

ORDINANCE NO. 14-01

AN ORDINANCE TO ADOPT AND ENFORCE THE GEORGIA STATE MINIMUM STANDARD CODES AND LOCAL AMENDMENTS AND ADDITIONS THERETO WHICH REGULATE AND GOVERN THE CONSTRUCTION, ALTERATION, MOVEMENT, ENLARGEMENT, REPLACEMENT, REPAIR, EQUIPMENT LOCATION, REMOVAL AND DEMOLITION OF DETACHED ONE AND TWO FAMILY DWELLINGS AND MULTIPLE SINGLE FAMILY DWELLINGS NOT MORE THAN TWO STORIES IN HEIGHT FACING THE PRIMARY STREET WITH SEPARATE MEANS OF EGRESS IN THE CITY OF CITY VALLEY; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES THEREFOR; REPEALING ORDINANCE NOS. 05-01, 05-22, 07-09, 08-11, 09-15, 10-04, 13-01 OF THE CITY OF SKY VALLEY AND ALL OTHER ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT THEREWITH.

WHEREAS, the Georgia State Minimum Standard Codes for Construction promote the life, health, safety and general welfare of all citizens, and;

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

WHEREAS, it is the desire of the Mayor and Council to adopt and enforce, in all respects, the various Georgia State Minimum Standard Codes for Construction, and;

WHEREAS, it is the desire of the Mayor and Council to adopt and enforce, in all respects, other local amendments and/or additions to the Georgia State Minimum Standard Codes for Construction that are specific to the City of Sky Valley.

NOW, THEREFORE, the Council of the City of Sky Valley hereby ordains:

It is the intent of the City Council of the City of Sky Valley to enforce the latest edition of the following mandatory Georgia State Minimum Standard Codes, as adopted and amended by the Georgia Department of Community Affairs:

- International Building Code, with Georgia Amendments
- International Fuel Gas Code, with Georgia Amendments
- International Mechanical Code, with Georgia Amendments
- International Plumbing Code, with Georgia Amendments
- National Electrical Code, with Georgia Amendments
- International Fire Code, with Georgia Amendments
- International Energy Conservation Code, with Georgia Amendments
- International Residential Code, with Georgia Amendments

The Council of the City of Sky Valley hereby further ordains:

That the following Codes, the latest editions as adopted and amended by the Georgia Department of Community Affairs, are herein adopted by reference as though they were copied herein fully. It is the intent of the City Council to enforce the latest edition of the following permissive Georgia State Minimum Standard Codes, as adopted and amended by the Georgia Department of Community Affairs:

- International Property Maintenance Code
- International Existing Building Code
- SBCCI Unsafe Building Abatement Code

The Council of the City of Sky Valley hereby further ordains:

That the following local Code additions and/or amendments to the Georgia State Minimum Standard Codes, as adopted and amended by the Georgia Department of Community Affairs, are adopted as follows:

Section 100. Construction Documents and Requirements

100.10 Contractor License Required:

(1) Since July 1, 2008, a state-issued contractor's license is required to perform residential contracting in Georgia. A copy of the license, qualifying agent license and qualifying agent's photo ID must be presented when first applying for a permit after received the license. If a person other than the qualifying agent appears in person to obtain the permit, they must present a fully executed "Authorized Permit Agent Form."

(2) Georgia law requires all persons contracting or performing for hire any plumbing, electrical, low voltage, heating-air conditioning or utility work in Georgia to be duly and currently licensed by the Georgia State Construction Industry Licensing Board for that work. The City will not issue subcontractor trade permits to any non-licensed person performing any of these trades, except that a homeowner performing his own subcontractor work on his personal home may obtain his own permit for that work. All work permitted must comply with all codes and laws.

100.20 Permits Required:

(1) **Building permit** -Any owner or authorized agent who intends 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 stem, or to cause any such work to be done,

shall first make application to the building official and obtain the required permit. Applications shall be in writing on forms furnished by the City for that purpose.

(2) Concrete Permit - All poured concrete will require permitting.

(3) Mechanical, Electrical & Plumbing Permits - Mechanical, electrical & plumbing permits will require a separate permit to be pulled by a state licensed and insured contractor. A state licensed contractor is a contractor duly licensed by the State of Georgia pursuant to the laws of the State of Georgia and any other regulations enacted pursuant to that statute. An insured contractor is defined as a contractor holding liability insurance in an amount not less than \$1,000,000 per occurrence and workers' compensation insurance. A contractor who is not required to maintain workers' compensation insurance pursuant to the law of the State of Georgia will be exempt from the requirements of this code section.

(4) Roofing Permits - Roofing permits will require a separate permit to be pulled by a licensed and insured roofing or general contractor.

(5) Permit Expiration - All construction permits will be good for 6 months and will continue for 6 months following each inspection. If permit is allowed to lapse by not completing a required inspection within a 6 month timeframe, a permit renewal would be required. Permit renewals will be charged on a percentage basis depending on the number of completed required inspections. For example, when a building permit is pulled, the Building Official will provide the contractor with a list of the required inspections. If within the first 6 months, the contractor requests and passes his first inspection, the permit will continue another 6 months or until he requests and passes his second inspection, and so on and so on. If the job is essentially abandoned for 6 months or no inspections have been requested during that time, then a renewal permit would be required. The renewal fee would be based on the percentage complete. If the contractor had completed 2 of 4 inspections, then his renewal fee would be 50% of the original permit cost.

(6) Demolition Permits - Demolition permits will require a performance bond of 135% of the estimated cost of demolition. Requests shall include liability statements relieving the City of liability incurred due to demolition. Request shall include property owner's written agreement to remove all debris from the site and dispose of debris in an authorized landfill or as directed by Georgia DNR/EPD. No on site burial of debris is allowed. If demolition includes removal of buildings/structures with suspected asbestos/lead paint, a Georgia certified abatement contractor must be utilized. The demolition must be completed and completely cleaned up and removed within 6 months.

(7) Site Wall Permits (Retaining Walls) – Site wall permits are required for any site wall constructed over four feet (4'-0") in height or for site walls of any height receiving a structural surcharge load from any other structure. Wall heights are measured from the bottom of the footing or base block/timber course to top of wall on the exposed side of the wall. Site walls do not include building foundation walls, but do include 'wing' and other similar walls, which may be attached to building foundation walls. Site walls over six feet in height at any point along the wall or site walls of any height receiving a surcharge from another structure, must be engineered by a Georgia licensed Architect or Engineer (PE). Site walls between 4 feet and 6 feet will require a homeowner Indemnification if not engineered by a Georgia licensed Architect or Engineer (PE).

(8) Emergency Repair Permits – For night or weekend emergency repairs, a permit is still required, but the contractor must obtain the permit on the next City business day during normal business hours.

(9) Septic System permit - For all new construction and major repairs or reconstruction of the septic system the City requires a separate Septic System permit issued by the Rabun County Health Department.

(10) Tree cutting permit - For all new construction and additions, a separate tree cutting permit will be required if trees are to be removed which are of the size required for permitting pursuant to the City's current Tree Cutting Ordinance, as adopted and amended from time to time. Tree permits are valid for ninety (90) days.

(11) Communication Tower Permits - Cell tower installation requests must be presented to the planning and zoning commission for approval and recommendation to city council.

(12) Penalties - The penalty for starting work without a permit is \$50 or double the permit fee, whichever is greater.

100.30 Plans Required.

(1) Building Plans - It shall be within the discretion of the building official to issue permits for minor construction and/or repair work without detailed plans.

A minimum of two (2) sets of building plans drawn by a registered design professional must be submitted to the Building Official for review and approval. One set will remain at City Hall, and one set shall be kept in an accessible, dry and covered place on the job site available for all scheduled inspections.

Plans shall include the following:

- (a) Foundation Plan showing location of all footings at foundation walls, exterior walls, and interior load bearing walls. Show heights, widths, depths, thicknesses, reinforcing steel, connections, supports, and other details necessary to ascertain code compliance;
- (b) Floor Plan showing each floor level to be improved including elevated decks, balconies, porches, etc.;
- (c) Electrical Plans - must be incorporated with floor plans.
- (d) Plumbing Plans - must be incorporated with floor plans;
- (e) Heating, Ventilation and Air Conditioning Plans - must be incorporated with floor plans;
- (f) Cross Section Plans - showing roof structure and all walls;
- (g) All elevations and decks; and
- (h) Building materials list including exterior siding, windows, insulation R factors, and roofing materials.

Building plans shall be drawn to a minimum $1/8'' = 1'$ scale and shall be of sufficient clarity to indicate the nature and extent of the work proposed and in conformance with the provisions of this code. All information, drawings, specification and accompanying data shall bear the name and address of the person responsible for the design. Plans submitted shall be maintained as public records. Mirror image plans shall be acceptable when submitted with a set printed such that can be read.

Any change from City reviewed building plans to as-built on site construction shall be submitted through a revised building plan and reviewed by the Building Official for code compliance and approved prior to making a change.

(2) Site/Plot Plan - Site plans shall be drawn to a minimum $1'' = 30'$ scale and must be submitted to City Hall prior to issuance of building permit showing:

- (a) Property boundaries on a survey plat by a registered surveyor showing all metes and bounds with corner pin locations identified;
- (b) Street location and road right of way;
- (c) Setback distances from each property line;
- (d) Location of all flood plain areas;
- (e) Location of all existing or proposed structures;
- (f) Location of all existing or proposed driveways, parking areas, patios, sidewalks, steps and retaining walls; and
- (g) Elevation facing the primary street.

No building or similar structure, nor any part thereof or attached to, shall encroach into any setback area, easement, or required buffer area, without prior written approval by the City.

Any change from City reviewed site plans shall be submitted through a revised site plan and reviewed by the Building Official for code compliance and approved prior to making a change.

(3) Erosion and Sedimentation Control Plan - E & S plans may be shown on the site plan. Applications for land disturbing activities must be in writing on forms provided by the City for that purpose. There is also a grading and soil erosion requirements acknowledgment form that must be signed by the owner of the property as well as the general building contractor. Erosion control will require that a minimum of two (2) lines of rows of silt fence (Type A unless otherwise directed by the Building Official) be entrenched according to the manufacturer's installation instructions below all disturbed soil. For other requirements, see GA EPD's Erosion and Sedimentation Control Manual.

100.40 Survey - A boundary survey is required for all new building construction by a registered surveyor showing all metes and bounds with corner pin locations identified. Said survey must be in the name of the current owner with no boundary alterations to the property since the time the survey was completed. In the case of an addition, a registered survey may be required by the Building Official if the structure appears to be reasonably close to any setback.

Applicants submitting plans showing buildings or related structures located less than one foot from a setback or easement shall be required to submit an as-built site survey to the Building Official prior to receiving a certificate of occupancy or completion. Surveys showing encroachment not approved by the City or without written authorization from the holder of an easement will result in a denial by the City to issue any type of certificate of occupancy, until such time as such approval has been granted.

100.50 Warranty Deed - A warranty deed shall be required for all new construction and shall be in the name of the applicant.

100.60 Minimum Conditioned Floor Space

(1) Single-Family Residences hereafter constructed shall have not less than 1,750 square feet of conditioned living area with no less than 1,100 square feet on the entrance level; and

(2) Condominium Residences and Duplex Residences hereafter constructed shall have not less than 1,400 square feet of conditioned living area with no less than 700 square feet on the entrance level.

100.70 Maximum Number of Stories - Any building shall not exceed two stories above grade facing the primary street.

100.80 Temporary structures - No structure of a temporary character shall be placed upon any lot at any time. This prohibition shall not apply to shelters used by the contractor during the construction of the main dwelling house, if such shelters are not used as residences or permitted to remain on the lot after completion.

100.90 Damage to City property - Damage to streets and other city property shall be repaired by the permittee to original condition within 30 days after inspection report to City Hall. A Certificate of Occupancy or Completion shall not be issued until such repairs have been made.

110.00 Contractor signs - Building/Contractor construction signs shall meet the following criteria:

- (1) Two (2) square feet total area or smaller;
- (2) Only information allowed on sign:
 - (a) Builder/Contractor/Company name;
 - (b) Phone number;
 - (c) Lot number or 911 number; and
 - (d) Street name.
- (3) Signs shall be placed in a conspicuous place so that suppliers/sub-contractors can locate job site.
- (4) Signs shall be removed within five (5) days after final inspection.
- (5) All signs not in conformance with the above regulations will be removed.

Section 200. Phase I of Construction

200.10 Property Corners Identified - All property corners shall have permanent markers or monuments prior to approval of footing excavations.

200.20 Other Requirements for Phase I of Construction

(1) Trash Containers - Every building site shall have a trash container, with lid, on site for the collection of trash such as drink bottles, food container, etc., and the work site shall be kept free of loose debris.

(2) Dumpsters - Every new building under construction shall have a dumpster on site prior to the framing stage of construction for the disposal of all construction material debris. Job sites shall be picked up at the end of each day and kept clean of all debris.

(3) Temporary sanitary toilet required - Prior to any construction work at site, a temporary portable sanitary toilet (port-a-john) or plywood type outdoor privy constructed over the septic tank may be used until a temporary water toilet can be installed in the house under construction. All such facilities must be kept in a sanitary manner throughout the construction period.

Section 300. Phase II Construction

300.10 Specific local codes which are more restrictive than the Georgia Minimum Standard Codes adopted herein.

(1) Blasting/Explosives - In addition to Section 414 of the International Building Code, the use of any blasting explosives must be under the direct onsite supervision of a licensed explosive engineer. At least twenty-four (24) hours notice must be given prior to activating an explosion.

(2) 1 & 2 Family Decks and Ramps

(a) Concrete Footings: City Building Code requires poured piers for deck supports. All deck footings must be excavated to a minimum of 12 inches below unsettled soil and must be below the frost line (12 inches for Sky Valley). Your deck design may require deeper footings based on the loads and the size of the deck as determined by the City Building Official or a qualified engineer.

(3) Exterior Walls/Retaining Walls - Exterior walls of any nature, excluding poured concrete walls, must be covered with wood, engineered wood, stone/stone veneer, brick/brick veneer, seamless steel, cement fiber siding (such as HardiPlank®), cement fiber masonite, vinyl siding (minimum 0.048" nominal thickness), or stucco (traditional or other cement coating as approved by the Building Official). All poured concrete walls shall have any exposed steel removed and pointed up. Basement walls and retaining walls, whether or not attached to the main structure, are included in this section.

(4) Georgia Amendments to the International Code - Only those Georgia Amendments to the International Code which are deemed by the City Building Official to be more restrictive than the International Code will be adopted hereby.

300.20 Specific local codes regarding acceptable roof coverings - Amendments to the International Building Code and International Residential Code – Roof Assemblies - The following six types of roof coverings are permitted within the City and shall be applied in accordance with the applicable provisions of the International Code and the manufacturer's installation instructions:

- (1) Asphalt shingles;
- (2) Metal roof shingles;
 - (a) The colors to be allowed are dark grey, dark brown, or dark green only and must be a matte finish.
 - (b) A sample must be provided at the time of making application for a building permit and must be approved by the City Building Official.
- (3) Slate and slate-type shingles;
- (4) Wood shingles;
- (5) Wood shakes; and
- (6) Metal roof panels;
 - (a) The colors to be allowed are dark grey, dark brown or dark green only and must be a matte finish. A sample must be provided at the time of making application for a building permit and must be approved by the City Building Official.

300.30 Fireplace and Chimney Structures - In addition to Section R1002, the use of fire resistance materials for the inside chimney shaft structure liner shall be minimum of 5/8" Fireshield FSW. This type material has a 2 hour fire resistance rating. This does not apply if metal studs or framing are used.

300.40 Water

(1) **Water supply line** - The water supply line from the water main to the building shall be 12 inches minimum below the frost line of 12 inches (for a total minimum of 24 inches deep) and shall be a minimum 3/4" in diameter; and

(2) **Allowed materials** - All water lines for potable water may be of the following materials:

- (a) Type L copper pipe (not recommended due to corrosive water);
- (b) Cross-linked polyethylene (PEX) tubing rated at 100 psi at 180 degree Fahrenheit or better with all fittings conforming to ASTM F-1807 specifications;
- (c) Polyvinyl Chloride (PVC) SCH 40 or better (Outside Only); and
- (d) Chlorinated Polyvinyl Chloride (CPVC) Sch 40 or better (Hot & Cold).

300.50 Electricity

(1) Copper Conductors Required - Copper Conductors – No copper clad or aluminum wire will be permitted as an electrical conductor from the meter base on any commercial or multi-family buildings. Only true copper conductors of electrical energy will be approved on those structures. Copper conductors from the meter base are acceptable on single family homes, but not required by the City. All electrical conductors must meet or exceed the National Electric Code.

(2) Minimum 12-2 W/G wire - All wall circuit to be wired with 12-2 W/G copper wire; and

(3) Outside Disconnect Required - A weatherproof disconnect switch must be installed in the main service line on an outside wall between the electrical meter and main circuit panel.

300.60 Inspections Required - All requests for inspections and re-inspections must be made to the City Clerk during office hours at City Hall. Pursuant to the International Residential Code, the following inspections will be required:

- (1) Footing inspection;**
- (2) Under slab inspection (habitable space);**
- (3) Foundation inspection;**
- (4) Rough-in inspection;**
- (5) Building framing;**
- (6) Insulation inspection (before and after); and**
- (7) Final inspection.**

300.70 Fuel storage tanks.

(1) Above Ground Installation of Fuel Tanks or Storage Receptacles shall be as follows:

- (a)** 120 gallon or less can be stored against the building.
- (b)** 150, 250, 330 or 500 gallon - no less than 10 ft. from the building.
- (c)** 1000 gallon - no less than 20 ft. from the building.

(2) Above Ground Tanks Shall be Hidden from View as follows:

- (a)** Picket fence, high enough to obscure, around all sides of tank
- (b)** Evergreen shrubbery to cover tank totally
- (c)** Camouflage painting over all of tank.

(d) Any combination of A, B, or C plus painting tank and top cover to blend in with surrounding area.

(3) **Underground fuel storage tanks** - LP Gas or Liquid Fuel Tanks underground installations shall abide with the specific regulations so described by national, state or local codes.

Section 400. Phase III Construction

400.10 Termite Treatment - All building sites for any home or structure must be termite treated prior to the footing inspection, with written verification provided at the inspection, and again prior to the final inspection. A certificate by the termite treatment company must be submitted to the building official prior to the issuance of a certificate of occupancy.

400.20 Driveway Construction - Should street drainage ditches require storm pipe, the pipe must be installed at commencement of job construction and driveway must feather out to existing grade thirty-six (36) inches before reaching street asphalt paving and shall require a three (3) inch dip running parallel with the road to allow rain water to run into the ditch. On streets where asphalt has not been applied, check with City Building Official as to where feather out point of driveway must stop. The materials for pipe shall be a minimum of 18" corrugated metal or concrete culvert pipe, or material of greater crush strength as may be approved by the Building Official upon receipt and review of manufacturer specifications. All driveways must have concrete or asphalt applied from the property line to the road.

400.30 Two parking spaces required. Each residential lot and individual duplex unit shall provide space for parking two automobiles off the street prior to occupancy of any dwelling constructed on said lot. Commercial parking requirements are covered in the City's Zoning Ordinance.

400.40 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 this code until approved by the inspection department.

400.50 Authority to disconnect service utilities - The inspection department shall have the authority to require disconnecting a utility service to the building, structure or system regulated by this code in case of emergency or when necessary to eliminate an imminent hazard to life or property. The inspection department shall have the authority to disconnect a utility service when a building has been illegally occupied, or entry into the building for purposes of making inspections cannot be readily granted. The inspection department shall notify the serving utility, and whenever possible the owner and/or occupancy 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 shall be notified in writing within eight (8) working hours.

Section 500. Severability.

In the event any section, subsection, sentence, or word of this ordinance is declared and adjudged to be invalidated or unconstitutional, such declaration or adjudication shall not affect the remaining portions of this article, which shall remain in full force and effect as if such portion so declared or adjudged unconstitutional were not originally part of this article. The city governing authority declared that it would have enacted the remaining parts of this article if it had known that such portion thereof would be declared or adjudged invalid or unconstitutional.

Section 600. Conflicting Ordinances.


Any ordinance or any portion of an ordinance that conflicts with this Ordinance is hereby revoked.

Section 700. Effective date.

This ordinance will become effective upon adoption by the City Council as provided by the Charter of the City of City of Sky Valley.

It is so ordained and approved by vote of the City Council of the City of Sky Valley this 25th day of March, 2014.

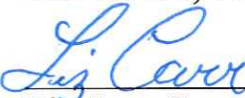
Approved:



Hughel Goodgame, Mayor



Bob Larsen, Council President



Liz Carr, Councilor

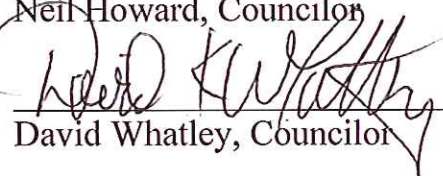


Martin Greene, Councilor

Attest:



Mandi Cantrell, City Clerk

Neil Howard, Councilor


David Whatley, Councilor