

ORDINANCE AND ORDER

An ordinance and order to adopt the state building code relating to inspection activities of Jefferson County, West Virginia and enforcement of building provisions as provided in said codes.

WHEREAS, it is the desire of the County Commission of Jefferson County, West Virginia to adopt, the state building code relating to minimum building and housing standards and;

WHEREAS, the adoption of this code is to facilitate proper inspection activities relating to construction of buildings and additions within the jurisdiction of Jefferson County, West Virginia and relating public safety, health and well-being;

NOW, THEREFORE, BE IT ORDAINED AND ORDERED BY The County Commission of Jefferson County, West Virginia that the following state codes are hereby adopted by reference as though they were copied herein fully; (Section 3n, Article 1, Chapter 7 of the Code of West Virginia, one thousand nine-hundred thirty one; and the State Building Code as provided for in Section 5b, Article 3, Chapter 29 of the Code of West Virginia, one thousand nine-hundred thirty one, not including, however, the BOCA National Property Maintenance Code.

BE IT FURTHER ORDAINED AND ORDERED that this Ordinance and Order shall take effect and be in force from 1 day of July, 2001, the public welfare requiring it.

PASSED AS APPROVED BY The County Commission of Jefferson County, West Virginia on the 27th day of March, 2001.

ATTEST:

By James G. Knocke

CLERK:

John E. Ott

JEFFERSON COUNTY

BUILDING CODE ENFORCEMENT ORDINANCE

GENERAL AUTHORITY

By authority of the Code of West Virginia, Chapter 7, Article 1, Section 3n & Chapter 29, Article 3, Section 5b, to enforce minimum regulations governing the design, construction, alteration and enlargement of all building and structures: providing for the issuance of permits; collection of fees, making of inspections, providing penalties for the violation thereof, to be known as "The Jefferson County Building Code Enforcement Ordinance".

STANDARDS & CODES

In accordance with the provisions of the Code of West Virginia, Chapter 29, Article 3, Section 5b the County Commission of Jefferson County does hereby adopt the State Building Code as set forth in Title 87, Legislative Rules, State Fire Commission. Copies of all adopted Codes and Legislative Rules shall be on file in the Office of Clerk of the County Commission.

The Codes shall be the following and as modified herein:

- The BOCA National Building Code
- The BOCA International Plumbing Code
- The BOCA International Mechanical Code
- CABO One & Two Family Dwelling Code
- CABO National Energy Conservation Code

The versions of said Codes shall be those cited in paragraph 4.1, Section 87-4-4, of Title 87, Legislative Rules, State Fire Commission.

Electrical inspections shall be conducted by an approved private electrical inspector using the National Electric Code approved by the West Virginia State Fire Commission. Fees for said electrical inspections shall be paid by the applicant directly to the private inspector or service and are not included in the fees paid to the County.

ADMINISTRATIVE PROCESS

The administration of this building code shall be in accord with the Administration Chapter of the BOCA National Building Code.

ADDITIONS, INSERTIONS & CHANGES

That the following sections are hereby revised as follows:

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Effective

- 1) All Codes Insert: Jefferson County, West Virginia, where name of "jurisdiction" appears.
- 2) BOCA Basic/National Building Code
 - a) Section 112.3.1. See "Attachment A Fee Schedule" at the end of this article where "jurisdiction to insert appropriate schedules" appears.
 - b) Section 116.4, regarding failure to obtain a permit, insert the word "misdemeanor" where "specify offense" appears. Insert "\$500.00" where "amount" appears, and insert "zero" where "number of days" appears.
 - c) Section 117.2, regarding the range of fines for failure to cease work after receipt of a stop work order, insert "\$150.00" for the "not less than" figure and "\$500.00" for the "not more than" figure where "amount" appears, respectively.
 - d) Section 1806.1 is hereby amended by adding the following sentence at the end thereof. "Frost line depth for Jefferson County is hereby established as being thirty inches for building footings."
- 3) BOCA International Plumbing Code
 - a) Section 106.5.2 (See Attachment A Fee Schedule) where "jurisdiction to insert appropriate schedule" appears.
 - b) Section 106.5.3.2, regarding amount of refunds as a percentage of original fee if a permit is not used after issuance, insert "50" where "specify percentage" appears.
 - c) Section 106.5.3.3, regarding amount of refunds as a percentage of plan review fee if the plan review has not been done yet, insert "50" where "specify percentage" appears.
 - d) Section 108.4. Insert "misdemeanor" where the words "specify offense" and "\$500.00" where "amount" appears and "zero" where "number of days" appears, respectively.
 - e) Section 108.5, regarding the range of fines for failure to cease work after receipt of a stop work order, insert "\$10.00" and "\$500.00", respectively, where "amount" appears, .
 - f) Section 306.6. Add the following sentence at the end of the paragraph, "Frost depth shall be 30 inches."

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- g) Section 306.6.1, depths of sewer lines, insert "eighteen", for depth below finished grade at the point of septic tank connection, and "thirty", for the depth of building sewer below grade, where the word "number" appears, respectively. However, in the event that the public sewer line is not two feet six inches in depth, then the depth of the public sewer line shall control.
- h) Chapter 14. Insert "current BOCA National Building Code" where "Name of Building Code" appears. Insert "BOCA International Mechanical Code" where "Name of Mechanical Code" appears.

4) BOCA International Mechanical Code

- a) Section 106.5.2. Insert "See attached Schedule A" where "jurisdiction to insert appropriate schedule" appears.
- b) Section 106.5.3.2 and 106.5.3.3. Insert "50" where "specify percentage" appears.
- c) Section 108.4. Insert "misdemeanor" where "specify offense" appears. Insert "\$500.00" where "amount" appears, and "zero days" where "number of days" appears.
- d) Section 108.5. Regarding the range of fines for failure to cease work after receipt of a stop work order, insert "\$10.00" for the "not less than" figure where "amount" appears and insert "\$500.00" for the "not more than" figure where "amount" appears.
- e) Chapter 16. Insert "current BOCA National Building Code" where "Building Code" appears and "West Virginia State Fire Code and National Fire Protection Association" where "Fire Prevention Code" appears.

5) CABO One and Two Family Dwelling Code

- a) Section R-106.3 is deleted and substituted therefore is the following: Section R-106.3 Penalty. Any person, firm or corporation violating any of the provisions of this code shall be guilty of a misdemeanor and each such person shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation of any of the provisions of this code is committed, continued or permitted and upon conviction of any such violation such person shall be punishable by a fine of not less than \$50.00 or more than \$500.00. In addition to the criminal penalties provided hereof, Jefferson County, at its option may pursue injunctive relief in the Circuit Court of Jefferson County, West Virginia.

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b) Appendix A of the CABO One and Two Family Dwelling Code, is hereby specifically adopted and shall also include the requirement for skirting around all mobile homes.

c) CABO One and Two Family Dwelling Code, Table No. R-201.2 shall be filled in as follows:

Roof Live Load (Lbs. Per Sq. Ft.)	Roof Snow Loads (Lbs. Per Sq. Ft.)	Wind Pressure (Lbs. Per Sq. Ft.)	Seismic Condition By Zone	Subject to Damage from Weathering	Frost Line Depth	Subject to Damage From Termite/Decay	Winter Design Temp. For Heating Facilities	Radon resistant construction required
30	30	N/A	0	Severe	Yes-30"	Moderate	10 F	Yes

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ATTACHMENT A

**FEE
SCHEDULE**

Single Family Residential Structures

Base Fee	\$25
Square Foot Fee	
Finished	\$ 0.18
Unfinished	\$ 0.10

Additions

Base Fee	\$25
Square Foot Fee	\$ 0.18

Sheds, Decks, Structures Ancillary to Residences

Base Fee	\$25
Square Foot Fee	\$ 0.08

Attached Residential Structures (per dwelling unit)

Base Fee	\$25
Square Foot Fee	\$ 0.20

Commercial/Industrial/MultiFamily Buildings

Base Fee	\$250
Square Foot Cost	\$ 0.18

Signs

Valued over \$2,500	
Each	\$250
Valued \$2,500 or less	
	\$ 50

Chimney Additions \$100

Reinspection of any component \$ 50

JEFFERSON COUNTY, WEST VIRGINIA
Department of Planning, Zoning & Engineering

104 East Washington Street
P.O. Box 338
Charles Town, WV 25414

Phone: 304-728-3228

Fax: 304-725-7916

Email: Jeffco@intrepid.net

PUBLIC INFORMATION SHEET
FOR THE
JEFFERSON COUNTY BUILDING CODE
ENFORCEMENT ORDINANCE

With Amendments Since the Public Information Meeting, February 26, 2001

Amended March 22, 2001

Introduction

The County Commission of Jefferson County will soon be adopting a Building Code Ordinance. The Ordinance is being developed under the requirements set forth in Chapter 7, Article 1, of the West Virginia State Code. The Ordinance is adopting the current versions of the following codes:

- ◆ BOCA National/International Building Code
- ◆ BOCA International Plumbing Code
- ◆ BOCA International Mechanical Code
- ◆ CABO One & Two Family Dwelling Code.
- ◆ BOCA National Energy Conservation Code

Please note that there are several code official associations which have maintained their own code publications. The trend is toward consolidation of these various publications. The consolidated versions carry the title "International."

The Jefferson County Ordinance also will require electrical inspections to be conducted by approved electrical inspectors using the most current edition of the National Electric Code approved by the State Fire Marshall. Allegheny Power designates where service entrances shall be located and conducts its own inspection of electrical service entrances.

The administration of the Building Code began _____ days after adoption of the Code. However, the first three months of operation will be a grace period during which stop work orders will not be issued in order for the inspection staff and the builders opportunity to adjust to the new process. Violations will be cited during the grace period, but stop work orders or

penalties will not be pursued.

These codes will not apply to non-residential structures used for farming.

General Description of the Administrative Processes

The new process includes the current Improvement Location Permit process which has served as a check of proposed structures for compliance with the requirements of the Zoning Ordinance, Subdivision Ordinance and Flood Plain Ordinance. The new building code process continues these existing functions in addition to ensuring the quality and safety of building construction in Jefferson County.

The Building code administration consists of the following processes:

- a) the application process including receiving and checking the application and fees, checking proposed uses with zoning, checking for compliance with setbacks, easements and flood plains and permit issuance. The permit is not issued until the plan review process is completed.
- b) the plan review process begins after the application is received and follows a standard check list to determine that the plan for the structure meets the Codes. It is done concurrent with application processing.
- c) the inspection process consists of progress inspections at construction milestones to verify that construction meets requirements of the Codes. Standard inspection report formats are used.
- d) the enforcement process consists of notification of code violations, stop work order and court actions as needed when Code requirements are not met.
- e) the occupancy permit process is the final step and is dependant on satisfactory completion of the structure as determined by the results of the construction inspections and compliance with the approved plans.

The Application Process

Building permit applications will be obtainable from the Jefferson County Department of Planning, Zoning and Engineering located at 104 East Washington Street, Second Floor, Charles Town, West Virginia. Requests for applications may be submitted by phone, fax, mail or e-mail.

The building permit application package shall contain the following items:

- ▶ Completed and signed application from the owner of the property
- ▶ Site sketch showing setbacks and locations of any easements (a site plan showing these items may be used for this requirement)
- ▶ Correct building permit fees
- ▶ Two sets of plans for the proposed structure

- ▶ Two sets of a site plan and accompanying computations if required under Section 4.0 of the Improvement Location Permit Ordinances required by Article 11 of the Subdivision Ordinance
- ▶ Approved permits from the Health Department
- ▶ Evidence of water and sewer service
- ▶ Driveway entrance permits from the West Virginia Department of Transportation, if direct access is from a State road
- ▶ Copy of contractors license

The fee structure for permits is attached.

Building permit application packages shall be complete. Permit applications will not be accepted unless all necessary items including fees are presented as a package. This is done to maintain a smooth flow on the review process. To do otherwise could create possibilities for time loss due to the need to coordinate all the items needed for an expeditious process. Once the permit is approved the Permits office will either mail the permit to the applicant or notify the applicant that it is ready for pickup should that option be selected by the applicant.

Currently the County is allowed by law a maximum of 21 days to issue a Improvement Location Permit, but has generally only taken from three to seven days to issue permits. The new process with the added phases is anticipated to take longer, perhaps up to the maximum 21 days in the case of structures requiring a plan review.

The Plan Review Process

Two sets of building plans shall be submitted for review. The plans shall contain enough detail to adequately assess the following elements of the structure:

- a. Footings/foundations
- b. Structure
- c. Plumbing
- d. Electrical
- e. Mechanical
- f. Drainage
- g. Access

Plans for single-family (attached or detached) and duplex residential structures do not need to be sealed by a design professional, but must be complete, containing all the basic views needed to construct a building, including general plan view, electrical plan view, mechanical/plumbing plan view, elevation views, wall and other critical cross sections, details as needed and schedules for windows, hardware, wall finishes, exterior finishes, electrical fixtures, lighting and mechanical units.

Final plans for commercial, industrial, institutional, multi-family residential or public-use structures that exceed 7,200 square feet of gross floor area shall be sealed by a certified design professional licensed in the State of West Virginia. The code official may request such seals for

specific structural or engineered elements of any other structure in cases where, in the judgment of the code official, such certification is needed. Plans are not needed for non-residential structures under 150 square feet in size.

In cases where ungraded lumber is to be used, visual grading by an appropriate registered professional such as an architect, engineer or forester shall be required.

The reviewers comments will be returned to the applicant in the form of a marked up set of plans and a checklist. The applicant shall be responsible for returning the review comments with two sets of the modified plans. Final plans for commercial, industrial, institutional, multi-family residential or public-use structures shall be sealed by a certified design professional licensed in the State of West Virginia. The code official may request such certifications for specific structural elements of any other structure in cases where, in the judgment of the code official, such certification is needed.

The builder then shall post the building permit on the site conspicuously so that the public can clearly see that the work underway is permitted by the County. It is advised that the permit be protected from wind and precipitation. The means of protection is not specified by the County. If the building permit is destroyed or removed from the building site, the builder shall notify the County immediately and obtain a replacement. A service charge of \$15.00 will be charged for replacements.

The Inspection Process

All structures shall be inspected at certain milestones during the construction process. A set of approved plans shall be kept on the project. To schedule inspections the builder may call 304-728-3228. Requests received before 3 PM will be scheduled for the next working day. Requests received after 3 PM will be scheduled for the afternoon of next working day if demand for inspections allows. Otherwise they will be scheduled for the second day after the request is received. After-hours requests may be made by voice-mail to 304-728-3256

The building code inspections will be conducted by a building inspector employed by Jefferson County. The building inspector will cite in writing any violations of nationally accepted codes (BOCA) which the State of West Virginia has accepted as the State standards for those counties which adopt a building code ordinance. Builders will have the opportunity to correct the violations. A follow up inspection will be required. Scheduling of follow-ups shall be scheduled in the same way regular milestone inspections. A \$50 fee will be charged for each follow up inspection. Therefore, it is important for builders to check their work prior to calling for inspections.

Primary construction mileposts to be inspected by the County's building inspector are as follows:

- ▶ Footing or Slab-on-grade Inspection — Prior to pouring concrete and just after placing reinforcing should the latter apply. In the case of slab-on-grade this will

include any utility rough-ins under the slab.

- ▶ Under-roof Inspection — This is the framing inspection after the structure is closed in from the weather but prior to installation of pipes, wires, vents, etc.
- ▶ Rough-in Inspection — This covers plumbing, electric, heating and any other in-wall systems prior the placing interior wall sheathing (drywall in most cases). Insulation may be covered at this time if it does not obscure the rough-in inspection. Conduits, vents, seals and collectors for radon remediation need to in place at this stage.
- ▶ Drywall Inspection — This covers the interior after drywall has been placed but prior to finished carpentry, cabinetry or placement of fixture plates. Insulation will be checked.
- ▶ Final inspection — This will cover all remaining items including site grading relative to drainage, exterior elements, interior finishing, final plumbing, power company and electrical inspector stickers on the service box and fire protection.

As noted above electrical inspections shall be required but will not be conducted by the County. The electrical rough-in inspector needs to performed prior to the County rough-in inspection. The County will be looking for the electrical inspectors approval sticker on the service box. This also applies for the final inspection and the power company inspections. Their stickers need to be on the service box. The County also needs to receive a copy of their approval for the file.

Additional inspections may be conducted relative to violations. In the case of industrial, commercial, institutional, multifamily or complex residential projects additional milestone inspections may be needed. Determination of the inspection schedule can be developed from the plan review, a preconstruction meeting or at the discretion of the County building inspector

The Enforcement Process

The County building officials are authorized to serve stop work orders and to serve notice of violations and to request legal counsel to institute appropriate proceedings of law relative to violations. Relative to decisions or determinations made by the building officials, appeals may be made to a Board of Appeals.

The Board of Appeals will be appointed by the County Commission. The membership shall have adequate experience and training to make judgments on the decisions and determinations of the building officials. The current building code (BOCA National 1999) requires five registered professionals or contractors, one each from the fields of architecture, structural engineering, mechanical or plumbing systems, electrical systems and fire protection plus two alternates. The Fire Marshall's office has in some cases relaxed this requirement because of the scarcity of some of these disciplines.

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