

STATE OF GEORGIA
COUNTY OF GWINNETT

ORDINANCE O-71-08

AN ORDINANCE TO AMEND CHAPTER 14, ARTICLE I OF THE CODE OF ORDINANCES OF THE CITY OF BERKELEY LAKE TO MODIFY SECTION 14-5 TO INCREASE THE MAXIMUM FINE FROM \$500 TO \$1000 AND PROVIDE FOR EACH DAY OF VIOLATION AS A SEPARATE OFFENSE; TO PROVIDE FOR SEVERABILITY; TO PROVIDE FOR A REPEAL OF CONFLICTING PROVISIONS; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

ARTICLE I. IN GENERAL

Sec. 14-1. 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 chapter. Any other officer authorized by the mayor and council of the city shall also have the authority to administer and enforce the provisions of this chapter.

(Ord. No. O-58-07, § 46-201, 8-16-2007)

Sec. 14-2. Permit fees.

- (a) The building permit fee for the permit required by this section of this chapter 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 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 section 32-202 of this Code. 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.
- (b) 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.

(Ord. No. O-58-07, § 46-202, 8-16-2007)

Sec. 14-3. 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 article 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 chapter. 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.

(Ord. No. O-58-07, § 46-203, 8-16-2007)

Sec. 14-4. 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 chapter, the mayor and council of the city, 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.

(Ord. No. O-58-07, § 46-204, 8-16-2007)

Sec. 14-5. Penalties.

Any person who violates any provisions of this section in this chapter may upon conviction be punished by a fine of up to \$1,000.00 for each offense, where each day the violation continues constitutes a separate offense. and/or 60 days in jail.

Deleted: 500

(Ord. No. O-58-07, § 46-205, 8-16-2007)