

TITLE 7

Planning and Regulation
of Development

Chapter 1 Building Regulations
Chapter 2 Zoning

CHAPTER 1

Building Regulations

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ARTICLE A

Adoption of Regulatory Codes by Reference

State Law Reference: Adoption of technical codes by reference, G.S. 160A-76.

Sec. 7-1-1 Scope of chapter and codes.

The provisions of this chapter and of the regulatory codes herein adopted shall apply to the following:

(1) The location, design, materials, equipment, construction, reconstruction, alteration, repair, maintenance, moving, demolition, removal, use and occupancy of every building or structure or any appurtenances connected or attached to such building or structure;

(2) The installation, erection, alteration, repair, use and maintenance of plumbing systems consisting of house sewers, building drains, waste and vent systems, hot and cold water supply systems, and all fixtures and appurtenances thereof;

(3) The installation, erection, alteration, repair, use and maintenance of mechanical systems consisting of heating, ventilating, air conditioning and refrigeration systems, fuel burning equipment, and appurtenances thereof; and

(4) The installation, erection, alteration, repair, use and maintenance of electrical systems and appurtenances thereof.

Sec. 7-1-2 Building code adopted.

The current edition of the North Carolina State Building Code (Volume I, General Construction), as adopted by the North Carolina Building Code Council and as amended, is hereby adopted by reference as fully as though set forth herein.

Sec. 7-1-3 Plumbing code adopted.

The current edition of the North Carolina Plumbing Code (North Carolina State Building Code, Volume II, Plumbing) as adopted by the North Carolina Building Code Council and as amended, is hereby adopted by reference as fully as though set forth herein.

Sec. 7-1-4 Heating code adopted.

The current edition of the North Carolina Heating Code (North Carolina State Building Code, Volume III, Heating) as adopted by the North Carolina Building Code Council and as amended, is hereby adopted by reference as fully as though set forth herein.

Sec. 7-1-5 Electrical code adopted.

The current edition of the North Carolina Electrical Code (North Carolina State Building Code, Volume IV, Electrical), as adopted by the North Carolina Building Code Council and as amended, is hereby adopted by reference as fully as though set forth herein.

Sec. 7-1-6 Residential building code.

The current edition of the North Carolina Uniform Residential Building Code, as adopted by the North Carolina Building Code Council and as amended, is hereby adopted by reference as fully as though set forth herein.

Sec. 7-1-7 Amendments to codes.

Amendments to the regulatory codes adopted by reference herein, which are from time to time adopted and published by the

agencies or organizations referred to herein, shall be effective in the town at the time the amendments are filed with the clerk or building inspector as provided in section 7-1-9.

Sec. 7-1-8 Compliance with codes.

(a) All buildings or structures which are hereafter constructed, reconstructed, erected, altered, extended, enlarged, repaired, demolished, or moved shall conform to the requirements, minimum standards, and other provisions of either the North Carolina State Building Code, General Construction, Volume I or the North Carolina Uniform Residential State Building Code, whichever is applicable, or of both if both are applicable.

(b) Every building or structure intended for human habitation, occupancy, or use shall have plumbing, plumbing systems or plumbing fixtures installed, constructed, altered, extended, repaired or reconstructed in accordance with the minimum standards, requirements and other provisions of the North Carolina Plumbing Code (North Carolina State Building Code, Volume II, Plumbing).

(c) All mechanical systems consisting of heating, ventilating, air conditioning and refrigeration systems, fuel burning equipment, and appurtenances shall be installed, erected, altered, repaired, used and maintained in accordance with the minimum standards, requirements and other provisions of the North Carolina Heating Code (North Carolina State Building Code, Volume III, Heating).

(d) All electrical wiring, installations and appurtenances shall be erected, altered, repaired, used and maintained in accordance with the minimum standards, requirements and other provisions of the North Carolina Electrical Code (North Carolina State Building Code, Volume IV, Electrical).

Sec. 7-1-9 Copies of codes filed with clerk.

An official copy of each regulatory code adopted herein, and official copies of all amendments thereto, shall be kept on file in the office of the clerk or building inspector. The copies shall be the official copies of the codes and the amendments.

Secs. 7-1-10 through 7-1-20 reserved.

ARTICLE B

Inspection Department

State Law Reference: Municipal inspection department, G.S. 160A-411 et seq.

Sec. 7-1-21 Organization of department.

The inspection department of the town shall consist of a building inspector, and may also include a plumbing inspector, a heating-air conditioning inspector, an electrical inspector, and such other inspectors or deputy or assistant inspectors as may be authorized by the board. The board may in its discretion designate a department head, or may impose the duties of building inspector upon the zoning administrator.

Cross Reference: Appointment of town officers, Sec. 1-2-5.

Sec. 7-1-22 General duties of department and inspectors.

It shall be the duty of the inspection department to enforce all of the provisions of this chapter and of the regulatory codes adopted herein, and to make all inspections necessary to determine whether or not the provisions of this chapter and the codes are being met.

Sec. 7-1-23 Conflicts of interest.

No officer or employee of the inspection department shall be financially interested in the furnishing of labor, material, or appliances for the construction, alteration, or maintenance of a building or any part thereof, or in the making of plans or specifications therefor, unless he is the owner of the building. No officer or employee of the inspection department shall engage in any work which is inconsistent with his duties or with the interests of the town.

Sec. 7-1-24 Reports and records.

The inspection department shall keep complete, permanent and accurate records in convenient form of all applications received, permits issued, inspections and reinspections made, and all other work and activities of the inspection department. Periodic reports shall be submitted to the board and to other agencies, as required.

Sec. 7-1-25 Inspection procedure.

(a) Inspections. The inspection department shall inspect all buildings and structures and work therein for which a permit of any kind has been issued as often as necessary in order to determine whether the work complies with the appropriate codes.

When deemed necessary by the appropriate inspector, materials and assemblies may be inspected at the point of manufacture or fabrication, or inspections may be made by approved and recognized inspection organizations; provided, no approval shall be based upon reports of such organizations unless the same are in writing and certified by a responsible officer of the organization. All holders of permits, or their agents, shall notify the inspection department and the appropriate inspector at each of the following stages of construction, so that approval may be given before work is continued:

(1) Foundation inspection. To be made after trenches are excavated and the necessary reinforcement and forms are in place, and before concrete is placed. Drilled footings, piles and similar types of foundations shall be inspected as installed.

(2) Framing inspection. To be made after all structural framing is in place and all roughing-in of plumbing, electrical and heating has been installed, after all fire blocking, chimneys, bracing and vents are installed, but before any of the structure is enclosed or covered. Poured in place concrete structural elements shall be inspected before each pour of any structural member.

(3) Fireproofing inspection. To be made after all areas required to be protected by fireproofing are lathed, but before the plastering or other fireproofing is applied.

(4) Final inspection. To be made after building or structure has all doors hung, fixtures set, and is ready for occupancy, but before the building is occupied.

(b) Calls for inspection. Requests for inspections may be made to the office of the inspection department or to the appropriate inspector. The inspection department shall make inspections as soon as practicable after request is made therefor; provided the work is ready for inspection at the time the request is made. Reinspections may be made at the convenience of the inspector. No work shall be inspected until it is in proper and completed condition ready for inspection. All work which has been concealed before the inspection and approval shall be uncovered at the request of the inspector and placed in condition for proper inspection. Approval or rejection of the work shall be furnished by the appropriate inspector in the form of a notice posted on the building or given to the permit holder or his agent. Failure to call for inspections, or proceeding without approval at each stage of construction shall be deemed a violation of this chapter.

(c) Street or alley lines. Where the applicant for a permit proposes to erect any building or structure on the line of any street, alley, or other public place, he shall secure a survey of the line of the street, alley, or other public place, adjacent to the property upon which the building or structure is to be erected before proceeding with construction of the building or structure. It shall be the duty of the building inspector to see that the building does not encroach upon the street or alley, or other public place.

(d) Certificate of occupancy. No new building or part thereof shall be occupied, and no addition or enlargement of any existing building shall be occupied, and no existing building after being altered or moved shall be occupied, and no change of occupancy shall be made in any existing building or part thereof, until the inspection department has issued a certificate of occupancy. A temporary certificate of occupancy may be issued for a portion or portions of a building which may safely be occupied prior to final completion and occupancy of the entire building. Application for a certificate of occupancy may be made by the owner or his agent after all final inspections have been made for new buildings, or, in the case of existing buildings, after supplying the information and data necessary to determine compliance with this chapter, the appropriate regulatory codes and the zoning ordinance for the occupancy intended. The inspection department shall issue a certificate of occupancy when, after examination and inspection, it is found that the building in all respects conforms to the provisions of this chapter, the regulatory codes, and the zoning ordinance for the occupancy intended.

Sec. 7-1-26 Oversight not to legalize violation.

No oversight or dereliction of duty on the part of any inspector or other official or employee of the inspection department shall be deemed to legalize the violation of any provision of this chapter or any provision of any regulatory code herein adopted.

Sec. 7-1-27 Powers of inspection officials.

(a) Authority. Inspectors are hereby authorized, empowered and directed to enforce all the provisions of this chapter, and the regulatory codes herein adopted.

(b) Right of entry. With an appropriate warrant or permission from the owner or occupant, inspectors shall have the right to enter on any premises within the jurisdiction of the regulatory codes herein adopted at reasonable hours for the purpose of inspection or enforcement of the requirements of this chapter and the applicable regulatory codes.

(c) Stop orders. Whenever any building or structure or part thereof is being demolished, constructed, reconstructed, altered or repaired in a hazardous manner, or in violation of any provision of this chapter or any other town ordinance, or in violation of any provision of any regulatory code herein adopted, or in violation of the terms of the permit or permits issued therefor, or in such manner as to endanger life or property, the appropriate inspector may order the work to be immediately stopped. The order shall be in writing to the owner of the property or to his agent, or to the person doing the work, and shall state the reasons therefor and the conditions under which the work may be resumed.

Secs. 7-1-28 through 7-1-40 reserved.

ARTICLE C

Enforcement

State Law Reference: Building permit requirements, G.S. 160A-417 et seq.

Sec. 7-1-41 Permits required.

(a) Building permit. No person shall commence or proceed with the construction, reconstruction, alteration, repair, removal, or demolition of any building or other structure, or any part thereof, without a written permit therefor from the building inspector; provided, however, that no building permit shall be required for work, the total cost of which does not exceed \$100 and which does not involve any change of the structural parts or the stairways, elevators, fire escapes or other means of egress of the building or the structure in question. County board of health approval of a septic tank is required where the sewage system cannot be connected to the town sewer system. In all cases of removal or demolition of a building or structure, a good and sufficient bond may be required to be posted by the property owner or by his contractor at the time of application for a permit, to insure complete removal or demolition, including all rubble and debris. Failure on the part of the property owner or his contractor to completely demolish, remove, and clear the premises, after 30 days' notice by the building inspector, shall be cause for forfeiture of the bond.

(b) Plumbing permit. No person shall commence or proceed with the installation, extension, or general repair of any plumbing system without a written permit therefor from the plumbing inspector; provided, however, no permit shall be required for minor repairs or replacements on the house side of a trap to an installed system of plumbing if the repairs or replacements do not disrupt the original water supply or the waste or ventilating systems.

(c) Heating-air conditioning permit. No person shall commence or proceed with the installation, extension, alteration or general repair of any heating or cooling equipment system without a written permit from the heating-air conditioning inspector; provided, however, no permit shall be required for minor repairs, minor burner services or filter replacements of warm air furnaces or cooling systems.

(d) Electrical permit. No person shall commence or proceed with the installation, extension, alteration, or general repair of any electrical wiring, devices, appliances or equipment without a written permit therefor from the electrical inspector; provided, however, no permit shall be required for minor repair work such as the replacement of lamps or the connection of portable devices to suitable receptacles which have been permanently installed; provided, further, no permit shall be required for the installation, alteration, or repair of the electrical wiring, devices, appliances, and equipment installed by or for an

electrical public utility corporation for the use of the corporation in the generation, transmission, distribution, or metering of electrical energy.

Sec. 7-1-42 Application for permit.

Written application shall be made for all permits required by this chapter and shall be made on forms provided by the inspection department. The application shall be made by the owner of the building or structure affected or by his authorized agent or representative, and, in addition to such other information as may be required by the appropriate inspector to enable him to determine whether the permit applied for should be issued, shall show the following:

- (1) Name, residence and business address of owner;
- (2) Name, residence and business of authorized representative or agent, if any;
- (3) Name and address of the contractor, if any, together with evidence that he has obtained a certificate from the appropriate state licensing board for such contractors, if a certificate is required for the work involved in the permit for which application is made.

Sec. 7-1-43 Plans and specifications.

Detailed plans and specifications shall accompany each application for a permit when the estimated total cost of the building or structure is in excess of \$45,000, and for any other building or structure where plans and specifications are deemed necessary by the appropriate inspector in order for him to determine whether the proposed work complies with the appropriate regulatory codes. Plans shall be drawn to scale with sufficient clarity to indicate the nature and extent of the work proposed, and the plans and specifications together shall contain information sufficient to indicate that the work proposed will conform to the provisions of this chapter, and the appropriate regulatory codes. Where plans and specifications are required, a copy of the same shall be kept at the work until all authorized operations have been completed and approved by the appropriate inspector.

Sec. 7-1-44 Limitations on issuance of permits.

(a) No building permit shall be issued for any building or structure, the estimated total cost of which is more than \$30,000, unless the work is to be performed by a licensed general contractor.

(b) No building permit shall be issued for any building or structure, other than a one (1) or two (2) family dwelling, the estimated total cost of which is more than \$45,000, unless the plans bear the North Carolina seal of a registered architect or a registered engineer.

(c) Where any provisions of the General Statutes of North Carolina or of any ordinance require that work be done by a licensed specialty contractor of any kind, no permit for the work shall be issued unless it is to be performed by the licensed specialty contractor.

(d) Where detailed plans and specifications are required by this chapter, no building permit shall be issued unless the plans and specifications have been provided.

Sec. 7-1-45 Issuance of permit.

When proper application for a permit has been made, and the appropriate inspector is satisfied that the application and the proposed work comply with the provisions of this chapter and the appropriate regulatory codes, he shall issue the permit, upon payment of the proper fee or fees as hereinafter provided.

Sec. 7-1-46 Revocation of permits.

The appropriate inspector may revoke and require the return of any permit by notifying the permit holder in writing, stating the reason for the revocation. Permits shall be revoked for any material departure from the approved application, plans or specifications; for refusal or failure to comply with proper orders of the inspector; for refusal or failure to comply with requirements of this chapter and the appropriate regulatory codes; or for false statements or misrepresentations made in securing the permit.

Sec. 7-1-47 Time limitations on validity of permits.

All permits issued under this chapter shall expire by limitation six (6) months after the date of issuance if the work authorized by the permit has not been commenced. If after commencement, the work is discontinued for a period of 12 months, the permit therefor shall immediately expire. No work authorized by any permit which has expired shall thereafter be performed until a new permit has been secured.

Sec. 7-1-48 Changes in work.

After a permit has been issued, changes or deviations from the terms of the application and permit, or changes or deviations from the plans or specifications involving any work under the jurisdiction of this chapter or of any regulatory code adopted herein, shall not be made until specific written approval of the changes or deviations has been obtained from the appropriate inspector.

Sec. 7-1-49 Permit fees.

Fees for permits shall be based upon the total estimated cost of the proposed work, including all subcontracts if any;

but in no case shall the total estimated cost be less than the market value of similar completed work in the town as determined by the appropriate inspector or inspectors. Permit fees shall be as established by the board and filed in the office of the clerk.

Secs. 7-1-50 through 7-1-60 reserved.

ARTICLE D

Repair, Closing or Demolition
of Abandoned Structures

State Law Reference: Minimum housing standards, G.S. 160A-411 et seq.

Sec. 7-1-61 Finding; intent.

It is hereby found that there exist within the town abandoned structures which the board finds to be hazardous to the health, safety and welfare of the residents of the town due to the attraction of insects or rodents; conditions creating a fire hazard; dangerous conditions constituting a threat to children; or frequent use by vagrants as living quarters in the absence of sanitary facilities. Therefore, pursuant to the authority granted by G.S. 160A-441, it is the intent of this article to provide for the repair, closing or demolition of any such abandoned structures in accordance with the same provisions and procedures as are set forth by law for the repair, closing or demolition of dwellings unfit for human habitation.

Sec. 7-1-62 Duties of the building inspector.

The building inspector is hereby designated as the officer to enforce the provisions of this article. It shall be the duty of the building inspector:

- (1) To locate abandoned structures within the town and determine which structures are in violation of this article;
- (2) To take such action pursuant to this article as may be necessary to provide for the repair, closing or demolition of the structures;
- (3) To keep an accurate record of all enforcement proceedings begun pursuant to the provisions of this article; and
- (4) To perform such other duties as may be prescribed herein or assigned to him by the board.

Sec. 7-1-63 Powers of the building inspector.

The building inspector is authorized to exercise such powers as may be necessary to carry out the intent and the provisions of this article, including the following powers in addition to others herein granted:

- (1) To investigate the condition of buildings within the town in order to determine which structures are abandoned and in violation of this article;
- (2) To enter upon premises for the purpose of making inspections;
- (3) To administer oaths and affirmations, examine witnesses and receive evidence; and

(4) To designate such other officers, agents and employees of the town as he deems necessary to carry out the provisions of this article.

Sec. 7-1-64 Standards for enforcement.

(a) Every abandoned structure within the town shall be deemed in violation of this article whenever the structure constitutes a hazard to the health, safety or welfare of the town citizens as a result of:

- (1) The attraction of insects or rodents;
- (2) Conditions creating a fire hazard;
- (3) Dangerous conditions constituting a threat to children;

or

(4) Frequent use by vagrants as living quarters in the absence of sanitary facilities.

(b) In making the preliminary determination of whether or not an abandoned structure is in violation of this article, the building inspector may, by way of illustration and not limitation, consider the presence or absence of the following conditions:

- (1) Holes or cracks in the structure's floors, walls, ceilings or roof which might attract rodents and insects, or become breeding places for rodents and insects;
- (2) The collection of garbage or rubbish in or near the structure which might attract rodents and insects, or become breeding places for rodents and insects;
- (3) Violations of the state building code, the state electrical code, or the fire prevention code which constitute a fire hazard in the structure;
- (4) The collection of garbage, rubbish or combustible material which constitutes a fire hazard in the structure;
- (5) The use of the structure or nearby grounds or facilities by children as a play area;
- (6) Violations of the state building code which might result in danger to children using the structure or nearby grounds or facilities as a play area; and
- (7) Repeated use of the structure by transients and vagrants, in the absence of sanitary facilities, for living, sleeping, cooking or eating.

Sec. 7-1-65 Procedure for enforcement.

(a) Preliminary investigation; notice; hearing. Whenever a petition is filed with the inspector by at least five (5) residents of the town charging that any structure exists in violation of this article or whenever it appears to the inspector, upon inspection, that any structure exists in violation hereof, he shall, if his preliminary investigation discloses a basis for such charges, issue and cause to be served upon the owner of and parties in interest in such structure, a complaint stating the charges and containing a notice that a hearing will be held before the inspector at a place therein fixed, not less than 10

nor more than 30 days after the serving of the complaint. The owner or any party in interest shall have the right to file an answer to the complaint and to appear in person, or otherwise, and give testimony at the place and time fixed in the complaint. Notice of the hearing shall also be given to at least one (1) of the persons signing a petition relating to the structure. Any person desiring to do so may attend the hearing and give evidence relevant to the matter being heard. The rules of evidence prevailing in courts of law or equity shall not be controlling in hearings before the inspector.

(b) Procedure after hearing. After the notice and hearing, the inspector shall state in writing his determination as to whether the structure violates this article. If the inspector determines that the dwelling is in violation, he shall state in writing his findings of fact to support such determination, and shall issue and cause to be served upon the owner thereof an order directing and requiring the owner to either repair, alter and improve the structure or else remove or demolish the same within a specified period of time not to exceed 90 days.

(c) Failure to comply with order.

(1) In personam remedy. If the owner of any structure shall fail to comply with an order of the inspector within the time specified therein, the inspector may submit to the board at its next regular meeting a resolution directing the town attorney to petition the superior court for an order directing the owner to comply with the order of the inspector, as authorized by G.S. 160A-446(g).

(2) In rem remedy. After failure of an owner of a structure to comply with an order of the inspector within the time specified therein, if injunctive relief has not been sought or has not been granted as provided in the preceding paragraph (1), the inspector shall submit to the board an ordinance ordering the inspector to cause the structure to be removed or demolished, as provided in the original order of the inspector, and pending the removal or demolition, to placard such dwelling as provided by G.S. 160A-443.

(d) Petition to superior court by owner. Any person aggrieved by an order issued by the inspector shall have the right, within 30 days after issuance of the order, to petition the superior court for a temporary injunction restraining the inspector pending a final disposition of the cause, as provided by G.S. 160A-446(f).

Sec. 7-1-66 Methods of service of complaints and orders.

Complaints or orders issued by the inspector shall be served upon persons either personally or by registered or certified mail, but if the whereabouts of such persons are unknown and the same cannot be ascertained by the inspector in the exercise of reasonable diligence, the inspector shall make an affidavit to that effect; and the serving of the complaint or order upon such person may be made by publication once at least 10 days prior to

the date of the hearing in a newspaper having general circulation in the town. Where service is made by publication, a notice of the pending proceedings shall be posted in a conspicuous place on the premises affected by the complaint or order.

Sec. 7-1-67 In rem action by inspector; placarding.

(a) After failure of an owner of a structure to comply with an order of the inspector issued pursuant to the provisions of this article, and upon adoption by the board of an ordinance authorizing and directing him to do so, as provided by G.S. 160A-443(5) and section 7-1-65(c) of this article, the inspector shall proceed to cause the structure to be removed or demolished, as directed by the ordinance of the board and shall cause to be posted on the main entrance of the structure a placard prohibiting the use or occupation of the structure. Use or occupation of a building so posted shall constitute a misdemeanor.

(b) Each ordinance shall be recorded in the office of the Register of Deeds of Beaufort County, and shall be indexed in the name of the property owner in the grantor index, as provided by G.S. 160A-443(5).

Sec. 7-1-68 Costs a lien on premises.

As provided by G.S. 160A-443(6), the amount of the cost of any removal or demolition caused to be made or done by the inspector pursuant to this article shall be a lien against the real property upon which the cost was incurred. The lien shall be filed, have the same priority, and be enforced and the costs collected as provided by Article 10, Chapter 160A of the General Statutes.

Sec. 7-1-69 Alternative remedies.

Neither this article nor any of its provisions shall be construed to impair or limit in any way the power of the town to define and declare nuisances and to cause their abatement by summary action or otherwise, or to enforce this article by criminal process, and the enforcement of any remedy provided herein shall not prevent the enforcement of any other remedy or remedies provided herein or in other ordinances or laws.

Secs. 7-1-70 through 7-1-80 reserved.

ARTICLE E

Insulation Contractors

Sec. 7-1-81 Authority.

This article is adopted pursuant to G.S. 143-151.26 through 151.36, and Section 160A-194 of the General Statutes of North Carolina.

Sec. 7-1-82 Required license.

No person, firm or corporation may for a consideration install, alter, or restore within the town any insulation or other materials or energy utilization equipment designed or intended to meet the state building code requirements for insulation and energy utilization standards who is not either (i) licensed as a contractor to do the proposed work under Chapter 87 of the General Statutes, (ii) working under the supervision of a registered architect or professional engineer, (iii) an owner working upon his own building, or (iv) licensed under this article.

Sec. 7-1-83 Applications.

Every person desiring a license under this article shall submit an application for the license to the building inspector conforming to the following requirements:

(1) Form of application. Each application shall be a written statement upon forms provided by the building inspector.

(2) Contents of application. Each application shall contain the following information:

a. Name and home address of the applicant, if an individual, or home office address, if a corporation or partnership;

b. Names and home addresses of the partners, if a partnership;

c. Names and home addresses of the officers and directors, if a corporation;

d. Place where the proposed business is to be located;

e. Complete record of all convictions of felonies or acts involving dishonesty, fraud, or deceit by the applicant or any employee, partner, officer, or director of the applicant, whether in this or any other state or jurisdiction;

f. Complete record of all licenses held by the applicant or any employee, partner, officer, or director of the applicant authorizing activities of the type authorized herein or other activities involving construction, alteration, or modification of buildings and structures;

g. Information as to the circumstances in which any local, state, or federal government or agency has refused, suspended,

or revoked a license of the type described in paragraph f. to the applicant or any employee, partner, officer, or director of the applicant.

(3) Fees. Each application shall be accompanied by a fee in the amount of \$10 for the license, such amount to be for the calendar year and prorated by quarters to the end of the year.

(4) False statements. False statements on any application for a license shall be grounds for immediate revocation or denial of the license.

Sec. 7-1-84 Procedure for issuance.

(a) Review by town officers. Each application received by the building inspector shall be promptly forwarded to the clerk for review. The clerk shall promptly make any comments and recommendations pertaining to the application and forward them to the building inspector.

(b) Licensing agency. The application and any comments and recommendations relating thereto shall be considered by the building inspector, which shall then issue or deny the license pursuant to the following standards.

(c) Standards. The building inspector shall issue the license unless he shall find that the applicant or any employee, partner, officer, or director of the applicant:

(1) has been convicted within the last three (3) years of a felony or an act involving dishonesty, fraud, or deceit, whether in this or any other state or jurisdiction;

(2) has been refused a license to do the type of work authorized herein or has such a license suspended or revoked by any local, state or federal government or agency and such government or agency has not subsequently granted or restored such license; or

(3) has knowingly made a false statement in the application.

Sec. 7-1-85 Termination and renewal of license.

All licenses issued hereunder shall terminate on the last day of the calendar year for which issued. Renewal of the licenses shall be pursuant to the same procedures and requirements set forth for initial issuance.

Sec. 7-1-86 Suspension; revocation.

(a) The building inspector may suspend or revoke any license issued hereunder at any time upon a showing that the applicant or any employee, partner, officer, or director of the applicant has (i) knowingly made a false statement in the application for a license, or (ii) violated the state building code requirements as to insulation of energy utilization equipment or materials, whether in this or any other jurisdiction, or (iii) been convicted of an act involving dishonesty, fraud, or

deceit with respect to any contract entered into for work requiring this license.

(b) Any licensee whose license is suspended or revoked may appeal the suspension or revocation to the board. After reasonable notice to the licensee, the board shall afford the licensee an opportunity to show why its license should not be suspended or revoked.

Sec. 7-1-87 Change of location.

The location of any licensed business may be changed, provided 10 days' notice thereof is given to the town and operation at the new location does not violate any applicable state or local law, ordinance, or regulation.

Sec. 7-1-88 Required permit; fee; exceptions.

(a) No person, firm or corporation may for a consideration install, alter or restore any insulation or other materials or energy utilization equipment designed or intended to meet the state building code requirements for insulation and energy utilization without first securing a special insulation and energy utilization permit from the building inspector for each item of work, which permit shall evidence compliance with the insulation and energy utilization standards of the state building code.

(b) There shall be a fee charged for each permit issued in accordance with the general building permit fee schedule established by the town.

(c) The following shall not be required to obtain the permit required by subsection (a):

- (1) An owner working upon his own building;
- (2) An installer working under the supervision of a registered architect or professional engineer when the work is being performed under a general building permit;
- (3) A contractor licensed to do the proposed work under Chapter 87 of the General Statutes, when the work is being performed under a general building permit.

Sec. 7-1-89 Violations.

Any firm, person, or corporation violating the provisions of this article shall be subject to all the applicable punishment, penalties, and equitable relief provided for by Section 160A-175 of the General Statutes and G.S. 143-151.26 through 151.36.

CHAPTER 2

Zoning

§ 7-2-1 Zoning ordinance adopted by reference.

Sec. 7-2-1 Zoning ordinance adopted by reference.

(a) The zoning ordinance of the town, as adopted and from time to time amended, is hereby adopted by reference as a technical code of the Town of Bath in accordance with G.S. 160A-76(b) and shall have the full force and effect of law as if fully set out herein.

(b) A copy of the zoning ordinance, with all amendments, shall be maintained for public inspection in the office of the clerk.

State Law Reference: Technical ordinances, G.S. 160A-76.