

ORDINANCE NO. 7327

AN ORDINANCE TO AMEND, UPDATE, AND IMPROVE THE AUGUSTA, GEORGIA CODE, TITLE SEVEN, CHAPTER ONE, SECTIONS 7-1-1 THROUGH 7-1-120, TO ALLOW THE AUGUSTA, GEORGIA GOVERNMENT TO OBTAIN PERMITS IN A MANNER SIMILAR TO HOMEOWNERS AND CONTRACTORS; TO PROVIDE FOR A WAIVER OF PERMIT FEES FOR THE AUGUSTA, GEORGIA GOVERNMENT; TO REPEAL ALL CODE SECTIONS AND ORDINANCES AND PARTS OF CODE SECTIONS AND ORDINANCES IN CONFLICT HEREWITH; TO PROVIDE AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

WHEREAS, The proposed amendments to the Augusta Building Code updates the terminology to be reflective of the administrative sections of the Georgia Department of Community Affairs adopted construction codes;

WHEREAS, The Augusta Building Code allows certain permits and certificates of occupancy to be issued to properly licensed contractors and homeowners in section 7-1-9 but does not specifically address the permit process for the Augusta, Georgia government and does not provide for a waiver of permit fees for the Augusta, Georgia government;

WHEREAS, Augusta, Georgia is desirous of allowing qualified Augusta, Georgia employees to provide construction services and other services requiring a permit for Augusta, Georgia without the requirement of paying permit fees;

WHEREAS, Augusta, Georgia has a public interest in ensuring that all construction related work, including work done by the Augusta, Georgia government, is safe and is properly inspected; and

THE AUGUSTA, GEORGIA COMMISSION ordains as follows:

SECTION 1. Sections 7-1-1 through 7-1-120 of AUGUSTA, GA. CODE Title seven, Chapter one as set forth in the AUGUSTA, GA. CODE, are hereby amended by

striking these sections in their entirety. New Sections 7-1-1 through 7-1-120 are hereby inserted to replace the repealed sections as set forth in "Exhibit A" hereto.

SECTION 2. This ordinance shall become effective upon its adoption in accordance with applicable laws.

SECTION 3. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Adopted this 25th day of FEBRUARY, 2012.



David S. Copenhagen
As its Mayor

WB 2/27/12

Attest:


Lena J. Bonner, Clerk-Commission

Seal:



EXHIBIT A

REPLACE WITH:

TITLE 7

BUILDINGS AND CONSTRUCTION

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Chapter 1

BUILDING AND BUILDING REGULATIONS

ARTICLE 1 IN GENERAL

Sec. 7-1-1. Scope.

The provisions of this Chapter shall govern the administration and enforcement of the International Building, Gas, Mechanical, Plumbing, Energy Conservation, and Fire Codes, the International Residential Code, and the National Electric Code, hereinafter referred to as the technical codes, as are adopted in Article 7 herein.

Sec. 7-1-1.1 Appendices. Provisions in the appendices shall not apply unless specifically adopted.

Sec. 7-1-2. Title.

The provisions embraced within the following articles and sections shall constitute and be known and may be cited as The Building Code of Augusta, Georgia, hereinafter referred to as this building code.

Sec. 7-1-3. Code remedial.

(a) *General.* The purpose of this code is to establish the minimum requirements to safeguard the public health, safety and general welfare through structural strength, means of egress facilities,

stability, sanitation, adequate light and ventilation, energy conservation, and safety to life and property from fire and other hazards attributed to the built environment and to provide safety to fire fighters and emergency responders during emergency operations.

(b) *Quality control.* Quality control of materials and workmanship is not within the purview of this building code except as it related to the purposes stated herein.

(c) *Permitting and inspection.* The inspection or permitting of any building, system or plan by any jurisdiction, under the requirements of this building code, shall not be construed in any court as a warranty of the physical condition of such building, system or plan or their adequacy. No jurisdiction nor any employee thereof shall be liable in tort for damages for any defect or hazardous or illegal condition or inadequacy in such building, system or plan, nor for any failure of any component of such, which may occur subsequent to such inspection or permitting.

Sec. 7-1-4. Applicability.

(a) *Generally.* Where, in any specific case, different sections of this building code specify different materials, methods of construction or other requirements, the most restrictive shall govern. Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall be applicable.

(b) *Building.* The provisions of the *International Building Code* shall apply to the construction, alteration, movement, enlargement, replacement, repair, use and occupancy, location, maintenance, removal and demolition of every building or structure or any appurtenances connected or attached to such buildings or structures.

(c) *Residential.* The provisions of the *International Residential Code for One- and Two-Family Dwellings* shall apply to the construction, alteration, movement, enlargement, replacement, repair, use and occupancy, location, removal, and demolition of detached one- and two-family dwellings and townhouses not more than three stories above grade in height with a separate means of egress and their accessory structures.

(d) *Electrical.* The provisions of the *National Electrical Code* shall apply to the installation of electrical systems, including alterations, repairs, replacement, equipment, appliances, fixtures, fittings and appurtenances thereto.

(e) *Gas.* The provisions of the *International Gas Code* shall apply to the installation of consumers' gas piping, gas appliances and related accessories as covered in this building code. These requirements apply to gas piping systems extending from the point of delivery to the inlet connections of appliances, and the installation and operation of residential and commercial gas appliances and related accessories.

(f) *Mechanical.* The provisions of the *International Mechanical Code* shall apply to the installation of mechanical systems, including alterations, repairs, replacement, equipment, appliances, fixtures, fittings and/or appurtenances, including ventilating, heating, cooling, air conditioning and refrigeration systems, incinerators, and other energy-related systems.

(g) *Plumbing.* The provisions of the *International Plumbing Code* shall apply to every plumbing

installation, including alterations, repairs, replacement, equipment, appliances, fixture, fittings and appurtenances, and when connected to a water or sewerage system.

(h) *Energy Conservation.* The provisions of the *International Energy Conservation Code* shall regulate the design and construction of buildings for the effective use of energy.

(i) *Fire Prevention.* The provisions of the *International Fire Code* shall apply to matters affecting or relating to structures, processes and premises from the hazard of fire and explosion arising from the storage, handling or use of structures, materials or devices; from conditions hazardous to life, property or public welfare in the occupancy of structures or premises; and from the construction, extension, repair, alteration or removal of fire suppression and alarm systems or fire hazards in the structure or on the premises from occupancy or operation.

(j) *Property Maintenance.* The provisions of the *International Property Maintenance Code* shall apply to existing structures and premises; equipment and facilities; light, ventilation, space heating, sanitation, life and fire safety hazards,

(j) *Federal or state authority.* The provisions of this building code shall not be held to deprive any federal or state agency, or any applicable governing authority having jurisdiction, of any power or authority which it had on the effective date of the adoption of this building code or of any remedy then existing for the enforcement of its orders, nor shall it deprive any individual or corporation of its legal rights as provided by law.

(k) *Appendices.* To be enforceable, the appendices included in the technical codes must be referenced in the code text or specifically included in the adopting ordinance.

(l) *Referenced standards.* Standards referenced in the technical codes shall be considered an integral part of the codes without separate adoption. If specific portions of a standard are denoted by code text, only those portions of the standard shall be enforced. Where code provisions conflict with a standard, the code provisions shall be enforced. Permissive and advisory provisions in a standard shall not be construed as mandatory.

Sec. 7-1-5. Alteration or repair of existing building.

Alterations or repairs to existing buildings shall be governed by the Technical codes.

Sec. 7-1-6. Change in occupancy of existing building. If the occupancy of an existing building is entirely changed, the building shall be made to conform to the requirements of this building code for the new occupancy. If the occupancy of only a portion of an existing building is changed and that portion is separated from the remainder of the building, then that portion must be made to conform pursuant to applicable building codes.

Sec. 7-1-7. Reserved.

Sec. 7-1-8. Preferential classification and assessment of landmark historic property.

Property in Augusta, Georgia, may qualify as landmark historic property and be eligible to receive the preferential assessment provided for in section (c.1) of O.C.G.A. § 48-5-7.

Sec. 7-1-9. Installation or maintenance by homeowner.

Nothing in this building code shall prevent a homeowner from doing construction, installing electrical, mechanical or plumbing systems or maintaining his home within his own property boundaries, provided such work is done by himself and is used exclusively by him or his family. Such privilege does not convey the right to violate any of the provisions of this building code, nor is it construed as exempting any such property owner from obtaining a permit, paying required fees and requesting inspections.

Secs. 7-1-10—7-1-15. Reserved.

ARTICLE 2. STRUCTURAL STANDARDS AND REQUIREMENTS

Sec. 7-1-16. Technical codes—Adopted by reference.

The latest edition of the Georgia Mandated codes and Georgia Amendments as promulgated by the State of Georgia through the Department of Community Affairs shall be enforced by Augusta Georgia. (Adoption of the codes, appropriate appendices, and amendments by the State of Georgia are so denoted. Georgia Optional Codes adopted by Augusta Georgia are so denoted.)
<http://www.dca.state.ga.us/development/constructioncodes/programs/codeAmendments.asp>

Georgia Mandated Codes

<i>Code</i>	<i>GA Adopted Amendments and Appendices</i>
International Building Code	*
International Plumbing Code	*
International Fuel Gas Code	*
International Mechanical Code	*
National Electrical Code	*
International Energy Conservation Code	*
International Fire Code	*
International Residential Code	*

Georgia Optional Codes

International Property Maintenance Code , 2003 Edition

The Planning and Development Department shall be responsible for the administration and enforcement of the above codes adopted by reference. Any person or persons failing to comply with the provisions of the above codes in Augusta, Georgia shall be guilty of an offense and upon trial as a misdemeanor and conviction, shall be punished as provided in section 1-6-1 of this Code.

Sec. 7-1-17. Same—Conflicts with chapter provisions.

All provisions in this chapter in conflict with any provisions of the Technical codes referenced in section 7-1-16 shall govern and control, and the conflicting provisions of the referenced codes shall be repealed.

Sec. 7-1-18. Reserved.

Editor's note—Ord. No. 6176, adopted in 1999, repealed § 7-1-18 in its entirety. Formerly, said section pertained to rigid or thin wall conduit required in certain installations.

Sec. 7-1-19. Mothballing vacant structures.

(a) In lieu of enforcement under other provisions of this Code, *the* owner(s) of a vacant structure may elect to close or 'mothball' the structure if the structure is vacant and unfit for human habitation and occupancy, and it is not dilapidated, unsafe, unsanitary, or in danger of structural collapse. Mothballing is defined as a method used to protect a vacant structure from weather damage and vandals while preserving the structure for future use. The goal of mothballing is to temporarily protect the property to allow the owner to plan the property's future, or acquire funds for preservation, rehabilitation or restoration. In historic districts, the owner, prior to mothballing, must obtain a certificate of appropriateness pursuant to Augusta-Richmond County Code Title 7, Chapter 4, Article 4, Application to Preservation Commission for certificate of appropriateness.

(b) Prior to mothballing a structure, the property owners will be required to register the vacant property with the Planning and Development Department. The Planning and Development Department will issue a mothballing a permit. Within ten (10) days of completion of the mothballing, the property owner must contact the Planning and Development Department to schedule an initial compliance inspection. Annually, the property will be inspected for compliance with the provisions of this Code Section.

Sec. 7-1-19.2 Registration of vacant and abandoned buildings

(a) Owners of vacant buildings, who elect to mothball in lieu of repairing or demolishing the structure, must register their properties at the Planning and Development department prior to beginning work. This registration shall be made through a form provided by the department and shall include a list of a contact person or persons responsible for the maintenance and repair of the property. This form shall contain the current telephone numbers and addresses of all contact persons. It is the sole responsibility of the property owner to update this information at the Planning and Development department.

(b) *Mothballing permit.* After registration, the owners of vacant buildings must obtain a mothballing permit from the Planning and Development department. The cost of the mothballing permit is twenty-five dollars (\$25.00) that includes the compliance inspection. A separate building permit may be required for building repairs.

(c) *Term of permit, one year; option to renew for one year.* A mothballing permit shall be valid for one year next following the date of the registration of the property and may be renewed for one year next following the first anniversary of the date of the issuance of said permit. The fee for the renewal term shall be \$25.00 and shall be paid when application is made for renewal.

Sec. 7-1-19.3. Specific mothballing procedures.

The three highest priorities for a mothballed building are:

1) to protect the building from sudden loss, 2) to weatherize and maintain the property to stop moisture penetration, and 3) to control the humidity levels inside once the building has been secured.

Sec. 7-1-19.4. General mothballing procedures.

(a) A properly mothballed building will have a watertight roof, secured doors and windows, repaired or stabilized rot problems, painted wood, repaired masonry, and well maintained grounds. All trash, debris, garbage should be removed from inside, outside and under the house.

(b) To ensure compliance with this Code section, the property owner, at a minimum, should take the following actions:

(1) The building's roof should be weather tight. Missing shingles should be replaced, holes should be repaired. Rolled roofing is acceptable as a temporary repair material; but if it is used, it must be securely installed.

(2) Windows should be covered on the exterior with high grade plywood cut to fit within the window opening. Window coverings should be attached with screws to minimize damage to the window when they are removed. Window coverings should be painted a flat color — i.e. dark grey or black, or a color that matches the building.

(3) The water should be turned off and the pipes drained. If the building has a functional sprinkler system, it should remain operational.

(4) All electrical systems not necessary for security, fire prevention, and/or ventilation should be disconnected.

(5) Exterior walls surfaces shall be free of breaks, holes, loose or missing materials to prevent deterioration. All exterior surfaces shall be repaired and protected from the elements including but not limited to porches, decks, balconies and fences. All metal surfaces subject to rust or corrosion shall be coated to inhibit such rust and corrosion. Gutters should be cleaned and inspected to verify that they discharge away from the building. Corrective measures should be taken as necessary.

(6) Potential points for water intrusion, like crawlspace openings and basement windows, should be blocked and the water diverted away from the building; however, basement and crawlspace ventilation shall be maintained.

(7) Loose architectural elements like brackets that should be documented, removed, and stored on site. Securely attached material should not be removed.

(8) Chimneys should be securely blocked with heavy duty wire mesh to prevent animal intrusion.

(9) The building should be adequately ventilated. Small openings covered with heavy duty wire mesh at the top of window coverings may be adequate. In humid climates, forced air ventilation may be necessary.

(10) Vegetation around the building should be pruned back from the walls a minimum of

twelve (12) inches to allow good airflow. Overhanging dead tree limbs and branches should be removed. The property grounds shall be maintained at all times (including bushes, beds, and other vegetation), the grass shall not exceed six (6) inches in height and the property shall be kept free of trash and debris at all times.

(11) The owner shall establish a monitoring and maintenance schedule for the building. The schedule, at a minimum, should require that a drive-by inspection be done on a monthly basis, that a walk around be done every three (3) months, and that the building be entered and inspected annually.

Sec. 7-1-19.5. Mothballing—Boarding specifications.

The property owner must comply with the following minimum requirements regarding windows, exterior doors and other openings in exterior walls of vacant structures.

(1) *Minimum cleaning and safety requirements:*

- a. Remove to legal dumpsite all trash debris, garbage from inside, outside and under house before boarding. (Keep on file copy of all receipts from landfill or their disposal facility for review.)
- b. Correct health and structural hazards inside, outside and under house before boarding.

(2) *Minimum window board-up requirements*

- a. Remove windowpanes if broken. If window panes not broken, lower or raise window sash to permit installation of carriage bolts described below.
- b. Neatly cut a single piece of one-half (1/2) inch high grade exterior plywood that is sized to fit snugly inside the window opening against the windows stop. Consider installing two (2) inches × four (4) inches blocking within opening for back of plywood to rest against snugly.
- c. Cut an opening centered and six (6) inches below the top of the plywood and install a metal soffit vent that covers the opening but allows light to enter the structure once the plywood has been installed. Use screws to attach the vent to the plywood.
- d. Cut at least two two (2) inches × four (4) inches wood support members that are sixteen (16) inches wider than the window opening.
- e. The support members are to be mounted horizontally and flush against the interior window casing with eight (8) inches extending left and right of the window opening. The top support should be located within one-fourth (1/4) and one-third (1/3) of the window opening height from the top of the opening. The bottom support should be located within one-half (1/2) to one-third (1/3) of the window opening height from the bottom of the opening.
- f. Drill at least two holes in each of the two (2) inches × four (4) inches support members then drill holes in the plywood that line up with the holes drilled in the support members.
- g. Insert a washer over the end of a three-eighths (3/8) inch diameter round, smooth head, carriage bolt.

- h. Line up each hole in the two (2) inches × four (4) inches support member and the plywood.
- i. At each hole, insert a three-eighths (3/8) inch diameter carriage bolt from exterior to interior through the plywood, through the window opening and through the two (2) inches × four (4) inches and plywood toward each other until there is no play.
- j. Prime the exterior surface of the plywood.
- k. On the exterior, caulk the perimeter edges of the plywood.
- l. Paint the exterior surface of the plywood a flat color — i.e. dark grey or black, or a color that matches the building.

(3) Minimum exterior door board-up requirements.

- a. Remove door.
- b. Neatly cut a single piece of one-half (1/2) inch high grade exterior plywood that is sized to fit snugly inside the door opening against the doorstop. Consider installing two (2) inches × four (4) inches blocking within opening for back of plywood to rest against snugly.
- c. Cut an opening centered and six (6) inches below the top of the plywood and install a metal soffit vent that covers the opening but allow light to enter the structure once the plywood has been installed. Use screws to attach the vent to the plywood.
- d. Cut a least two two (2) inches times; four (4) inches wood support members that are sixteen (16) inches wider than the door opening.
- e. The support members are to be mounted horizontally and flush against the interior door casing with eight (8) inches extending left and right of the door opening. The top support should be located within one-fourth (1/4) and one-third (1/3) of the door opening height from the top of the opening. The bottom support should be located within one-fourth (1/4) to one-third (1/3) of the door opening height from the bottom of the opening.
- f. Drill at least two (2) holes in each of the two (2) inches × four (4) inches support member and the plywood. At each hole, insert a three-eighths (3/8) inch diameter carriage bolt from exterior to interior—through the plywood, through the door opening and through the two (2) inches × four (4) inches.
- g. Insert a washer over the end of a three-eighths (3/8) inch diameter round, smooth head, carriage.
- h. Line up each hole in the two (2) inches × four (4) inches support member and the plywood. At each hole, insert a three-eighths (3/8) inches diameter carriage bolt—from exterior to interior—through the door opening and through the two (2) inches × four (4) inches.
- i. Slip a three-eighths (3/8) inch diameter nut and washer over the end of the carriage bolt inside the structure and securely tighten the nut pulling the two (2) inches × four (4) inches and plywood toward each other until there is no play.
- j. Prime the exterior surface of the plywood.
- k. On the exterior, caulk the perimeter edges of the plywood.

l. Paint the exterior surface of the plywood a flat color—i.e. dark grey or black, or a color that matches the building.

(4) *Crawlspace/basement door, gable vent or other opening.*

- a. Remove door or vent and install when necessary two (2) inches × four (4) inches blocking in the opening.
- b. Cut a single piece of one-half (1/2) inch high grade exterior plywood that will fit snugly against the outside edge of the blocking.
- c. Screw plywood snugly to blocking using at least one (1) inch screws.
- d. Prime the exterior surface of the plywood and caulk the perimeter edges.
- e. Paint the exterior surface of the plywood a flat color — i.e. dark grey or black, or a color that matches the building.

Sec. 7-1-19.6 Completion period

(a) *Period of completion.* Owners of vacant structures shall have ninety (90) days from date of issuance of the mothballing a permit to complete mothball the building in compliance with these provisions.

(b) *Extension.* The Director of the Planning and Development Department may extend the completion period up to ninety (90) days based on unusual circumstances and financial hardships.

Sec. 7-1-19.7 Initial compliance inspection.

(a) *Initial compliance inspection.* The Planning and Development Department will conduct an initial mothballing compliance inspection of the building, and shall issue an acceptance certificate if the property owner has substantially complied with the requirements as set forth in.

(b) *Non-acceptance.* If the owner has not substantially complied with the requirement of this ordinance, the department shall issue a note of non-acceptance during the initial compliance inspection, the department shall provide the owner with a copy of the noted deficit area(s). The building owner will have thirty (30) days from the date of inspection within which to take corrective action(s) and request another compliance inspection. The owner may be subject to other enforcement proceedings under this Code if the department notes the structure as non-acceptance during a follow-up compliance inspection.

Sec. 7-1-19.8 Annual compliance inspections.

To ensure compliance, the Planning and Development Department will conduct annual inspections of all structures registered under this Code section.

Sec. 7-1-19.9 Enforcement.

The Planning and Development department will be responsible for enforcing compliance with the mothballing ordinance.

Secs. 7-1-20—7-1-25. Reserved.

ARTICLE 3. PLANNING AND DEVELOPMENT DEPARTMENT

Section 7-1-26 Established.

The Planning and Development Department was effectively established by the Augusta, Georgia Commission in Augusta, Georgia Code Section 8-1-5 herein.

Section 7-1-27 Employee qualifications.

(a) Director-Building Official qualifications. The person in charge of the Planning and Development Department shall be known as the Director-Building Official. The Director-Building Official shall have at least ten (10) years' experience or equivalent as an architect, engineer, inspector, contractor, or superintendent of construction, or any combination of these, five (5) years of which shall have been in responsible charge of work. The Director-Building Official shall be certified as a building official through a recognized certification program. The Director-Building Official shall be appointed or hired by the Augusta, Georgia Commission and shall not be removed from the office except for cause after full opportunity has been given to be heard on specific charges before the Commission.

Sec. 7-1-28. Restrictions on employees' business interests.

An officer or employee connected with the department, except one whose only connection is as a member of the board established by this building code, shall not be financially interested in the furnishing of labor, material, or appliances for the construction, alteration, or maintenance of a building, structure, service, system, or in the making of plans or specifications therefore, unless he is the owner of such building. Such officer or employee shall not engage in any work which is inconsistent with his duties or with the interests of the department.

Section 7-1-29 Records and Reports.

- (a) The Director-Building Official shall keep, or caused to be kept, a record of the business of the department. The records of the department shall be open to public inspection.
- (b) The Director-Building Official shall annually submit a report to the Augusta, Georgia Administrator covering the work of the department during the preceding year. He may incorporate in said report a summary of the decisions of the Construction Advisory Board during said year.

Section 7-1-30 Liability, defense of employees for actions taken in the course of their duties.

Any officer or employee, or member of the Construction Advisory Board, charged with the enforcement of this building code, acting for the governing body in the discharge of his duties, shall not thereby render himself liable personally; and he is hereby relieved from all personal liability for any damage that may accrue to persons or property as a result of any act required or permitted in the discharge of his duties. Any suit brought against any officer or employee or member because of such act performed by him in the enforcement of any provision of this building code shall be defended by the Augusta, Georgia attorney until the final termination of the proceedings.

Section 7-1-31 Powers and duties of Director-Building Official.

- (a) The Director-Building Official shall enforce the provisions of this building code, and is authorized to render interpretations of this building code which are consistent with its spirit and

purpose. The Director-Building Official's power shall include, but not be limited to, the following:

(1) *Right of entry.* Whenever necessary to make an inspection to enforce any of the provisions of this building code, or whenever the Director-Building Official has reasonable cause to believe that there exists in any building or upon any premises any condition or code violation which makes such building, structure, premises, electrical, gas, mechanical, or plumbing systems unsafe, dangerous or hazardous, the building official may enter such building, structure or premises at all reasonable times to inspect the same or to perform any duty imposed upon the Director-Building Official by this building code. If such building or premises are occupied, he shall first present proper credentials and request entry. If such building, structure, or premises are unoccupied, he shall first make a reasonable effort to locate the owner or other persons having charge or control of such and request entry. If entry is refused, the building official shall have recourse to every remedy provided by law to secure entry.

When the Director-Building Official shall have first obtained a proper inspection warrant or other remedy provided by law to secure entry, no owner or occupant or any other persons having charge, care or control of any building, structure, or premises shall fail or neglect, after proper request is made as herein provided, to promptly permit entry therein by the Director-Building Official, or his designer, for the purpose of inspection and examination pursuant to this building code.

(2) *Inspections.* The Director-Building Official may make, or cause to be made, the inspections required by this building code.

(3) *Tests.* The Director-Building Official may require tests or test reports as proof of compliance. Tests, if required, are to be made at the expense of the owner, or his agent, by an approved testing laboratory or other approved agency. Copies of such test reports or the results of all such tests shall be kept on file in the office of the Director-Building Official.

(4) *Stop work orders.* Upon notice from the Planning and Development Department, work on any building, structure, electrical, gas, mechanical or plumbing system that is being done contrary to the provisions of this building code or in a dangerous or unsafe manner, shall be immediately stopped. Such notice shall be in writing and shall be given to the owner of the property, or to his agent, or to the person doing the work, and shall state the conditions under which work may be resumed. When an emergency exists, written notice shall not be required to be given to the Planning and Development Department.

(5) *Revocation of permits.*

a. The Director-Building Official may revoke a permit or approval, issued under the provisions of this Chapter, in case there has been any false statement or misrepresentation as to a material fact in the application or plans on which the permit or approval was based.

b. The Director-Building Official may revoke a permit upon determination by the Director-Building Official that the construction, erection, alteration, repair, moving, demolition, installation, or replacement of the building, structure, electrical, gas, mechanical or plumbing systems, for which the permit was issued is in violation of, or not in conformity with, the provisions of this building code.

Section 7-1-32 Requirements not covered by code.

Any requirements necessary for the strength, stability or proper operation of an existing or proposed building, structure, electrical, gas, mechanical or plumbing system, or for the public

safety, health and general welfare, not specifically covered by this or the other technical codes, shall be determined by the Planning and Development Department.

Sec. 7-1-33. Alternate materials and methods.

The provisions of the technical codes are not intended to prevent the use of any material or method of construction not specifically prescribed by them, provided any such alternate has been reviewed by the Director-Building Official. The Director-Building Official shall approve any such alternate, provided the Director-Building Official finds that the alternate for the purpose intended is at least the equivalent of that prescribed in the technical codes, in quality, strength, effectiveness, fire resistance, durability and safety. The Director-Building Official shall require that sufficient evidence or proof be submitted to substantiate any claim made regarding the alternate.

Secs. 7-1-34—7-1-45. Reserved.

ARTICLE 4. CONSTRUCTION ADVISORY BOARD*

Sec. 7-1-46. Created.

There is hereby created the Augusta-Richmond County Construction Advisory Board which shall consist of ten (10) members. The Board shall serve in an advisory and mediation capacity only, and all members shall be appointed by the Augusta-Richmond County Commission and shall serve at the pleasure thereof.

Sec. 7-1-47. Composition.

The Board shall be composed of the following:

- a. One (1) licensed electrical contractor;
- b. One (1) master plumber;
- c. One (1) licensed HVAC contractor;
- d. One (1) commercial contractor;
- e. One (1) residential contractor;
- f. One (1) architect;
- g. One (1) electrical engineer;
- h. One (1) consulting engineer;
- i. One (1) consumer member-Super District 9; and
- j. One (1) consumer member-Super District 10.
- k. One (1) Residential-Light Commercial Contractor.

Members, other than the initial members, shall be appointed for terms of four (4) years. Vacancies shall be filled for an unexpired term in the amount of which the original appointments are required to be made. Continued absence of any member from regular meetings of the Board shall, at the discretion of the Commission, render any such member liable to immediate removal from office. The Augusta, Georgia employee holding the position of Director-Building Official of the Planning and Development Department shall be responsible for all administrative duties

and support to the Advisory Board. The Director-Building Official, Building Inspectors, Planning Commission Director, Utilities Department Director, and Fire Chief, employed by Augusta, Georgia shall serve in an advisory capacity as non-voting, ex-officio members of the Advisory Board. At its first meeting of each calendar year, the construction Advisory Board shall elect one (1) of its members as Chairman and one (1) of its members as Vice-Chairman to serve during the calendar year and until his/her successor has been elected and qualified for office. The Chairman shall preside at meetings of the Advisory Board. In the absence of the Chairman, the Vice Chairman shall preside at meetings. In order to take any action, a quorum of at least a majority of voting members of the Advisory Board must be present at the duly called meeting. A vote of a majority of the voting members present at the duly called meeting at which a quorum is present shall be required to adopt or approve any proposed action by the Board. The Construction Advisory Board shall meet on the second Thursday in each of the following months: January, March, May, July, September, and November. Special meetings may be called by the Chairman, or Vice-Chairman, as he/she deems necessary.

Sec. 7-1-48. Duties.

The Construction Advisory Board shall adopt such reasonable rules and regulations as are necessary for the conduct of its affairs and shall, when needing legal advice, consult with Augusta, Georgia Attorney, through the department Director/Building Official. It shall be the duties of the Construction Advisory Board to:

- (a) Serve in an advisory capacity to the Commission on matters pertaining to Construction.
- (b) Conduct mediation hearings to resolve differences of opinions in the interpretation of all construction codes and inspection procedures in force in Augusta, Georgia.
- (c) Make recommendations to the Commission concerning unresolved matter in interpretation of codes and inspection procedures.
- (d) The Advisory Board Committee will not make any changes from the standard codes adopted. If it is felt that any code does not meet Augusta, Georgia's needs due to unique physical or climatological conditions, a proposal to modify a code may be submitted to the Commission through the department Director/Building Official.
- (e) Serve as a liaison between the Augusta, Georgia and builders, developers, design professionals and other disciplines involved in the building and development industries. This duty includes dissemination of information such as adoption of new building codes and changes in policies to these groups and the general public.
- (f) Appoint a member of the Construction Advisory Committee to serve as an ex-officio member of the Subdivision Regulations Committee.

Secs. 7-1-49 -- 7-1-55. Reserved.

Sec. 7-1-56. Appeals proceedings—authorized; filing notice of appeal.

- (a) Whenever the Director/Building Official shall reject or refuse to approve the mode or manner of construction proposed to be followed, or materials to be used in the erection or alteration of a building or structure, or when it is claimed that the provisions of the building code do not apply, or that an equally good or more desirable form of construction can be employed in any specific case, or when it is claimed that the true intent and meaning of the building code or any of the regulations there under have been misconstrued or wrongly interpreted, the owner of such

building or structure or his duly authorized agent, may appeal from the decision of the Director/Building Official to the Construction Advisory Board; or when the building owner has reason to file a claim against the contractor's bond, the owner of such building or structure or his duly authorized agent, may petition the Construction Advisory Board through the Building Official to hear the facts and approve recommending to the Augusta Commission that the contractor's bond- in an amount to be determined at the hearing- should be forfeited to the building owner.

(b) Notice of Appeal shall be in writing and filed within ten (10) days after the decision is rendered by the Director/Building Official. A fee of fifty dollars (\$50.00) shall accompany such notice of appeal. In case of a building or structure which, in the opinion of the Director/Building Official, is unsafe or dangerous, the Director/Building Official may, in his order, limit the time for such appeal to be a shorter period. Appeals hereunder shall be on forms provided by the Director/Building Official.

Sec. 7-1-57. Same-decisions.

(a) The Advisory Board shall, in every case, reach a decision without unreasonable or unnecessary delay.

(b) The Advisory Board, when so appealed to and after a hearing, may vary the application of any provision of this building code to any particular case when, in its opinion, the enforcement thereof would do manifest injustice and would be contrary to the spirit and purpose of this building code or public interest, or when, in its opinion, the interpretation of the Director/Building Official would be modified or reversed. A decision of the Board to vary the application of any provision of this building code or to modify an order of the Director/Building Official shall specify in what manner such variation or modification is made, the conditions upon which it is made, and the reasons therefore.

(c) Every decision of the Advisory Board shall be final, subject, however, to such remedy as any aggrieved party might have at law or in equity. It shall be in writing and shall indicate the vote upon the decision. Every decision shall be promptly filed in the office of the Director/Building Official, and shall be open to public inspection; a copy shall be sent by mail or otherwise to the applicant.

(d) If a decision of the Advisory Board reverses or modifies a refusal, order, or disallowance of the Director/Building Official, or varies the application of any provision of the building code, the Director/Building Official shall immediately take action in accordance with such decision.

Secs. 7-1-58-7-1-80. Reserved.

- (5) All subcontractors and contractors for electrical, mechanical, plumbing, low voltage and sprinklers (building and grounds) will be required to purchase their own permits based on the fee schedule provided in paragraph (2) of this sub-section.
- (6) All commercial repairs will be based on the cost or contract using the fee schedule in paragraph (2) of this sub-section for building, electrical, mechanical, plumbing, low-voltage and sprinkler system contractors.
- (7) Electrical permits for new (location) mobile homes shall be fifty dollars (\$50.00) plus a seventeen dollar (\$17.00) inspection fee and permits for electrical repairs to mobile homes shall be fifty dollars (\$50.00) plus a seventeen dollar (\$17.00) inspection fee.
- (8) Re-Inspection; if it is necessary to make a re-inspection for a required building, electrical, mechanical or plumbing inspection because of improper work, the contractor responsible shall pay a re-inspection fee of twenty-five dollars (\$25.00) for each re-inspection.
- (9) Mothballing Permits: flat fee of twenty-five dollars (\$25.00).

(d) *Same—Permit valuation.* Permit valuations shall include total cost, such as plumbing, electrical, mechanical equipment and other systems, including materials and labor. If, in the opinion of the Director-Building Official, the valuation of building, alteration, structure, electrical, gas, mechanical or plumbing systems appears to be underestimated on the application, the permit shall be denied unless the applicant can show detailed estimated cost to meet the approval of the Director-Building Official.

(e) *Plan review fees.* The fee for reviewing all plans, including Building, Electrical, Plumbing and Mechanical shall be sixty-six percent (66%) of the permit amount. One and two-family dwellings are exempt from plan review fees.

(f) *Augusta, Georgia.* Notwithstanding any other provisions as provide in this building code, Augusta, Georgia shall not be required to pay any permit, inspection or review fees.

(g) *Refunds.* The building official is authorized to establish a refund policy.

Sec. 7-1-91. Commencing work without permit prohibited; penalty for violation.

A person, firm or corporation who commences any work on a building, structure, electrical, gas, mechanical or plumbing system, or who causes the same to be done, before obtaining the necessary permits, shall be subject to a five hundred dollar (\$500.00) penalty for the first offense and a one thousand dollar (\$1,000.00) penalty for the second offense and each offense occurring thereafter.

Sec. 7-1-92. Posting building permit card; keeping approved drawings available for inspection at site required.

(a) Work requiring a building permit shall not be commenced until the permit holder or his agent shall have posted the building permit card in a conspicuous place on the front of the premises. The permit shall be protected from the weather and located in such position as to permit the

Director-Building Official or his authorized representative to conveniently make the required entries thereon. This permit card shall be maintained in such position by the permit holder until the certificate of occupancy or completion has been issued by the Director-Building Official.

(b) When the Director-Building Official issues a permit, he shall endorse, in writing or by stamp, both sets of plans Reviewed for Code Compliance. One set of drawings so reviewed shall be retained by the building official and the other set shall be returned to the applicant. The permit drawings shall be kept at the site of work and shall be open to inspection by the Director-Building Official or his authorized representative.

Sec. 7-1-93. Deleted

Sec. 7-1-94. Inspections.

(a) *Existing building inspections.* The Director-Building Official shall inspect all buildings, structures, electrical, gas, mechanical and plumbing systems, from time to time, during and upon completion of the work for which a permit was issued. He shall make a record of every such examination and inspection and of all violations of the technical codes.

(b) *Manufacturers and fabricators.* When deemed necessary by the Director-Building Official, he shall make, or cause to be made, an inspection of materials or assemblies at the point of manufacture or fabrication. He shall make a record of every such examination and inspection and of all violations of the technical codes.

Sec. 7-1-95. Same—Inspection service.

The Director-Building Official may make, or cause to be made, the inspections required by section 7-1-94. He may accept reports of inspectors of recognized inspection services, provided that after investigation he is satisfied as to their qualifications and reliability. A certificate called for by any provision of the technical codes shall not be based on such reports unless the same are in writing and certified by a responsible officer of such service.

Sec. 7-1-96. Same—Inspection prior to issuance of certificate of occupancy or completion.

The Director-Building Official shall inspect or cause to be inspected at various intervals all construction or work for which a permit is required, and a final inspection shall be made of every building, structure, electrical, gas, mechanical or plumbing system upon completion, prior to the issuance of the certificate of occupancy or completion.

Sec. 7-1-97. Same—Required inspections.

The Director-Building Official, upon notification from the permit holder or his agent, shall make the following inspections of buildings and such other inspections as may be necessary, and shall either approve that portion of the construction or shall notify the permit holder or his agent of any violations which must be corrected in order

to comply with the technical codes:

Required Inspections- Special Conditions

1. Rebar electrical grounding: do not place concrete until inspection is approved.
2. Footing: Setback – string line required detailing property line. Do not place concrete until inspections are approved.
3. Foundation (masonry): do not install floor system until inspections are approved.
4. Plumbing slab: 10' head pressure or 5 psi required. Do not cover piping until inspections are approved.
5. Monolithic slab (turndown): string line required detailing property line. Do not place concrete until inspections are approved.
6. Concrete slab: do not place concrete until inspections are approved.
7. Sewer line: do not cover until inspections are approved.
8. Rough framing, electrical, mechanical, and plumbing: do not cover until all inspections are approved.
9. Pre-power: electrical service released conditionally for testing and start up.
10. Final building, electrical, mechanical, and plumbing: do not occupy until all inspections are approved.

Sec. 7-1-98. Written approval required.

Work shall not be done on any part of a building, structure, electrical, gas, mechanical or plumbing system beyond the point indicated in each successive inspection without first obtaining the written approval of the inspector. Such written approval shall be given only after an inspection has been made of each successive step in the construction or installation as indicated by each of the foregoing inspections.

Sec. 7-1-99. Deleted

Sec. 7-1-100. Deleted

Sec. 7-1-101. Certificates of occupancy.

(a) *Building occupancy.* A new building shall not be occupied or a change be made in occupancy or the nature or the use of a building or part of a building until after the Director-Building Official shall have issued a certificate of occupancy therefore. Said certificate shall not be issued until all required electrical, gas, mechanical, plumbing and fire protection systems have been inspected for compliance with the technical codes, and other applicable laws and ordinances, payment of all fees, and approved by the Director-Building Official.

(b) *Temporary/partial certificates of occupancy.*

A temporary/partial certificate of occupancy may be issued for a portion or portions of a building which may safely be occupied prior to final completion of the building.

Sec. 7-1-102. Deleted

Sec. 7-1-103. Certificate of completion.

Upon satisfactory completion of a building, structure, electrical, gas, mechanical or plumbing system, a certificate of completion may be issued. This certificate is proof that a structure or system is complete and for certain types of permits is approved for use and may be connected to a utility system. This certificate does not grant authority to occupy or connect a building, such as a shell building, prior to the issuance of a certificate of occupancy.

Sec. 7-1-104. Service utilities.

(a) *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 the technical codes for which a permit is required, until approved by the Director-Building Official and a certificate of occupancy or completion issued.

(b) *Temporary connection.* The Director-Building Official may authorize the temporary connection of a building or system to the utility source of energy, fuel or power for the purpose of testing building service systems or for use under a temporary certificate of occupancy.

(c) *Authority to disconnect service utilities.* The Director-Building Official shall have the authority to authorize disconnection of utility service to the building, structure or system regulated by the technical codes, in case of emergency where necessary to eliminate an immediate hazard to life or property. The Director-Building Official shall notify the serving utility, and whenever possible the owner and occupant 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 of the building, structure or service system shall be notified in writing, as soon as practical thereafter.

Sec. 7-1-105. Deleted

Sec. 7-1-106. Deleted

The Director-Building Official may require tests or test reports as proof of compliance. Required tests are to be made at the expense of the owner, or his agent, by an approved testing laboratory or other approved agency.

Secs. 7-1-107—7-1-115. Reserved.

ARTICLE 6. CONSTRUCTION TRADES REGULATION

Sec. 7-1-116. PAYMENT OF OCCUPATION TAX, BOND AND LIABILITY INSURANCE REQUIRED.

It shall be the duty of every builder (residential, residential-light commercial, and general contractor), specialty contractor, plumber, electrician, and HVAC contractor who shall make contracts for the erection or construction or repair of buildings or installation of building components, or who shall make contracts for the installation or construction or repair of electrical, plumbing, or HVAC systems, for which a permit is required, and every contractor or builder, specialty contractor, plumber, electrician, or HVAC contractor making such contracts and subcontracting the same, or any part thereof, to do the following:

- (a) Obtain a business tax certificate in accordance with Title 2, Chapter 2 of the Augusta-Richmond County Code; or if a business tax certificate or business license has been obtained elsewhere in the State of Georgia and is current and valid, present a copy of said business tax certificate or license to the Planning and Development Department.
- (b) Execute and deposit in the Planning and Development Department a bond in the sum of fifteen thousand dollars (\$15,000) for Georgia State licensed Residential contractors; a bond in the sum of twenty thousand dollars (\$20,000) for Georgia State licensed Residential-Light Commercial contractors, and General contractors; a bond in the sum of fifteen thousand dollars (\$15,000) for Georgia State licensed electrical, plumbing and HVAC contractors doing residential work; a bond in the sum of twenty thousand dollars (\$20,000) for Georgia State licensed electrical, plumbing and HVAC contractors doing commercial work; and a bond in the sum of five thousand dollars (\$5,000) for Specialty contractors; such bond to be conditioned that all work performed by the contractor or under his supervision shall be performed in accordance with the provisions of this building code and that he shall pay all fees and penalties properly imposed upon him for violations of the provisions of this building code.
- (c) Place on file in the license and inspection department office a certificate of insurance for public liability and property damage for an amount not less than fifty thousand dollars (\$50,000.00) for each person and one hundred thousand dollars (\$100,000.00) for each occurrence. It shall be the responsibility of the contractor to notify the Planning and Development Department immediately upon cancellation of or change in public liability and property damage insurance.
- (d) Place on file a copy of the Georgia State license for builders (residential, residential-light commercial, or general contractor), electricians, plumbers, and mechanical contractors who will be purchasing permits as either a sole proprietor or as an agent.

Sec. 7-1-116-1. Qualifications for home and commercial private building inspectors.

- (1) Present proof of current certification by the American Society of Home Inspectors, or any other national certifying agency for building inspectors that is approved for this purpose by the Building Official, as a private building inspector for residential and commercial structures.
- (2) Obtain a business tax certificate in accordance with Title 2, Chapter 2 of the Augusta-Richmond County Code; or if a business tax certificate or business license has been obtained

elsewhere in the State of Georgia and is current and valid, present a copy of said business tax certificate or license to the Planning and Development Department.

Sec. 7-1-116-2 through Sec. 7-1-116-17. Deleted

Sec. 7-1-117. Performing building, electrical, plumbing, and HVAC work.

Building (Residential, Residential-Light Commercial, and General Contractor), Electrical, Plumbing, and HVAC contractors required to employ State certified personnel. Before being licensed to perform building, electrical, plumbing, and HVAC contracting and construction in Augusta-Richmond County, each person, firm or corporation desiring such license shall have a person regularly employed who has been certified by the Georgia State Construction Industry Board (O.C.G.A. Title 43).

Sec. 7-1-118. Limitations on use of building, electrician, plumber, or HVAC certificate to obtain permit.

(a) No person holding State certification as builder, electrician, plumber or HVAC contractor shall allow his certification to be used, directly or indirectly, for the purpose of obtaining a permit, business license, or to perform work unless said person is employed by the firm applying for the permit, business license or performing said work.

(b) Any person or persons found guilty of using another person's State certification for the purpose of obtaining a permit or doing work under a certificate other than his own may be reported to the Georgia State Construction Industry Licensing Board and subject to penalty as prescribed in section 7-1-120.

Sec. 7-1-119. Exemptions from sections 7-1-117 through 7-1-118.

(a) *Owner performing building, electrical, plumbing, or HVAC work at his residence.* Nothing contained herein shall prevent or prohibit an owner from doing building, electrical, plumbing, or HVAC work in a dwelling in which he resides; provided, however, such owner shall pay required permit fees and shall make such installations as required by this building code for safety purposes and provided, however, such person does not employ another to do said work unless that person holds appropriate State certifications for the type work he will be performing, and said person holds a current business tax certificate.

(b) *Industry maintenance department.* Any manufacturing industry employing fifty (50) or more workers and operating its own maintenance department shall be exempt from the provisions of this article, except that the installations shall be in compliance with the standards provided by the applicable code.

(c) *Augusta, Georgia.* Nothing contained herein shall prevent or prohibit Augusta, Georgia from having its employees do building, electrical work, plumbing work (or other work requiring a permit) for Augusta, Georgia; provided, however, that Augusta, Georgia shall be required to

obtain a permit and make such installations as required by this building code for safety purposes and the installations shall be in compliance with the standards provided by the applicable code. Nothing in this code is intended to eliminate or reduce any state law requirements with regard to licensing.

Sec. 7-1-120. Penalties for violations of sections 7-1-117 through 7-1-118.

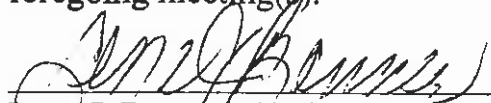
(a) Any violation of any of the provisions, sections or subsections of sections 7-1-117 through 7-1-118, shall be tried as a misdemeanor and punished as provided in section 1-6-1 of this Code. The inspector shall have the authority to issue or cause to be issued a subpoena to the person violating said sections to appear in the appointed court for a hearing.

(b) In addition to (a) of this section, any person, firm or corporation who violates 7-1-117 through 7-1-118 will be reported to the State Construction Industry License Board for further punitive action as provided for in O.C.G.A. (Title 43).

(c) Any person, firm or corporation who shall continue to violate sections 7-1-117 through 7-1-118, may be presented to the Augusta Commission for consideration to deny, revoke, or suspend the business tax certificate as provided for in Section 2-1-38.

CERTIFICATION

The undersigned Clerk of Commission, Lena J. Bonner, hereby certifies that the foregoing Ordinance was duly adopted by the Augusta, Georgia Commission on Feb 24, 2012 and that such Ordinance have not been modified or rescinded as of the date hereof and the undersigned further certifies that attached hereto is a true copy of the Ordinance which was approved and adopted in the foregoing meeting(s).


Lena J. Bonner, Clerk of Commission

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Date: March 1st 2012

Second Reading Waived