

**Subject Matter:** Building and Construction Code Ordinance

**Date First Presented to Council at Public Meeting:** March 5, 2007

**Date of Second Reading Before Town Council:** April 16, 2007

**Date of Adoption:** April 16, 2007

**TOWN OF SHARPSBURG  
COUNTY OF COWETA  
STATE OF GEORGIA**

**ORDINANCE NUMBER 07-07  
(as enacted)  
TOWN OF SHARPSBURG, GEORGIA**

**PREAMBLE AND FINDINGS**

**WHEREAS**, the Town of Sharpsburg desires to create and adopt a Building and Construction Code Ordinance; and

**WHEREAS**, it is the desire of the Town to enact this Building and Construction Code Ordinance so as to exercise this authority for the advancement and preservation of the safety, health and welfare of the citizens of Sharpsburg.

**WHEREFORE, THE TOWN OF SHARPSBURG HEREBY ADOPTS, ORDAINS AND ENACTS THE FOLLOWING BUILDING AND CONSTRUCTION CODE ORDINANCE AS FOLLOWS:**

**ARTICLE ONE  
General Provisions**

The Town hereby enacts and ordains the following ordinance to regulate building and construction codes in the Town of Sharpsburg.

**Sec. 23-100 Applicability of Building and Construction Codes**

(a) All persons, firms, partnerships, corporations, or other legal entities shall comply with the codes adopted hereby in the applicable construction, work, or activity within the Town of Sharpsburg.

(b) Nothing contained in these codes shall be construed to affect the responsibility or liability of any person owning, operating, controlling or installing any construction, electrical devices and materials, plumbing devices or materials, or any other construction work or activity governed by the codes named in this Ordinance, for damages to persons or property caused by any defects therein; nor shall the Town be

held to assume any liability by reason of the approval of any material, device, appliance or equipment subject hereto.

(c) Any person, firm, partnership, corporation, or other legal entity violating the provisions of this Ordinance or of any of the codes named in this Ordinance, upon conviction, may be punished to the full extent authorized by the Town's Charter or State law. All citations for violation of this Ordinance and the codes named in this Ordinance may be issued by any law enforcement or code enforcement officer of the Town of Sharpsburg or Coweta County, the Town Council, or its designee, or the Town building official. All citations for violations of this Ordinance and the codes named in this Ordinance shall be returnable to the Town Clerk of the Town of Sharpsburg.

### **Sec. 23-101    Obtaining Permits**

Permits for construction, alteration, repair, removal, demolition, use and occupancy of buildings, structures, or premises shall be obtained from the Town building inspector or Town Clerk. For new construction, one set of plans must be on premises for use of the inspector, at each inspection, for compliance.

### **Sec. 23-102    State Minimum Standard Codes**

The "state minimum standard codes" as defined at O.C.G.A. § 8-2-20 (9)(b)(i) as the same may hereinafter be amended or revised, are hereby adopted in their entirety by the Town of Sharpsburg, and are made a part hereof as fully as through stated verbatim herein, to wit:

- (1) International Building Code;
- (2) National Electrical Code (NFPA);
- (3) International Fuel Gas Code;
- (4) International Mechanical Code;
- (5) International Plumbing Code;
- (6) International Residential Code for One-and-Two Family Dwellings;
- (7) International Energy Conservation Code; and
- (8) International Fire Code.

The Department of Community Affairs Board specifically omitted the plumbing and electrical requirements of the International Residential code for One- and Two-Family Dwellings. Therefore, the plumbing requirements of the International Plumbing Code and the electrical requirements of the National Electrical Code must be used for one and two-family dwelling construction.

**Sec. 23-103 Fee Schedules**

The building fees will be established by the Mayor and Council of the Town of Sharpsburg and will be amended from time to time at their discretion.

**Sec. 23-104 Water Conservation Requirements for Toilets, Showerheads, and Faucets**

The requirements for toilets, showerheads, and faucets found at O.C.G.A. §8-2-3, as the same may hereinafter be amended or revised, and the same are made a part hereof as fully as though stated verbatim herein.

**ARTICLE TWO**

The Building and Construction Code Ordinance shall be codified at Chapter 23 of The Town of Sharpsburg's Code of Ordinances.

**ARTICLE THREE**

This Ordinance shall become immediately effective upon its second reading and adoption by the Town Council.

**ARTICLE FOUR**

The Preamble of this Ordinance shall be construed to be, and is hereby incorporated by reference as is fully set out herein.

**ARTICLE FIVE**

The sections, paragraphs, sentences, clauses, and phrases of this Ordinance are severable, and if any phrase, sentence, paragraph, or section of this Ordinance shall be declared illegal by the valid judgment or decree of any court of competent jurisdiction, such an illegality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of this Ordinance.

**ARTICLE SIX**

The repeal of any stricken, deleted or repealed language of this ordinance of the now former language of the Town of Sharpsburg ("Former Language") shall not be construed or held to repeal the Former Language as to any offense committed against such Former Language or as to any act done, any penalty, forfeiture or punishment so incurred, or any right accrued or claim arising under the Former Language, or in any way whatever to affect any such offense or act so committed or so done, or any penalty, forfeiture or punishment so incurred or any right accrued or claim arising before the herein newly enacted language ("New Language") takes effect, save only that proceedings thereafter shall conform to the New Language, so far as practicable. If any penalty, forfeiture or punishment be mitigated by any provision of the New Language,

such provision may be, by the consent of the party affected, applied to any judgment announced after the New Language takes effect.

## **ARTICLE SEVEN**

Town ordinance number 02-03 entitled "Building Construction Code Ordinance" adopted April 8, 2002 is repealed in its entirety.

Town ordinance number 06-17 entitled "Building Construction Code Ordinance" adopted October 2, 2006 is repealed in its entirety.

All ordinances in conflict herewith are hereby expressly repealed.

**[Signatures on next page]**

**APPROVED BY THE MAYOR AND COUNCIL OF THE TOWN OF SHARPSBURG** at a regular meeting of the Mayor and Council on the \_\_\_\_\_ day of April \_\_\_\_, 2007, by the following voting for adoption:

\_\_\_\_\_  
Wendell L. Staley, Mayor

\_\_\_\_\_  
J. Clay Cole, Council Member

\_\_\_\_\_  
Larry W. Hyde, Council Member

\_\_\_\_\_  
Derrick McElwaney, Council Member

\_\_\_\_\_  
Standly D. Parten, Council Member

Attest:

\_\_\_\_\_  
Donna M. Camp, Town Clerk

\_\_\_\_\_  
Robin L. Spradlin, Town Administrator