

## FINAL – FOR ADOPTION

### Chapter 8 BUILDINGS AND BUILDING REGULATIONS

#### ARTICLE I. IN GENERAL

**Secs. 8-1—8-18. Reserved.**

#### ARTICLE II. TECHNICAL CODES<sup>1</sup>

##### **Sec. 8-19. General.**

- (a) *Enforcement.* The department of planning and inspections shall be responsible for the enforcement of this administrative code, including all regulatory codes, adopted herein by reference. In addition, the department shall be responsible for the enforcement of the Franklin County Unified Development Ordinance (UDO) published as appendix A of this Code, consolidated from the following ordinances: county zoning ordinance, county subdivision regulations, and county mobile home park ordinance.
- (b) *Codes adopted.* The North Carolina administrative, building, energy, fire, gas, mechanical, plumbing, and rehabilitation codes together with all future modifications thereto are hereby adopted by reference, as amended by the state building code council through the date of adoption of this Code, as if set forth herein. The North Carolina Electrical Code together with all future amendments and modifications thereto is adopted by reference, as amended by the state building code council through the date of adoption of this Code. The Accessibility Code, as amended by the state building code council through the date of adoption of this Code, is adopted by reference.
- (c) This Ordinance applies to all unincorporated areas of the County. In addition, this Ordinance, in its entirety, may apply within the corporate limits of any municipality located within Franklin County, if a municipality, by resolution, requests that the Ordinance be applicable within the municipality and enters into a memorandum of understanding with the County as to applicability of the Ordinance.

(Ord. of 8-17-1992, § I)

##### **Sec. 8-20. Exemptions.**

- (a) No permit shall be required and no fees charged for buildings owned by the United States government. No permit shall be required and no fee charged for buildings owned by the state.
- (b) Repealed.
- (c) Repealed.
- (d) Repealed.
- (e) Repealed.
- (f) Plans and specifications shall be reviewed, permits shall be issued, and all necessary inspections performed on all buildings owned or leased by the county, but no fee shall be charged.

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<sup>1</sup>State law reference(s)—Technical code promulgated by public agency may be adopted by reference by county, G.S. 153A-47; state building code applicable throughout the state, G.S. 143-138.

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(Ord. of 8-17-1992, § II)

### **Sec. 8-21. Repealed.**

### **Sec. 8-22. Administration.**

- (a) Repealed.
- (b) *Permit fee.* All permit fees shall be paid when the application is filed in the county department of planning and inspections, in accordance with the fee schedule. The board of commissioners shall set the fee schedule.
- (c) *Permit fee refund policy.* Building permits shall expire six months after being issued if no construction has begun. Fees for permits issued for construction shall not be refunded unless the applicant can demonstrate that the failure of the applicant to commence construction has been caused by unavoidable hardship. The applicant shall apply for a refund within six months of the date of issuance of the permit and must return the permit. The application shall give reason or show cause that is a hardship. The applicant shall prove that no work has begun on the project. Hardship cases shall be analyzed by examining personal hardship, natural disaster, hardship caused by the government, or hardship caused by the individual. When a hardship is caused by a death of a family member, sickness of the applicant, a natural disaster, such as hurricane or flood, or for other reasons not caused by the applicant, the fee shall be refunded. The department of planning and inspections shall disclose the county's refund policy at the time a building permit is issued.
- (d) Repealed.
- (e) Repealed.
- (f) *Certificate of occupancy required for change in use.* Whenever the occupancy of a building is changed, a zoning permit and fire inspections shall be required per Franklin County Code of Ordinance Chapter 11, section 29 to ensure code compliance.
- (g) Repealed.
- (h) Repealed.
- (i) Repealed.
- (j) Repealed.
- (k) Repealed.

(Ord. of 8-17-1992, § III)

### **Sec. 8-23. Oversight not to legalize violation.**

No oversight or failure to enforce any portion of the codes on the part of the county shall be deemed to legalize, approve, or accept the violation of any provision of this article or the provisions of any regulatory codes referenced herein. The issuance of a permit shall not create any liability for the county due to any act or omission of the county, absence gross negligence. The county shall not be responsible for any act or omission of any applicant.

(Ord. of 8-17-1992, § IV)

### **Sec. 8-25. Repealed.**

## **FINAL – FOR ADOPTION**

(Ord. of 8-17-1992, § VII)

**Secs. 8-26—8-53. Reserved.**

### ***ARTICLE III. REPEALED***

ARTICLE III. REPEALED BY ADOPTION OF FRANKLIN COUNTY UNIFIED DEVELOPMENT ORDINANCE (UDO). SEE ARTICLE 7.3.3 OF THE UDO.

**Secs. 8-60—8-76. Reserved.**

### ***ARTICLE IV. REPEALED***

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(Ord. of 8-17-1992, § VII)

**Secs. 8-26—8-53. Reserved.**

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**Secs. 8-60—8-76. Reserved.**

**ARTICLE IV. REPEALED**


Adopted this 21 day of November, 2022

Franklin County Board of Commissioners

By: 

Chairman, Franklin County  
Board of Commissioners

Attest:

  
Clerk to the Board of Commissioners

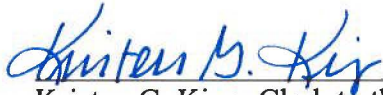


## Chapter 8 – BUILDINGS AND BUILDING REGULATIONS

Adopted this 21<sup>st</sup> day of November, 2022



Michael S. Schriver, Chairman  
Franklin County Board of Commissioners



Kristen G. King, Clerk to the Board

