

ORDINANCE

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF BERKELEY LAKE TO ADD A NEW CHAPTER 43 “BUILDING AND BUILDING REGULATIONS”; TO PROVIDE FOR A BUILDING INSPECTOR; TO PROVIDE FOR A BUILDING PERMIT REQUIRED; TO PROVIDE FOR PERMIT FEES; TO PROVIDE FOR A CERTIFICATE OF OCCUPANCY REQUIRED; TO PROVIDE FOR REMEDIES; TO PROVIDE FOR PENALTIES; TO REPEAL CONFLICTING LAWS; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Be it Ordained by the Council of the City of Berkeley Lake that the Code of Ordinances of the City of Berkeley Lake, Georgia, is hereby amended by adding a new Chapter 43 entitled “Building and Building Regulations” as follows:

Chapter 43

Building and Building Regulations

43-201 City Building Inspector

It shall be the duty of the City Building Inspector, and he is hereby given the authority, to administer and enforce the provisions of this Ordinance. Any other officer authorized by the Mayor and Council of the City of Berkeley Lake shall also have the authority to administer and enforce the provisions of this ordinance.

43-202 Permit fees

1. The Building Permit fee for the permit required by Section 43-202 of this ordinance shall be as set forth in a Schedule of fees adopted by the City Council from time to time by Resolution. Said Schedule shall be available in the office of the City Clerk. Where no building permits are required, but inspections are necessary as per building regulations, the City of Berkeley Lake shall issue Plumbing, HVAC and Electrical permits in accordance with the adopted Schedule of fees. All subcontractors who perform such work shall be licensed as described in 32-202 of this Code of Ordinances. They shall not be required to pay the permit fees if the work is performed as part of construction work with a valid building permit.

2. Building permits are valid for one year unless renewed before expiration. The cost to renew a permit is the same as applying for a new permit. Expired permits will be charged double for renewal.

43-203 Certificate of Occupancy Required

A Certificate of Occupancy issued by the Building Inspector is required in advance of use or occupancy of:

1. Any lot, or a change in the use thereof.
2. Any building hereafter erected or a change in the use of an existing building.
3. Any non-conforming use that is existing at the time of the enactment of this Ordinance or any amendments thereto, that is proposed to be changed, extended, altered or rebuilt. The Certificate of Occupancy shall state specifically wherein the non-conforming use fails to meet provisions of the Zoning Ordinance.

No Certificate of Occupancy shall be issued unless the lot or building or structure complies with all provisions of this Ordinance. A record of all Certificates of Occupancy shall be kept on file in the City Hall of the City of Berkeley Lake and a copy shall be furnished, on request, to any person having a proprietary or tenancy interest in the building or land involved.

43-204 Remedies

If any building or structure is erected, constructed, reconstructed, altered, repaired, converted or maintained, or if any building, structure or land is used in violation of this Ordinance, the Mayor and Council of the City of Berkeley Lake, the Building Inspector, Ordinance Enforcement Officer or any adjacent or other property owner who would be damaged by such violation, in addition to other remedies, may institute injunction, mandamus or other appropriate action or proceeding to stop the violation.

43-205 Penalties

Any person who violates any provisions of this section in this chapter may upon conviction be punished by a fine of up to \$500.00 for each offense and/or 60 days in jail.

All ordinances and parts of ordinances in conflict herewith are repealed to the extent of any such conflict.

This ordinance shall be effective upon approval by the Council.

So Ordained, this _____ day of _____, 2006.

ATTEST:

Jackie Wall, City Clerk

Lois Salter, Mayor

First read: August 17th, 2006