural elements being repaired or replaced.

EXCEPTION: Single-family dwellings and their accessory use buildings may be exempt from the provisions of this section if it is determined by the Building Official that such documents are not required for full explanation and understanding of the structure and appurtenances of the dwelling.

108.3 Additional Data. The Building Official is authorized to require details, computations, stress diagrams, and other data necessary to describe the construction or installation and the basis of calculations in addition to the requirements of section 108.2 of these procedures.

108.4 Structural and Fire Resistance Integrity. Plans for all building shall indicate how required structural and fire resistance integrity will be maintained where a penetration of a required fire resistant wall, floor, or partition is made for electrical, gas, mechanical, plumbing and communication conduits, pipes, and systems. Plans shall indicate in sufficient detail how the fire integrity will be maintained where required fire resistant floors intersect the exterior walls.

108.5 Site Drawings. Drawing shall show the location of the proposed building or structure and all existing buildings or structures on the site or lot and distances from lot lines drawn in accordance with an accurate boundary line survey. The Building Official may require a boundary line survey prepared by a licensed land surveyor. The Building Official is authorized to waive requirements for a site plan for interior alterations and repairs.

108.6 Hazardous Occupancies. The Building Official may require the following:

1. **General Site Plan.** A general site plan drawn at a legible scale that shall include, but not be limited to, the location of all buildings, type construction, and occupancy classification, exterior storage facilities, permanent access ways, evacuation routes, parking lots, internal roads, chemical loading areas, equipment cleaning areas, storm and sanitary sewer accesses, emergency equipment, and adjacent property uses. The exterior storage areas shall be identified with a hazard classification(s) and the maximum quantities per class of hazardous materials stored.
2. **Building Floor Plan.** A building floor plan drawn to a legible scale that shall include, but not be limited to, all hazardous materials storage facilities within the building and shall indicate rooms, doorways, corridors, exits, fire-rated assemblies with their hourly rating, location of liquid tight rooms, and evacuation routes. Each hazardous material storage facility shall be identified on the plan with the hazard classes and quantity range per hazard class of the hazardous materials stored.

108.7 Examination of Documents. The Building Official shall examine or cause to be examined each application for a permit and the accompanying construction documents. Three sets of construction documents (2 full size and one half size or digital/ electronic drawings), consisting of drawings, specification, computations, and additional data as required shall be submitted for review prior to permitting. One set of reviewed construction documents shall be retained in the department. The other set of reviewed construction documents shall be kept at the construction site and shall be open to inspection by the Building Official or his authorized representative.

108.8 Affidavits. The Building Official is authorized to accept a sworn affidavit from a registered architect or engineer currently registered in the State of Georgia. The affidavit shall state that the plans conform to all the technical codes and to the laws as to egress, type of construction, and general arrangement, and if accompanied by drawings, show the structural design and that the plans and design conform to the requirements of the technical codes as to strength, stresses, strains, loads, and stability. The Building Official is authorized to accept a sworn affidavit from a registered architect or engineer for required field inspections, provided copies of inspection reports are submitted and approved by the department. Upon completion of the work covered by the affidavit, the design professional shall state that it was done in accordance with the requirements of the technical codes. Where the Building Official relies upon such affidavit, the architect or engineer shall assume full responsibility for the compliance with all provisions of the technical codes and other pertinent laws or ordinances.

Section 109: Issuing Permits

109.1 Action of Permits. The Building Official is authorized to 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 technical codes and other pertinent laws and ordinances, he shall issue or cause to be issued a permit(s) to the applicant.

109.2 Refusal to Issue Permit. If the application for a permit and the accompanying contract documents describing the work do not conform to the requirements of the technical codes or other pertinent laws or ordinances, the Building Official shall not issue a permit but shall return the contract documents to the applicant, requiring the documents to be brought into compliance with the technical codes.

109.3 Special Foundation/Shell Permit. When application for a permit to erect or enlarge a building has been filed and pending issuance of such permit, the Building Official is authorized, at his discretion, to issue a special permit for the foundation only. The holder of such a special permit will be 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 technical codes. No work shall proceed beyond the coverage of the special permit without written approval of the Building Official. A shell permit may be issued under the same conditions as a foundation only permit. Approval for special permits does not negate the review of construction documents necessary to ensure code compliance for the proposed work.

109.4 Licensing of Contractors and Subcontractors. It shall be the duty of every contractor and subcontractor who shall make contracts for the installation or repairs of building, structure, low voltage, gas, plumbing, mechanical, electrical and fire protection systems—for which a permit is required—to comply with all applicable State of Georgia and local rules, regulations, and laws concerning licensing of such work.

109.5 Contractor's and Subcontractor's Responsibilities. It shall be the responsibility of the contractor or subcontractor to file copies of his current state license and local occupation tax license with the department. The Building Official is not required to issue permits without this verification.

109.6 Permit Intent. A permit shall be construed to be a license to proceed with the work and not as authority to violate, cancel, alter, or set aside any of the provisions of the technical codes, nor shall issuance of a permit prevent the Building Official from thereafter requiring a correction of errors in plans, construction, or violations of the technical codes.

109.7 Permits Issued on Basis of an Affidavit. Whenever a permit is issued in reliance upon an affidavit or whenever the work to be covered by a permit involves installation under conditions which, in the opinion of the Building Official, are hazardous or complex, the Building Official shall require that the architect or engineer who signed the affidavit or prepared the drawings or computations to supervise such work. In addition, he shall be responsible for conformity with the permit, provide copies of inspection reports as inspections are performed, and, upon completion, make and file with the Building Official a written affidavit that the work has been done in conformity with the reviewed plans and with the structural provisions of the technical codes. (Refer to section 108.8)

Section 110: Permit Fees

110.1 Prescribed Fees. A permit shall not be issued until the fees prescribed in these procedures have been paid; any additional costs that are incurred due to changes in scope of work will require a new permit to be issued and fees paid covering the additional cost of the building, structure, electrical, low voltage, plumbing, mechanical, gas, or fire protection systems. This shall not preclude the department from establishing faxing/charging procedures for the issuing of electrical, mechanical, gas, plumbing, and low voltage permits as long as such procedures are approved by the Finance Department.

110.2 Work Commencing before Permit Issuance.

- A. Any person, corporation, authorized agent, firm, or contractor commencing work on a building or structure for which a permit is required, without first obtaining such required permit, shall be deemed to be in violation of these procedures and subject to the provisions of the Violations and Penalties section of these procedures as follows:
- B. If an owner or his agent or contractor commences work on a building or structure for which a construction permit is required by the technical codes, before an appropriate permit for such work has been issued by the department, or if the owner allows the same to be done, then the owner and/or his agents shall be liable to the following civil penalty:
 - 1. If the work is being done by the owner or by an occupant of the property, the penalty shall be \$100.00.
 - 2. If the work is being done by a person, firm, or corporation representing himself or itself as a contractor, builder, or carpenter, the penalty shall be \$500.00. The listing of such person, firm, or corporation in the telephone directory, advertising in print or telecommunications media, or other public representation that the person, firm, or corporation is a contractor, sub-contractor, or carpenter shall be considered prima facie evidence that such person, firm, or corporation is in fact a contractor, sub-contractor, builder, or carpenter. Payment of the penalty fees prescribed in these procedures shall not relieve any person, corporation, agent, or firm from fully complying with the requirements of the technical codes in the execution of the work or from any other penalties prescribed elsewhere in these procedures.

110.3 Accounting. The Building Official shall keep, or cause to be kept, accurate accounting of all permit fees and other monies collected, the names of all persons upon whose account the same was paid, along with the date and amount thereof.

110.4 Schedule of Permit Fees. On all new and existing buildings, structures, electrical, low voltage, plumbing, mechanical, gas, or fire protection systems or alterations, repairs, modifications, additions and demolition requiring a permit, a fee for each permit shall be as prescribed herein, which shall be paid at the time such permit is issued or as established elsewhere in these procedures. A minimum permit fee based on the average cost of an inspection and administrative cost and a minimum dollar /per thousand or major fraction shall be established by the department and reviewed annually. Fee schedule shall be maintained in the Department of Business and Development Services.

110.4.1 Fees shall be determined as follows:

- A. **For all single trade permits** both new and existing with a minimum cost valuation of \$8,000.00 or less shall be assessed the minimum permit fee as established by the department. For cost valuation greater than \$8,000.00, the minimum permit fee shall be assessed on the first \$8,000.00 plus the minimum dollar/per thousand or major fraction on the dollar valuations in excess of \$8,000.00, except as otherwise modified by this section. Single trade cost valuations shall be based on the cost of all labor and materials including fixtures necessary for completion of work being permitted.
- C. **Demolition/Wrecking of Building or Structure.** A sixty-day (60) permit shall be issued for a fee of \$50.00 per building. Work must commence within six (6) months from the day of issuance, at such time the sixty-day (60) limitation shall begin. If the work covered under such permit is not completed and the site cleared, a new permit subject to the same fees shall be required to be purchased. Each parcel requires a separate permit; however, multiple buildings contained on a single parcel can be placed on a single permit issued for wrecking a structure. Each building being wrecked on a single parcel shall be assessed \$50.00 per building.

Exception: The expiration of a demolition/wrecking permit, which has been issued as a result of an order or notice issued by the municipal court or the building/housing official, shall occur upon expiration of such order or notice, and subject to any extension of time granted by the same.

C. Manufactured or Mobile Home.

A permit fee of \$50.00 shall be charged for a new set-up and decks for the structure plus established minimum permit fees per trade system (electrical, mechanical, plumbing, gas, and low voltage). Set-up covers the cost of the foundation, tie-downs, anchoring, steps, landings, ramp, and other items associated with the set-up of the unit excluding mechanical, electrical, plumbing, gas, and low voltage systems. Permit fees for additions or renovations shall be as established for one- and two-family dwellings.

D. Industrialized Buildings.

A permit fee of \$100.00 shall be assessed for the set-up of the structure plus established minimum permit fees per trade (electrical, mechanical, plumbing, gas, low voltage, and fire protection). The \$100.00 set-up covers the cost of the foundations, tie-downs, anchoring, steps, landings, ramps, and other items associated with the set-up of the unit excluding mechanical, electrical, plumbing, and fire protection systems permits.

E. Signs, Towers, and Boat Docks. A fee of \$75.00 shall be assessed for the foundation, plus minimum established permit fee per trade included on the General Contractors Permit.

F. New One- or Two-Family Dwelling and Additions. The cost valuation of One- or Two-Family Dwellings and their accessory buildings shall be established as follows:

Cost valuations shall be based upon building valuation data published by the International Code Council and modified by the department for heated and unheated areas, which may be updated semi-annually or annually. The permit fee shall be as herein established. For cost valuations up to \$8,000.00, the established minimum permit fee shall be assessed for the building trade plus a minimum permit fee for each trade indicated on a general contractor's permit. For cost valuation greater than \$8,000.00, the minimum permit fees shall be paid on first \$8,000.00 plus the minimum dollar/per thousand or major fraction for valuations in excess of \$8,000.00 for the building trade plus an additional minimum permit fee shall be added to permit cost for each trade indicated on a general contractor's permit.

G. For All New and Existing Buildings other than One-or Two-Family Dwellings, the cost valuations shall be based upon the building valuation data published by the International Code Council, which may be updated semi-annually and annually. A permit issued for new buildings and existing building, additions, renovations, and alterations having a cost valuation up to \$8,000.00 shall be assessed the minimum established permit fee. Buildings having a cost valuation greater than \$8,000.00 shall be assessed the minimum established permit fee on the first \$8,000.00 plus the established minimum dollar/per thousand or major fraction on the cost values exceeding \$8,000.00.

H. Plan Submittal/Review Fees shall be paid at the time plans are submitted for review. The minimum fee shall be the same as established by OCGA § 25-2-4 for all occupancy classifications other than One- and Two-Family Dwellings. Additional Construction document review fees as established by OCGA § 25-2-4 shall be assessed on those buildings exceeding 10,000 square feet of gross area at times are permitted or picked up.

Exceptions: One- and Two-Family Dwellings and Public Buildings exempted from Plan Review fees pursuant to OCGA § 25-2-18.

I. Plan review fees shall be established as the same as the minimum permit fee for each sign, tower, dock, fire alarm, and fire suppression system reviewed.

J. Certificate of Occupancy fees shall be paid at time permit is issued. This fee shall be the same as established by OCGA § 25-2-4 on all commercial buildings.

Exceptions: One- and Two-Family Dwellings and Public Buildings exempted from fees in OCGA § 25-2-18.

K. Each board of appeal applications shall be accompanied by \$100.00 and is non-refundable.

110.4.2 Re-inspection Fee. The Building Official is authorized to charge the minimum established permit fee for each re-inspection issued to the permit/affidavit holder when the permit/ affidavit holder fails to have work completed and ready for requested inspection or fails to have such work readily accessible for proper inspections. A re-inspection fee may be charged after second inspection of violations previously sited and not corrected. Fee shall be paid prior to re-inspection.

110.4.3 Underestimated Building Permit Valuation. If, in the opinion of the Building Official, the valuation of building alteration, structure, electrical, low voltage, plumbing, mechanical, gas, or fire protection systems appears to be underestimated on the application for existing systems, the permit shall be denied unless the applicant can show detailed estimates subject to the approval of the Building Official. The Building Official shall set final permit valuation.

Refund of Permit Fee. Refunds will only be issued on permits that have had no inspections and only within six (6) months from date of issuance of the permit. Request for refund shall be in writing, stating cause for request and the posting permit. As well, the original permit receipt shall be attached to the refund request. The refund is at the discretion of the Building Official. No permit or permit fee is transferable. An administrative fee as established by the Department shall be accessed for each permit fee refunded.

Section 111: Inspections

111.1 General. Construction or work for which a permit or affidavit is required shall be subject to inspection by the Building Official, and such construction or work shall remain accessible and exposed for inspection purposes until approved. Approval as a result of an inspection shall not be construed to be an approval of a violation of the provisions of this code or of other ordinances of the jurisdiction. Inspections presuming to give authority to violate or cancel the provisions of this code or of other ordinances of the jurisdiction shall not be valid. It shall be the duty of the permit or affidavit applicant to cause the work to remain accessible and exposed for inspection purposes. Neither the Building Official nor the jurisdiction shall be liable for expense entailed in the removal or replacement of any material required to allow inspection.

111.2 Posting of Permit. The permit card of work that requires a permit shall be posted in a conspicuous place on the premises. The permit shall be protected from the weather and located in such a position as to permit the Building Official or representative to conveniently view information contained on the posting permit. This permit card shall remain posted until the Certificate of Occupancy or Letter of Completion has been issued by the Building Official.

111.3 Required Inspections. The Building Official, or his authorized representative, upon notification from the permit holder, affidavit holder and his agent, or the licensed person responsible for the work permitted shall make the following inspections and such other inspections as deemed necessary.

111.3.1 Building:

1. Footing and foundation inspection. Footing and foundation inspections shall be made after excavations for footings are complete and any required reinforcing steel is in place. For concrete foundations, any required forms shall be in place prior to inspection.
2. Slab inspections before concrete is placed. This excludes slabs on grade that are not connected or considered part of a structure.
3. Framing inspection is to be made after the roof, all framing, fire-blocking, and bracing is in place, and rough-in wiring (electrical), plumbing pipes, chimneys, ducts, vents (mechanical), and fire protection systems are in place and prior to insulation being installed. Check envelope for penetrations prior to insulation being installed.

4. Wall insulation prior to being concealed.
5. Inspection of fire-rated penetration assemblies and fire-rated walls, floors, roofs, and shaft assemblies prior to concealment.
6. Fire plaster when used for fire-rated protection shall be inspected after all lathing and backing is in place. Plaster shall not be applied until the Building Official or his designated agent has given approval
7. Final Inspections - To be made after the building is completed and ready for occupancy.

111.3.2 Fire Protection Systems:

1. Underground - After all piping, thrust blocks, and piping support systems are installed and ready for testing prior to any backfill being placed.
2. Fire Pump - Installed and ready for testing in accordance with NFPA 20.
3. Above Ground - After all above ground sprinkler system components are installed and left exposed for inspections. This inspection should occur during the same time that the required pressure test is being conducted.
4. Final – After all underground and aboveground sprinkler system components are in place, connected, and the system has been flushed and tested in accordance with applicable NFPA Standards. A materials and test certificate shall be submitted prior to a C.O. being issued for both the above and below ground systems as applicable.

111.3.3 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. Slab inspections after conduit and cabling has been installed and prior to concrete being placed.
3. Rough-In Inspection – To be made after the roof, framing, fire blocking, and bracing is in place and all wiring conduit and boxes are installed and prior to the installation of insulation of wall and ceiling membranes.
4. Inspection of fire-rated penetration assemblies and fire-rated walls, floors, roofs, and shaft assemblies prior to concealment.
5. 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.

111.3.4 Low Voltage:

1. Rough-In after all wiring is placed and prior to concealment or insulation being installed.
2. Inspection of fire-rated penetration assemblies and fire-rated walls, floors, roofs, and shaft assemblies prior to concealment.
3. Final – After all low voltage systems are complete, connected, and ready for testing.

111.3.5 Plumbing:

1. Underground and Slab Inspection – To be made after trenches or ditches are excavated and bedded, piping and drain waste systems are installed, and before any backfill is put in place.
2. Rough-In Inspection – To be made after the roof, framing, fire blocking, and bracing is in place and all sanitary, storm, waste, water distribution, and vent/water/fuel piping is complete and prior to the installation of insulation, wall, or ceiling membranes.
3. Inspection of fire-rated penetration assemblies and fire-rated walls, floors, roofs, and shaft assemblies prior to concealment.
4. 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: Plumbing systems shall be tested in accordance with the applicable International Plumbing Code.

111.3.6 Mechanical:

1. Underground Inspection/Slab Inspections – To be made after trenches or ditches are excavated, underground duct, fuel piping and refrigerant piping installed, and before any backfill or concrete 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 insulation, wall, or ceiling membranes.
3. Inspection of fire-rated penetration assemblies and fire-rated walls, floors, roofs, and shaft assemblies prior to concealment.
4. Final Inspection – To be made after the mechanical systems, fixtures, and appliances are placed and properly connected and the structure is ready for occupancy.

111.3.7 Gas:

1. Rough Piping Inspection – To be made after all new piping has been installed and before any such piping has been covered or concealed or any fixtures or gas appliances have been connected. This shall include a pressure test.
2. Inspection of fire-rated penetration assemblies and fire-rated walls, floors, roofs, and shaft assemblies prior to concealment.
3. Final Piping Inspection – To be made after all piping, gas appliances, and fixtures are placed and properly connected and tested, and the structure is ready for occupancy.

111.3.8 Inspection of Wiring Damaged by Fire:

1. No work shall be commenced on any electrical installation damaged by fire until a ruling is obtained from the Building Official or designated agent as to what part of the wiring must be replaced. All damaged wiring shall be removed if so directed by the Building Official or designated agent. Electrical service shall not be resumed in any building or structure damaged by fire without the approval of the Building Official or designated agent.

111.4 Inspection Approval Required. Work shall not be done beyond the point indicated in each successive inspection without first obtaining the approval of the Building Official or designated agent. The Building Official or designated agent, upon notification, shall make the requested inspections and shall either indicate the portion of the construction that is satisfactory as completed, or notify the permit, affidavit holder or his designated agent wherein the same fails to comply with the technical codes. Any portions that do not comply shall be corrected and such portion shall not be covered or concealed until authorized by the Building Official or designated agent.

111.5 Responsibilities of the Permit or Affidavit Holder. Strict adherence to the foregoing required inspections shall be the responsibility of the permit or affidavit holder. It shall also be the responsibility of the permit or affidavit holder or his duly authorized agent to request such inspections of the permitted work in a timely manner, allowing reasonable and adequate time for scheduling such inspections by the Building Official or designated agent. Further, it shall be the responsibility of the permit or affidavit holder to coordinate his permitted work and required inspections for such work with all other areas of work so that all required inspections shall be properly performed in accordance with Sections 111.3.1 through 111.3.8 of these procedures.

Section 112: Certificate of Occupancy

112.1 Building Occupancy. A new building or portion of a new building may not be occupied or a change made in the occupancy or use of an existing building or part of an existing building until the Building Official has issued a Certificate of Occupancy or a Letter of Completion as applicable. Said certificate or letter shall not be issued until all required building, electrical, low voltage, gas, mechanical, plumbing, and fire protection systems have been inspected for compliance with the technical codes and all other applicable laws or ordinances enforced by the department.

112.2 Issuing Certificate of Occupancy for New Buildings or Structures. The Certificate of Occupancy shall state the occupancy classification, building address, type construction, occupant load, the code edition under which permit was issued, permit number, and project number where applicable.

112.3 Issuing Certificate of Occupancy or Letter of Completion on Existing Buildings. A Certificate of Occupancy or Letter of Completion maybe obtained by applying to the Building Official and supplying the information, data, drawings, and inspections of the premises to determine whether the building reasonably conforms to applicable technical codes, laws and ordinances enforced by the department.

112.4 Temporary/Partial Occupancy. A Temporary/Partial Certificate of Occupancy may be issued at the sole discretion of the Building Official for a portion or portions of a building, which may safely be occupied prior to final completion of the building.

112.5 Letter of Completion. Upon completion of any permitted work, the Building Official may, at his discretion, issue a Letter of Completion. Such letter shall clearly define and document the work that is accepted by the Building Official as complete and shall state any and all conditions of such acceptance. This letter does not grant authority to occupy or use building structure or portion of a building or structure unless so stated in the Letter of Completion.

112.6 Revocation. The Building Official is authorized to suspend or revoke a certificate of occupancy or Letter of 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 of the provisions of the technical codes.

Section 113: Service Utilities

113.1 Connection of Service Utilities. No person shall make connections from a utility, source of energy, fuel, or power to any building or system, which is regulated by the technical codes for which a permit is required, until released by the Building Official or designated agent.

113.2 Temporary Connection. The Building Official or designated agent 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.

113.3 Authority to Disconnect Service Utilities. The Building Official shall have the authority to authorize disconnection of utility service to the building, structure, or system regulated by the technical codes, in case of emergency if necessary to eliminate an immediate hazard to life or property. The Building Official shall 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 shall be notified in writing as soon as practical thereafter. No such disconnected service shall be resumed without approval of the Building Official or designated agent.

Section 114: Maintenance of Vacant and Boarded Structures

114.1 Vacant Structures. If the structure is vacant and unfit for human habitation and occupancy, and is not in danger of structural collapse, the code official is authorized to post a placard of condemnation on the premises and order the structure closed up so as not to be an attractive nuisance. Upon failure of the owner to close up the premises within the time specified in the order, the code official shall cause the premises to be closed and secured through any available public agency or by contract or arrangement by private persons and the cost thereof shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate and may be collected by any other legal resource.

114.2 Definitions. The following words and terms shall, for the purposes of this section and as used elsewhere in this code, have the meanings shown herein.

1. "Building" means any structure including but not limited to any residential, commercial, industrial, educational or assembly structure approved for occupancy
2. "Vacant Building" means any structure or building that: 1) is unoccupied or occupied by unauthorized persons; and 2) is unsecured or boarded.

114.3 Enforcement and Remedies for Violation. A building that is boarded or vacant in violation of this section is a public nuisance. In addition to the provisions in this section the County is authorized to use the remedies set forth in Section 106 of this code, state law and the Macon-Bibb County Code of Ordinances. The remedies procedures and penalties provided by this section are cumulative to each other and to any others available under state law or other county ordinances.

114.4 Owner Responsibilities. No person shall allow a building designed for human use or occupancy to be unsecured unless the owner establishes by substantial evidence to the reasonable satisfaction of the code official one of the following applies.

114.4.1 Permits. The building is the subject of an active building permit for repair or rehabilitation and the owner is progressing diligently to complete the repair or rehabilitation.

114.4.2 Sale or Lease. The building meets all applicable codes, does not contribute to blight is ready for occupancy and is actively being offered for sale lease or rent.

114.4.3 Maintained. The building does not contribute to and is not likely to contribute to blight because the owner is actively maintaining and monitoring the building so that it does not contribute to blight. Active maintenance and monitoring shall include:

1. Maintenance of landscaping and plant material in good condition.
2. Maintenance of the exterior of the building including but not limited to paint and finishes in good condition.
3. Prompt and regular removal of all exterior trash debris and graffiti.
4. Maintenance of the building in continuing compliance with all applicable codes and regulations.
5. Prevention of criminal activity on the premises including but not limited to use and sale of controlled substances, prostitution, criminal street gang activity, loitering, or trespassing.

6. All display windows shall be kept free of foreign substances except when necessary in the course of changing displays. No storage or materials, stock or inventory shall be permitted in window display areas or other areas ordinarily exposed to public view unless such areas are first screened from public view by drapes, by venetian blinds, or other rendering of the windows to make them opaque to the public view. All such screening of interiors shall be maintained in a clean and attractive manner and kept in a good state of repair.

114.4.4 Natural Disasters. If the building is vacant due to fire, flood, earthquake, or other form of natural disaster and the owner is actively pursuing assistance for demolition, rehabilitation, or restoration of the building and or premises from local state or federal assistance programs or from insurance agencies.

114.5 Reserved.

114.6 Reserved.

114.7 Standards for Boarding a Vacant Building. The boarding of a vacant building shall be as follows:

All openings which could allow trespassers, animals, or weather to enter the structure and cause damage shall be secured by the following materials and methods:

1. Use a minimum 1/2" CDX plywood or OSB recessed into the jamb opening from the exterior, over any existing glass.
2. Secured with minimum 2" long coarse thread galvanized wood screws with galvanized washers placed 8" to 10" on center around the perimeter of the board. At maximum 6" from corners.
3. Ventilation is to be provided at the top of each opening with a 3/8" to 1/2" holes drilled every 8" to 10" across the top of the board, 4" to 6" from the top edge of the board.
4. Weep holes to allow moisture out shall be made by cutting 1 1/2" long slots in the bottom of the board every 8" to 10" OR drilling a maximum 3/8" holes every 8" to 10", low enough from the bottom edge of the board to allow moisture to escape.
5. The exterior of the board shall be painted opaque (not transparent) flat black.
6. On at least one location in the front and at least one location in the rear of the structure, a NO TRESSPASSING sign shall be applied as per Sec. 114.8.1.

Optional methods or materials:

7. CDX plywood or OSB over 1/2" thick shall use 2 1/2" coarse thread galvanized wood screws with galvanized washers and be recessed into the jamb opening from the exterior, over any existing glass.
8. Minimum 1/4" thick Plexiglas type material may be used and installed as described above.
9. Other options proposed by the property owner may be considered by the Code Official. Such options must be approved in writing by the Code Official prior to the beginning of the board-up of a structure.

NOTE: Many properties fall within the boundaries of the Central Business District or other Historic Overlay Districts and as a result must adhere to the Design and Preservation Guidelines and **require** a Certificate of Appropriateness from the Macon-Bibb County Planning & Zoning Commission. (Call 478- 751-7448 to inquire.)

114.7.1 Buildings Abated by Macon-Bibb County. If the County boards the vacant building, the building may be boarded in a manner which is determined to adequately prevent unauthorized entry or vandalism. All costs of boarding shall be recovered pursuant to the procedures in Section 108.2.

114.8 Notice Procedures for Vacant, Unsecured, or Boarded Buildings. Whenever the code official determines that a vacant, unsecured, or boarded building exists, a notice shall be sent to the owner or responsible party in accordance with Section 107 of the International Property Maintenance Code.

114.8.1 Trespass Notice. The code official may also require the owner of the property to post "No Trespassing" signs on the property and sign a letter with the Macon-Bibb County Sheriff's Office authorizing the department to enforce no trespassing on the premises.

114.9 Continuing Nuisance. When the owner of a boarded or vacant building fails to maintain the property in

accordance with this section or when repeated violations of this section occur for the same property, the code official may seek other remedies as provided by this code, local ordinances or state law including but not limited to demolition of the structure.

114.10. Emergency Hazard Abatement. When any open building or structure constitutes such an imminent threat to life limb or property such that it must be secured closed or barricaded and compliance with other provisions of this Code becomes infeasible as determined by the code official, the code official may summarily secure, close, or barricade the building without prior notice to the property owner. All costs of boarding shall be recovered pursuant to the procedures in Section 108.2 of the International Property Maintenance Code or by other means available to the jurisdiction.

Section 115: Tests

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

Section 116: Board of Appeals

116.1 General. In order to hear and decide appeals of orders, decisions, or determinations made by the Building Official relative to the application and interpretation of the technical and property maintenance codes, there shall be and is hereby created a Board of Appeals. The Board of Appeals shall be appointed by the governing body and shall hold office until such time as a member resigns or retires. The board shall from time to time review and amend the adopted rules of procedures established for conducting its business.

116.2 Appointment. The Board of Appeals shall consist of nine (9) members. The board members shall be made up of three (3) architects, three (3) engineers, with one (1) being a structural engineer, one (1) a fire protection engineer, and one (1) engineer being either an electrical, mechanical or plumbing engineer, one (1) commercial contractor, one (1) residential contractor, and one (1) member at large from the building industry. The members of the board of appeals shall elect a chair and co-chair from the nine members of the board.

116.3 Qualifications. The Board of Appeals shall consist of members who are qualified by experience and training to pass on matters pertaining to building construction and building components and are not employees of Macon-Bibb County.

116.3.1 Quorums. A quorum for all appeal hearings shall consist of five (5) members of the Board of Appeals, and no appeal shall be heard in the absence of a quorum.

116.4 Limitations on Authority. An application for appeal shall be based on a claim that the true intent of the codes or the rules legally adopted herein has been incorrectly interpreted, and/or the provisions of the technical codes would do manifest injustice and would be contrary to the spirit and purpose of the technical codes or public interest, and also finds all of the following:

1. That special conditions and circumstances exist, which are peculiar to the building structure or building components involved and are not applicable to other buildings, structures, or their building components;
2. That the special conditions and circumstances do not result from the action or inaction of the applicant;
3. The granting of the appeal requested will not confer on the applicant any special privileges that is denied by the codes on other buildings, structures, or building components;
4. The appeal granted is the minimum that will make possible the reasonable use of the building, structure or its building components; and
5. That the granting of the appeal is in harmony with the general intent and purpose of the technical codes and will not endanger the public health, safety, and welfare.

The board shall have no authority to waive requirements of the technical codes.

116.5 Decisions of the Board. The Board of Appeals shall in every case reach a decision without unreasonable or unnecessary delay. Each decision of the board shall include the reasons for the decision. If the decision reverses or modifies a refusal of the Building Official, the Building Official shall immediately take action in accordance with the board's decision. Every decision shall be promptly filed in writing with the department and shall be open to

public inspection. A copy of the decision shall be sent by certified mail to the appellant. Every decision of the board shall be final, subject, however, to the rights of the appellant as established by law.

116.6 Conditions of the Appeal. In granting the appeal, the board may prescribe a reasonable time limit within which the action taken by the board shall commence or be completed or both. In addition, the board may prescribe appropriate conditions and safeguards necessary to conform with the technical codes. Violations of the conditions of the appeal shall be deemed a violation of the technical codes and these procedures.

116.7 Filing an Appeal Application. Appeal applications shall contain the following information:

1. Identification of the building or structure by street address;
2. A statement identifying the legal interest of each appellant;
3. A statement identifying the specific order or section being appealed;
4. A statement detailing the specific section of the technical codes being appealed;
5. A statement detailing the issues on which the appellant desires to be heard and persons presenting the appeal; and
6. A fee as established by the department shall be sent with appeal application

116.8 Unsafe or Dangerous Building. In the case of a building, structure, or its building components, which in the opinion of the Building Official is unsafe, unsanitary, or dangerous, the time for the board to hear an appeal may be shortened.

Section 117: Violations and Penalties

117.1 General. Any person, firm, corporation, or agent, who shall violate a provision of the technical codes or the Administrative Procedures or fail to comply therewith, or with any requirements thereof, or who shall erect, construct, alter, install, or demolish any structure, electrical, low voltage, gas, mechanical, plumbing, or fire protection systems or has erected, constructed, altered, repaired or demolished a building structure, electrical, low voltage, gas mechanical, plumbing, or fire protection system in violation of a detailed statement or drawing submitted and permitted thereunder, shall be guilty of a misdemeanor. Upon notice of said violation and failure to correct any such violation, such violator shall be punished within the limits and as provided in Chapter 1, General Penalty, Section 1-6 of the Code of Macon-Bibb County Georgia.

Section 118: SEVERABILITY

Each section, subsection, paragraph, subparagraph, sentence, clause, or phrase of the technical codes or the Administrative Procedures is hereby declared to be severable and independent. If any court of competent jurisdiction declares any portion of the technical codes or the Administrative Procedures invalid or unconstitutional, such declaration shall not affect the validity of the remaining portions of the technical codes or the Administrative Procedures.