

AN ORDINANCE AMENDING AND REENACTING ARTICLE 1711 OF THE CODE OF THE TOWN OF STAR CITY, AS AUTHORIZED BY WEST VIRGINIA CODE 8-12-5(44), REGARDING THE TRANSACTION OF TOWN BUSINESS.

AN ORDINANCE to amend and reenact portions of Article 1711 of the Town of Star City, West Virginia.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF STAR CITY, THAT ARTICLE 1711 IS AMENDED AND REENACTED AS FOLLOWS:

ARTICLE 1711

Permits and Fees

- 1711.01 Duties of Building ~~Inspector~~ Code Official.
- 1711.015 Appointment of Building ~~Inspector~~ Code Official; retention of authority of Council.
- 1711.02 Building inspection fees. (Repealed)
- 1711.03 Inspector form. (Repealed)
- 1711.04 Electrical permit fees. (Repealed)
- 1711.05 Building permit fees.
- 1711.06 Electrical permits.
- 1711.99 Penalty.

CROSS REFERENCES

Permits for construction and alteration - see W.Va. Code 8-12-14

Flood plain permits - see BLDG. & HOUS. 1701.05

1711.01 DUTIES OF BUILDING INSPECTOR CODE OFFICIAL

(a) The Building ~~Inspector~~ Code Official or his authorized agents shall receive applications required by this Building Code, issue permits and furnish the prescribed certificates. ~~All building permits dealing with new structures to any new or existing building shall require the approval and vote of approval by a majority of Council prior to issuance.~~

(b) The Building ~~Inspector~~ Code Official or his authorized agents shall examine premises for which permits have been issued and shall make necessary inspections to see that the provisions of law are complied with, and that construction is ~~prosecuted~~ completed safely. ~~He~~ The Building Code Official shall enforce all provisions of the Building and Housing Code. ~~He~~ The Building Inspector Code Official shall, when requested by Council or other proper authority, or when the public interest so requires, make investigations in connection with matters referred to in the Building and Housing Code and render written reports on the same. To enforce compliance with law, to remove illegal or unsafe conditions, to secure the necessary safeguards during construction, or to require adequate exit facilities in buildings and structures, he shall issue such notices or orders as may be necessary.

(c) Inspections required under the provisions of the Building and Housing Code shall be made by the Building ~~Inspector~~ Code Official or his duly authorized agents. The Building ~~Inspector~~ Code Official may accept reports of inspectors or recognized inspection services, after investigation of their qualifications and

reliability. No certificates called for by any provision of the Building and Housing Code shall be issued on such reports unless the same are in writing and certified to a reasonable officer of such service.

(d) ~~The City Clerk~~ The Town Business Office shall keep comprehensive records of applications, or permits issued, of certificates issued, of inspections made, of reports rendered, and of notices or orders issued and shall retain on file copies of required plans and all documents relating to building works so long as any part of the building or structure to which they relate may be existence.

(e) All such records shall be open to public inspection for good and sufficient reasons at the stated office hours, but shall not be removed from the office without written consent.

(f) It shall be the duty of the Building ~~Inspector~~ Code Official to see to the enforcement of all ordinance provisions relating to zoning and to inspect all buildings and structures being erected or altered, as frequently as may be necessary to insure compliance with Town ordinances. The Building Inspector within the Building Inspection Department may issue citations for violations of the Town's Building and Housing Code. Each and every day during which any such violation continues shall be deemed a separate offense, unless otherwise set forth in said Code.

(g) The Building ~~Inspector~~ Code Official may act as Plumbing Inspector and shall have all the powers and perform all the duties connected with that office if certified in this area.

(h) The Building ~~Inspector~~ Code Official may act as Electrical Inspector, and shall have all the powers and perform all the duties connected with that office if certified in this area.

(i) In addition to the aforementioned duties, the Building Inspector shall be responsible for reviewing the following criteria during the building application process:

- (1) Design review criteria.
 - A. Setbacks.
 - B. Security.
 - C. Signage.
 - D. Walls.
 - E. Refuse collection areas.
 - F. Noise impact.
 - G. External lighting.
 - H. Building entry.
 - I. Pedestrian circulation.
 - J. Privacy.
 - K. Fire access.
 - L. Open space.
 - M. Outside storage.
 - N. Topography.
 - O. Utility locations.
 - P. Commercial pad-buildings.
 - Q. Loading and service bays.

- R. Emergency access.
- S. Traffic impact.
- T. Driveway locations.
- (2) Building elevation criteria.
 - A. Exterior materials.
 - B. Relief.
 - C. Height.
 - D. Mechanical equipment screening.
 - E. Compatibility.
- (3) Landscaping criteria.
 - A. Landscape plan.
 - B. Landscaping buffer.
 - C. Drainage.
 - D. Maintenance.
- (4) Parking criteria.
 - A. Maneuvering area.
 - B. Driveway locations.
 - C. Screening along right of way.
 - D. Proximity of buildings.
 - E. Number of spaces.
 - F. Covered areas.
 - G. Parking lot lighting.
 - H. Headlight intrusion.
 - I. Arrangement.
 - J. Security.
 - K. Loading and unloading areas.

~~(Passed 5-28-96.)~~ (Passed: July 2, 2024)

1711.015 APPOINTMENT OF BUILDING INSPECTOR CODE OFFICIAL; RETENTION OF AUTHORITY OF COUNCIL.

~~—(a) The Mayor shall select and hire, at the first regular meeting of Council in each year, a person to serve as Building Inspector for the Town, who shall continue in office until a successor is so appointed. The Mayor with the approval of council, will hire a person to serve as Building Code Official who shall continue in the position at the will and pleasure of Council. The Mayor may also select and hire, from time to time as the Mayor deems appropriate, one or more persons to serve as Temporary Building Inspector(s).~~ Code Official/s

when the Building Inspector Code Official is not available. The Temporary Building Inspector Code Official shall have the same authority as the Building Inspector Code Official with respect to the administration and enforcement of the Building and Housing Code and the other laws, rules and regulations of the Town of Star City.

(b) Notwithstanding the authority afforded to the Building Inspector Code Official, Council shall have the authority to suspend or revoke any building permit that has been issued by the Building Inspector Code Official upon a finding by a majority vote of Council that there has been a violation of the Building and Housing Code, any zoning ordinance of the Town, or any other ordinance, rule or regulation pertaining to the proper construction of buildings and structures or zoning within the Town. Council shall also have the authority to take such action as Council deems appropriate to cause the violation to be removed, including, but not limited to, the issuance of criminal citations.

~~(Passed 12-22-98.)~~ (Passed: July 2, 2024)

~~1711.02 BUILDING INSPECTION FEES. (REPEALED)~~

~~—EDITOR’S NOTE: Former Section 1711.02 was repealed by an Ordinance passed April 5, 2011.~~

~~1711.03 INSPECTION FORM. (REPEALED) —EDITOR’S NOTE: Former Section 1711.03 was repealed by an Ordinance passed April 5, 2011.~~

~~1711.04 ELECTRICAL PERMIT FEES. (REPEALED)~~

~~—EDITOR’S NOTE: Former Section 1711.04 was repealed by an Ordinance passed April 5, 2011.~~

~~1711.05~~ 1711.02 BUILDING PERMIT FEES.

The following charts shall be used to determine the fees and charges to be paid for obtaining building permits for capital improvements, remodeling, demolition and re-inspections: All capital improvements, not indicated below, shall be determined by applying those factors published in the most current RS Means Square Foot Costs publication. In all cases the amount of the permit fee shall not be less than thirty-five dollars ~~(\$35.00).~~ (\$50.00). All permit fees established under this Article shall be paid to the town upon filing of any request for a building permit.

Cost Basis	No. Of Sq-Ft	Est. Cost/Sq-Ft	Factor	Fee
1 or 2 family dwelling		X \$68.00 X	.0025	
3 + dwellings		X \$64.00 X	.0025	
Residential Additions		X \$54.00 X	.0025	
Residential finished basements		X \$34.00 X	.0025	
Residential unfinished basement, porch, carport		X \$14.00 X	.0025	
Residential attached garage, unfinished interior		X \$28.00 X	.0025	
Residential detached garage, unfinished interior		X \$20.00 X	.0025	
Commercial/Industrial-retail-office-assembly		X \$97.00 X	.0025	
Commercial/Industrial-industry-storage		X \$84.00 X	.0025	

Commercial/Industrial-unfinished interior		X \$84.00 X	.0025
Commercial/Industrial-interior-finish Remodeling		X \$34.00 X	.0025
			Fee
Estimated cost up to \$1,000.00	\$50.00		\$50.00
Estimated cost over \$1,000.00	\$50.00 + \$4.50/additional \$1,000		
Demolition			Fee
All demolitions	\$100.00		\$100.00
Re-Inspection Fees			Fee
1st re-inspection	\$0.00		\$0.00
2nd re-inspection	\$100.00		\$100.00
3rd re-inspection	\$200.00		\$200.00

~~(Passed 4-5-11.)~~ (Passed: July 2, 2024)

~~1711.06~~1711.03 ELECTRICAL PERMITS.

The following fees shall be paid to the Town upon filing of any request for an electrical permit:

Remodeling			Fee
Estimated cost up to \$1,000.00	\$50.00		\$50.00
Estimated cost over \$1,000.00	\$50.00 + \$4.50/additional \$1,000		
Exceptions			Fee
Mobile Home Hookup	\$100.00		\$100.00
Re-Inspection Fees			Fee
1st re-inspection	\$0.00		\$0.00
2nd re-inspection	\$100.00		\$100.00
3rd re-inspection	\$200.00		\$200.00

~~(Passed 4-5-11.)~~ (Passed: July 2, 2024)

~~1711.99~~1711.04 PENALTY.

Notwithstanding anything herein to the contrary, for any violation of this Article, where there exists a State Code section which has the same elements as the Star City Code section for which a penalty is imposed, the penalty imposed by the Town may be up to that penalty imposed by the State.

(a) Any person who shall violate the provisions of this Article shall upon conviction thereof be fined not less than one dollar (\$1.00) nor more than one hundred dollars (\$100.00); in addition thereto, such person

shall pay the costs of his/her prosecution, and each day of the violation of this article shall constitute a separate offense.

(b) Any person who shall neglect or fail to secure any permit required under the provisions of this Article, any person who shall cause or permit any other person to violate this Article, and any person who shall perform any work or labor in violation of the provisions of this Article, or who shall cause, allow, permit or procure others to perform the same, in violation thereof, shall be deemed to be guilty of a violation of this article, each separate day the same shall continue shall constitute a separate offense and shall subject each such person to the penalties provided for herein.

(c) Any person who shall neglect or fail to secure any permit required under the provisions of this article shall have the cost of the permit double the normal amount in addition to any fines and fees as stated above.

~~(Passed 1-29-19)~~(Passed: July 2, 2024)

First Reading: June 18, 2024

Public Hearing/Second Reading: July 2, 2024

Official: , Mayor

Recorded: , Recorder

(Passed: July 2, 2024)