



LAWRENCEVILLE

GEORGIA

CITY COUNCIL SPECIAL CALL MINUTES

Wednesday, May 13, 2020
5:00 PM

Virtual Meeting
70 S. Clayton St, GA 30046

Call to Order

PRESENT

Mayor David Still

Council Member Glenn Martin

Council Member Victoria Jones

Council Member Bob Clark

Council Member Keith Roche

Prayer

Mayor Still led the group in prayer.

Pledge of Allegiance

Mayor Still led the group in the Pledge of Allegiance.

Approval of Agenda

Motion to approve the Agenda made by Council Member Jones, Seconded by Council Member Martin.

Voting Yea: Mayor Still, Council Member Martin, Council Member Jones, Council Member Clark, Council Member Roche

Council Business

1. Resolution and Intergovernmental Agreement with Downtown Development Authority for 2020 Series Bonds
Chuck Warbington delivered the presentation as well as Doug Gebhardt. Ken Pollock also presented.

Motion to approve Resolution and Intergovernmental Agreement with Downtown Development Authority for 2020 Series Bonds made by Council Member Clark, Seconded by Council Member Roche.

Voting Yea: Mayor Still, Council Member Martin, Council Member Jones, Council Member Clark, Council Member Roche (See Attached)

2. First Amendment to Lease Agreement with the Aurora Theatre
Chuck Warbington delivered the presentation.

Motion to approve First Amendment to Lease Agreement with the Aurora Theatre made by Council Member Roche, Seconded by Mayor Still.

Voting Yea: Mayor Still, Council Member Martin, Council Member Jones, Council Member Clark, Council Member Roche

3. An Ordinance to Delete Article VII from the Development Regulations of the City of Lawrenceville and Create Article VII in Chapter 10 of the Code of the City of Lawrenceville to Establish Administrative Provisions for the Application and Enforcement of Building Codes
Todd Hargrave delivered the presentation.

Motion to approve An Ordinance to Delete Article VII from the Development Regulations of the City of Lawrenceville and Create Article VII in Chapter 10 of the Code of the City of Lawrenceville to Establish Administrative Provisions for the Application and Enforcement of Building Codes made by Council Member Jones, Seconded by Council Member Martin.

Voting Yea: Mayor Still, Council Member Martin, Council Member Jones, Council Member Clark, Council Member Roche (See Attached)

4. Fiscal Year 2021 Capital Discussion
Keith Lee delivered the presentation.

Final Adjournment

Motion to adjourn made by Council Member Clark, Seconded by Council Member Roche.

Voting Yea: Mayor Still, Council Member Martin, Council Member Jones, Council Member Clark, Council Member Roche

Minute Signatures

David R. Still, Mayor

Karen Pierce, City Clerk

RESOLUTION RES 2020-14

AUTHORIZING RESOLUTION

WHEREAS, in furtherance of the purposes for which it was created, the Downtown Development Authority of the City of Lawrenceville, Georgia (the "Authority") proposes to issue (1) \$2,985,000 in original principal amount of its Taxable Economic Development Refunding Revenue Bond, Series 2020A (the "Series 2020A Bond"), for the purpose of obtaining funds to refund \$2,955,000 in principal amount of the Authority's Taxable Economic Development Revenue Bond, Series 2012, maturing on February 1, 2023 (the "Refunded Bond"), in order to refinance the costs of acquiring, rehabilitating, and improving approximately 31.756 acres of land located adjacent to Georgia Gwinnett College within the downtown development area of the City of Lawrenceville, Georgia (the "College Land"), in order to preserve the College Land for future development, and (2) \$15,225,000 in original principal amount of its Taxable Economic Development Revenue Bond, Series 2020B (the "Series 2020B Bond"), for the purpose of obtaining funds to finance the costs of acquiring, rehabilitating, and improving parcels of land located within an area bounded by State Route 316, State Route 20, Collins Hill Road, and Hurricane Shoals Road, within the downtown development area of the City of Lawrenceville, Georgia (the "SR316 Land"), in order to preserve the SR316 Land for future development, and to finance the costs of issuing the Series 2020A Bond and the Series 2020B Bond (collectively the "Bonds"); and

WHEREAS, Article IX, Section III, Paragraph I(a) of the Constitution of the State of Georgia of 1983 authorizes any municipality of the State of Georgia to contract for any period not exceeding fifty years with the Authority for joint services, for the provision of services, or for the joint or separate use of facilities or equipment, if such contracts deal with activities, services, or facilities that the contracting parties are authorized by law to undertake or provide; and

WHEREAS, Article IX, Section VI, Paragraph III of the Constitution of the State of Georgia of 1983 provides that the development of trade, commerce, industry, and employment opportunities is a public purpose vital to the welfare of the people of the State of Georgia; and

WHEREAS, Section 48-5-350 of the Official Code of Georgia Annotated provides that municipal taxes may be levied and collected for the public purpose of providing financial assistance to municipal development authorities for the purpose of developing trade, commerce, industry, and employment opportunities, as long as any tax for this purpose does not exceed three (3) mills per dollar upon the assessed value of the taxable property in the municipality levying the tax; and

WHEREAS, Section 36-42-8(10) of the Official Code of Georgia Annotated authorizes the City of Lawrenceville, Georgia (the "City") to enter into contracts with the Authority; and

WHEREAS, in consideration of the issuance of the Series 2020A Bond to refund the Refunded Bond, in order to refinance the costs of acquiring, rehabilitating, and improving the College Land, and the Series 2020B Bond to finance the costs of acquiring, rehabilitating, and improving the SR316 Land and to finance the costs of issuing the Bonds, the City proposes to enter into an Intergovernmental Economic Development Contract (the "Contract"), to be dated the date of its execution and delivery, with the Authority, under the terms of which the City

(1) will agree to make payments to the Authority in amounts sufficient to enable the Authority to pay, among other things, the principal of, premium, if any, and interest on the Bonds when due, and (2) will agree to levy an annual ad valorem tax on all taxable property located within the corporate limits of the City, at such rates within the three (3) mill limit or such greater millage limit hereafter authorized under applicable law, as may be necessary to produce in each year revenues that are sufficient to fulfill the City's obligations under the Contract; and

WHEREAS, the Authority will sell the Bonds to JPMorgan Chase Bank, N.A. (the "Bond Buyer") pursuant to a Bond Purchase Agreement, to be dated the date of its execution and delivery, between the Authority and the Bond Buyer; and

WHEREAS, pursuant to the terms of an Assignment and Security Agreement, to be dated the date of its execution and delivery, between the Authority and the Bond Buyer, the Authority will pledge the amounts received from the City under the Contract as security for payment of the Bonds; and

WHEREAS, after careful study and investigation, the City desires to enter into the Contract;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lawrenceville, Georgia as follows:

1. The form, terms, and conditions and the execution, delivery, and performance of the Contract, which has been filed with the City, are hereby approved and authorized. The Contract shall be in substantially the form submitted to the City Council of the City with such changes, corrections, deletions, insertions, variations, additions, or omissions as may be approved by the Mayor or Mayor Pro Tempore of the City, whose approval thereof shall be conclusively evidenced by the execution of the Contract.

2. The Mayor or Mayor Pro Tempore of the City is hereby authorized and directed to execute on behalf of the City the Contract, and the City Clerk of the City is hereby authorized and directed to affix thereto and attest the seal of the City, upon proper execution and delivery of the other parties thereto, provided, that in no event shall any such attestation or affixation of the seal of the City be required as a prerequisite to the effectiveness thereof, and the Mayor or Mayor Pro Tempore and City Clerk of the City are authorized and directed to deliver the Contract on behalf of the City to the other parties thereto, and to execute and deliver all such other contracts, instruments, documents, affidavits, or certificates and to do and perform all such things and acts as each shall deem necessary or appropriate in furtherance of the issuance of the Bonds and the carrying out of the transactions authorized by this Resolution or contemplated by the instruments and documents referred to in this Resolution.

3. This Resolution and the Contract, as approved by this Resolution, which are hereby incorporated in this Resolution by this reference thereto, shall be placed on file at the office of the City and made available for public inspection by any interested party immediately following the passage and approval of this Resolution.

PASSED, ADOPTED, SIGNED, APPROVED, AND EFFECTIVE this 13th day of May 2020.

CITY OF LAWRENCEVILLE, GEORGIA

(SEAL)

By: _____
Mayor

Attest:

City Clerk

CITY CLERK'S CERTIFICATE

I, **KAREN PIERCE**, the duly appointed, qualified, and acting City Clerk of the City of Lawrenceville, Georgia (the "City"), **DO HEREBY CERTIFY** that the foregoing pages of typewritten matter constitute a true and correct copy of a resolution adopted on May 13, 2020, by the City Council of the City in a meeting duly called and assembled in accordance with applicable laws and with the procedures of the City, by a vote of ____ Yea and ____ Nay, which meeting was open to the public and at which a quorum was present and acting throughout, and that the original of the foregoing resolution appears of public record in the Minute Book of the City, which is in my custody and control.

GIVEN under my hand and the seal of the City, this 13th day of May 2020.

(SEAL)

City Clerk, City of Lawrenceville, Georgia

ORDINANCE NO. ORD-2020-2

AN ORDINANCE TO DELETE ARTICLE VII FROM THE DEVELOPMENT REGULATIONS FOR THE CITY OF LAWRENCEVILLE, GEORGIA AND MOVE SAID PROVISIONS TO THE CODE OF THE CITY OF LAWRENCEVILLE, GEORGIA; TO RESERVE ARTICLE VII OF THE DEVELOPMENT REGULATIONS FOR THE CITY OF LAWRENCEVILLE, GEORGIA FOR FUTURE USE; TO ADOPT ADMINISTRATIVE PROVISIONS FOR THE APPLICATION AND ENFORCEMENT OF BUILDING CODES; AND FOR OTHER PURPOSES

The City Council of the City of Lawrenceville, Georgia hereby ordains the following:

Section 1:

That the Development Regulations for the City of Lawrenceville, Georgia is hereby amended by deleting Article VII (State Minimum Standard Construction Codes) consisting of Sections 7-101 through Section 7-114 in its entirety and Reserving Article VII for future use.

Section 2:

That the Code of the City of Lawrenceville, Georgia is hereby amended by adding a new article to Chapter 10 (Building and Building Regulations), said article to be numbered Article VII and to be titled Construction Codes, which shall read as follows:

ARTICLE VII. CONSTRUCTION CODES

DIVISION 1. STATE MINIMUM CODES.

Sec. 10-201. Standard codes.

- (a) It is the desire of The City of Lawrenceville to adopt, in all respects, the various Standard Codes relating to amusement devised, building, fire prevention, gas, grading, housing, mechanical, plumbing and swimming pools. The adoption of these Codes is done to facilitate proper inspection activities by the City of Lawrenceville, Gwinnett County, Georgia relating to construction and to maintenance of buildings within the corporate limits of said town and relating to public safety, health and general welfare.
- (b) The following Codes are hereby adopted by reference as though they were copied herein fully:
 - (1) International Building Code
 - (2) International Fuel Gas Code
 - (3) International Mechanical Code
 - (4) International Plumbing Code
 - (5) National Electric Code
 - (6) International Fire Code
 - (7) International Energy Conservation Code
 - (8) International Residential Code
 - (9) International Existing Building Code
 - (10) Standard Swimming Pool Code
 - (11) International Property Maintenance Code

These Code sections are hereby adopted by The City of Lawrenceville in the form with the Georgia amendments attached.

Sec. 10-202. Repeal of ordinances inconsistent with model code.

Any matters in said Codes which are contrary to existing Ordinances of the City, shall prevail and any previously adopted standard codes are hereby repealed and, to the extent any existing Ordinances to the contrary are hereby repealed in that respect only.

Sec. 10-203. Designated enforcement officers.

Within said Codes when reference is made to the duties of certain officials named therein that designated official of the City of Lawrenceville, Gwinnett County, Georgia who has duties corresponding to those of the named official in said Code shall be deemed to be the reasonable official insofar as enforcing the provisions of said Code are concerned.

Sec. 10-204. Effective date of state minimum standard construction code.

This Ordinance shall take effect and be in force from and after its passage, the public welfare requiring it.

Sec. 10-205. Penalties.

Any person who shall violate any of the provisions of the various standard codes as set out above or fail to comply therewith or who shall violate or fail to comply with any order made thereunder, shall, for each such failure or violation or non-compliance be punished by a fine not to exceed \$1,000.00 plus fees and surcharges, or by imprisonment not to exceed six months, or both, any and all of such penalties to be imposed in the discretion of the Judge of the Municipal Court of the City of Lawrenceville.

Sec. 10-206. More stringent standard prevails.

All ordinances or parts of ordinances in conflict herewith are hereby repealed except that to the extent that the current provisions of the Code of the City of Lawrenceville provide requirements that are more stringent than the model code requirements, the stricter provisions shall apply.

Sec. 10-207. Food service rules and regulations.

The regulations of the county board of health, based upon rules of the Georgia Department of Public Health, Environmental Health Section, Chapter 511-6-1, are hereby adopted as the health regulations governing food service for the City, are made a part of this Code as though fully set out at length in this section. Copies of the food service regulations are on file in the office of the City Clerk.

Sec. 10-208. Tourist accommodations.

The regulations of the county board of health, based upon rules of the Georgia Department of Public Health, Chapter 511-6-2, are hereby adopted as the health regulations

governing tourist accommodations for the City, are made a part of this Code as though fully set out at length in this section. Copies of the tourist courts regulations are on file in the office of the City Clerk.

Sec. 10-209. Public swimming pools, spas and recreational water parks.

The regulations of the county board of health, based upon rules of the Georgia Department of Public Health, Chapter 511-3-5, are hereby adopted as the health regulations governing public swimming pools, spas and recreational water parks for the City, are made a part of this Code as though fully set out at length in this section. Copies of the regulations are on file in the office of the City Clerk.

Sec. 10-210. Body art studios and body artists.

The regulations of the county board of health are hereby adopted as the health regulations governing body art studios and body artists, and a fee schedule for the issuance of permits and inspections, are made a part of this Code as though fully set out at length in this section. Copies of the regulations are on file in the office of the City Clerk.

Sec. 10-211. On-site sewage management systems.

- (a) *Rules and regulations of the Georgia Department of Public Health; adopted.* The City Council adopts the rules and regulations of the Georgia Department of Public Health set forth in Ga. Comp. R. & Regs., chapter 511-3-1, entitled "On-Site Sewage Management Systems," as may be amended.
- (b) *Rules and regulations of the Georgia Department of Public Health; enforcement.*
 - (1) The rules and regulations cited in subsection (a) of this section shall be enforced by the county board of health or the City of Lawrenceville as a duly adopted ordinance of the City.
 - (2) Violations of this section may be prosecuted upon citations issued by officers of the city police department, the city code enforcement department, the county department of water resources, or by designated employees of the county board of health. Any person violating any provision in these regulations shall be guilty of violating a duly adopted ordinance of the City, and upon conviction by a court of competent jurisdiction shall be punished either by a fine not to exceed \$1,000.00, or by confinement in the City jail for a total term not to exceed 6 months, or both. The court shall have the power and authority to place any person found guilty of a violation of this regulation on probation and to suspend or modify any fine or sentence. As a condition of such suspension, the court may require payment of restitution or impose other punishment allowed by law.
- (c) *New community sewage treatment systems prohibited.*

- (1) A community sewage treatment system shall mean a privately owned sewage treatment system which collects sewage from two or more residents or other establishments and which may consist of collector lines, pumps, sewage tanks and/or soil treatment units. Community sewage treatment systems are characterized by having relatively few residents or establishments which contribute flow and are not staffed by qualified operators licensed by the state 24 hours a day, seven days a week.
 - (2) New community sewage treatment systems are prohibited in the City, notwithstanding any and all provisions of Ga. Comp. R. & Regs., chapter 290-5-26, that may otherwise allow such systems to be permitted.
 - (3) Upon the effective date of the ordinance from which this section is derived, no new community sewage treatment facilities that may be permitted in any municipality in the county shall be permitted to send sewage flows to the POTW.
- (d) *Authority to disconnect water service.*
- (1) The director of the county department of water resources (DWR director) or the DWR director's designee is authorized to disconnect water service from any property where a pattern of repeated refusal to repair a failed septic tank system has resulted in harm to public health, safety, welfare, the environment or the public interest, as set forth herein. Three bacteriological tests showing 200 or more colony forming units of fecal coliform bacteria taken from affected surface water shall be presumptive evidence of harm to public health, safety, welfare, the environment or the public interest.
 - (2) The DWR director or designee is authorized to work with the county health department, an agency of the state, to coordinate measures to protect public health, safety, welfare, the environment or the public interest from contamination caused by failed septic tanks.
 - (3) The DWR director or designee is directed to work with the county health department and with the owners of property affected by failed septic tanks to repair the maximum possible number of such systems, giving due regard to protecting health, safety, welfare, the environment or the public interest.
 - (4) Upon following the notification procedures established by the county health department directing a property owner of the need to repair a failed septic tank system, the DWR director or designee is authorized to disconnect water service connected to that failing septic tank system whether or not the property owner has paid any civil penalties or whether or not the property owner or occupant is current with any bills from the water and sewer utility.

Secs. 10-212—10-230. Reserved.

DIVISION 2. CITY OF LAWRENCEVILLE CONSTRUCTION CODE.

Sec. 10-231. General.

(a) *Title.* The regulations shall be known as the "CITY OF LAWRENCEVILLE CONSTRUCTION CODE", hereinafter referred to as "this code".

(b) *Scope.* This code shall apply to new and existing buildings, structures, electrical systems, fuel gas piping systems, mechanical systems, and plumbing systems as specifically described herein.

(c) *Intent.*

The intent 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. This code enacts the provisions for each of the Georgia State Minimum Standard Codes referenced in sections 10-231.4.1 through 10-231.4.8. Subsequent editions and amendments to these codes as adopted by the State of Georgia shall become a part of this code and subject to enforcement on the date mandated by State Law.

(d) *Referenced codes.* The Georgia State Minimum Standard Codes listed in Sections 10-231.4.1 through 10-231.4.8 and referenced elsewhere in this code shall be considered part of the requirements of this code to the prescribed extent of each such reference. (Note: Chapter 1 of the Georgia State Minimum Standard Code is deleted and replaced with this Construction Code.)

(1) *Building (General).* The provisions of the Georgia State Minimum Standard Building Code shall apply to the construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, maintenance, removal and demolition of every building or structure or any appurtenances connected or attached to such buildings or structures except as specified in section 10-231.4.2.

(2) *Building (Detached One- and Two-Family Dwellings and Townhouses).*

a. The provisions of the Georgia State Minimum Standard One and Two Family Dwelling Code shall apply to the construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, maintenance, removal and demolition of detached one- and two-family dwellings and townhouses separated by a 2-hour fire resistance- rated wall assembly not more than three stories above grade plane in height with a separate means of egress and their accessory structures.

b. Appendices. Appendix F of the Georgia State Minimum Standard One- and Two-Family Dwelling Code shall be considered part of the requirements of this code for new construction including basement foundations.

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

(4) *Fuel Gas*. The provisions of the Georgia State Minimum Standard Gas Code shall apply to the installation of fuel gas piping from the point of delivery, fuel gas appliances and related accessories as covered in this code. These requirements apply to fuel gas piping systems extending from the point of delivery to the inlet connections of appliances and the installation and operation of residential and commercial fuel gas appliances and related accessories.

(5) *Mechanical*. The provisions of the Georgia State Minimum Standard Mechanical Code shall apply to the installation, alteration, repair and replacement of mechanical systems, including equipment, appliances, fixtures, fittings and/or appurtenances, including ventilating, heating, cooling, air-conditioning and refrigeration systems, incinerators and other energy-related systems.

(6) *Plumbing*.

a. The provisions of the Georgia State Minimum Standard Plumbing Code shall apply to the installation, alteration, repair and replacement of plumbing systems, including equipment, appliances, fixtures, fittings and appurtenances, and where connected to a water or sewage system and all aspects of a medical gas system.

b. Appendices. Appendix F of the Georgia State Minimum Standard Plumbing Code shall be considered part of the requirements of this code.

(7) *Energy*. The provisions of the Georgia State Minimum Standard Energy Code shall apply to all matters governing the design and construction of buildings for energy efficiency.

(8) *Existing Building*. The provisions of the Georgia State Minimum Standard Existing Building Code shall serve as a supplement to the Georgia State Minimum Standard Building Code and shall apply to the repair, alteration, change of occupancy, and relocation of existing buildings.

Sec. 10-232. Applicability.

(a) *General.* Where, in any specific case, different sections of this 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) *Other laws.* The provisions of this code shall not be deemed to nullify any provisions of local, state or federal law.

(c) *Application of references.* References to chapter or section numbers, or to provisions not specifically identified by number, shall be construed to refer to such chapter, section or provision of this code.

(d) *Referenced codes and standards.* The codes and standards referenced in this code shall be considered part of the requirements of this code to the prescribed extent of each such reference. Where differences occur between provisions of this code and referenced codes and standards, the provisions of this code shall apply.

(e) *Partial invalidity.* In the event that any part or provision of this code is held to be illegal or void, this shall not have the effect of making void or illegal any of the other parts or provisions.

(f) *Change in occupancy.* It shall be unlawful to make a change in the occupancy of a structure which will subject the structure to the special provisions of this code applicable to the new occupancy without approval. The code official shall certify that such structure meets the intent of the provisions of law governing building construction for the proposed new occupancy and that such change of occupancy does not result in any hazard to the public health, safety or welfare.

(g) *Maintenance.* Electrical, fuel gas piping, mechanical, and plumbing systems, both existing and new, and parts thereof shall be maintained in proper operating condition in accordance with the original design and in a safe and sanitary condition as applicable. All device or safeguards which are required by this code shall be maintained in compliance with the code edition under which they were installed. The owner or owner's designated agent shall be responsible for maintenance of each system. To determine compliance with this provision, the building official shall have the authority to require any electrical, fuel gas piping, mechanical, or plumbing system to be re-inspected.

SECTION 10-233. Department of planning and development.

(a) *Enforcement agency.* This code shall be enforced by the Building Official or Lawrenceville Code Enforcement or their duly authorized representatives, as applicable.

(b) *Building Official.* An appointed government official who is responsible for enforcing building codes. The building official may approve the issuance of a building permit,

review the contract documents, inspect the construction, and approve issuance of a certificate of occupancy, or his designee, shall be known as the Building Official.

SECTION 10-234. Duties and powers of building official.

(a) *General.* The building official is hereby authorized and directed to enforce the provisions of this code. The building official shall have the authority to render interpretations of this code and to adopt policies and procedures in order to clarify the application of its provisions. Such interpretations, policies and procedures shall be in compliance with the intent and purpose of this code. Such policies and procedures shall not have the effect of waiving requirements specifically provided for in this code.

(b) *Applications and permits.* The building official shall receive applications, review construction documents and issue permits for the erection, and alteration, demolition and moving of buildings and structures, and for the installation and alteration of electrical, fuel gas piping, mechanical, and plumbing systems, inspect the premises for which such permits have been issued and enforce compliance with the provisions of this code.

(c) *Notices and orders.* The building official shall issue all necessary notices or orders to ensure compliance with this code.

(d) *Inspections.* The building official shall make all of the required inspections, or the building official shall have the authority to accept reports of inspection by approved agencies or individuals. Reports of such inspections by approved agencies or individuals shall be in writing and be certified by a responsible officer of such approved agency or by the responsible individual. The building official is authorized to engage such expert opinion as deemed necessary to report upon unusual technical issues that arise.

(e) *Identification.* The building official shall carry proper identification when inspecting structures or premises in the performance of duties under this code.

(f) *Right of entry.* Where it is necessary to make an inspection to enforce the provisions of this code, or where the building official has reasonable cause to believe that there exists in a structure or upon a premises a condition which is contrary to or in violation of this code which makes the structure or premises unsafe, dangerous or hazardous, the building official is authorized to enter the structure or premises at reasonable times to inspect or to perform the duties imposed by this code, provided that if such structure or premises be occupied that credentials be presented to the occupant and entry requested. If such structure or premises is unoccupied, the building official shall first make a reasonable effort to locate the owner or other person having charge or control of the structure or premises and request entry. If entry is refused, the building official shall have recourse to every remedy provided by law to secure entry.

(g) *Department records.* The building official shall keep official records of applications received, permits and certificates issued, fees collected, reports of inspections, and notices and

orders issued. Such records shall be retained in the official records in accordance with the appropriate retention schedule.

(h) *Liability.* This code shall not create any duty or right of recovery against the City of Lawrenceville's officials and employees. The inspection or permitting of any building or plan by the City of Lawrenceville, under the requirements of this code, is not intended to be construed as a representation or warranty of the physical condition of such building or the adequacy of such plans. Neither the City of Lawrenceville nor any official or employee thereof shall be liable for damages to person or property for any defect or hazardous or illegal condition or inadequacy in such building, system or plans, nor for any failure of any component of such. Neither the City of Lawrenceville nor any of its officials or employees shall have any liability for any act or failure to act pursuant to the provisions of this code.

SECTION 10-235. Authorization.

(a) *Interpretations.* Whenever there are practical difficulties involved in carrying out the provisions of this code, the building official shall have the authority to render interpretations of this code, in order to clarify the application of its provisions, which are consistent with the intent and purpose of this code and which do not lessen health, accessibility, life and fire safety, or structural requirements.

(b) *Alternative materials, design and methods of construction and equipment.* The provisions of this code are not intended to prevent the installation of any material or to prohibit any design or method of construction not specifically prescribed by this code, provided that any such alternative has been authorized. An alternative material, design or method of construction shall be authorized where the building official finds that the proposed design is satisfactory and complies with the intent of the provisions of this code, and that the material, method or work offered is, for the purpose intended, at least the equivalent of that prescribed in this code in quality, strength, effectiveness, fire resistance, durability and safety.

(c) *Supporting documentation.* Supporting documentation, where necessary to assist in the approval of materials or assemblies not specifically provided for in this code, shall consist of valid research reports from approved sources or any supplemental data or evidence as may be required by the building official including tests as may be required.

(d) *Requirements not covered by code.* Any requirements necessary for the strength, stability or proper operation of an existing or proposed building, structure, or electrical, gas, energy conservation, mechanical and plumbing system, or for the public safety, health and general welfare, not specifically covered by this code, including the technical codes, shall be determined by the building official.

(e) *Required testing.* Whenever there is insufficient evidence of compliance with the provisions of this code, or evidence that a material or method does not conform to the requirements of this code, or in order to substantiate claims for alternative materials or methods,

the building official shall have the authority to require tests as evidence of compliance to be made at no expense to the jurisdiction.

(1) *Testing methods.* Test methods shall be as specified in this code or by other recognized test standards. In the absence of recognized and accepted test methods, the building official shall authorize the testing procedures.

(2) *All tests.* All tests shall be performed by an approved agency.

(3) *Test reports.* Reports of such tests shall be retained by the building official for the period required for retention of public records.

(f) *Authorized materials and equipment.* Materials, equipment, appliances and devices authorized by the building official shall be constructed and installed in accordance with such authorization.

(1) *Material, equipment and appliance reuse.* Materials, equipment, appliances and devices shall not be reused unless such elements have been reconditioned, tested, and placed in good and proper working condition and authorized.

SECTION 10-236. Permits.

(a) *Required.* Any owner or authorized agent who intends to construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any electrical, fuel gas piping, mechanical or plumbing system, the installation of which is regulated by this code, or to cause any such work to be done, shall first make application to the building official and obtain the required permit.

(b) *Misrepresentation of Application.* The building official is hereby authorized to revoke a permit or revoke a previous authorization, issued under the provisions of this code whenever there has been any false statement or false payment of permit fees such as returned check(s) or misrepresentation as to the material fact in the application or plans on which the permit or written release was based.

(c) *Contractor Responsibilities.*

(1) *Contractor Business License.* Each individual engaged in construction activities for which a building permit is required shall provide proof of a valid business license issued by a jurisdiction within the state of Georgia at the time of permit application except for the owner of a single-family dwelling that serves as his/her primary residence. Each individual engaged in construction activities for which a building permit is required and that is not the permit holder shall provide

proof of a valid business license issued by a jurisdiction within the state of Georgia prior to commencing work.

(2) *Contractor State License.* Each permit holder engaged in construction activities which require state licensure as a contractor shall provide proof of a valid contractor license issued by the state of Georgia at the time of permit application. A contractor that is not the permit holder shall provide proof of a valid contractor license issued by the state of Georgia prior to commencing work.

(d) *Work exempt from permit.* Exemptions from permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction. Permits shall not be required for the following:

(1) *Building:*

- a. One-story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided the floor area does not exceed 120 square feet.
- b. Fences up to 8 feet in height excluding masonry and concrete construction.
- c. Masonry and concrete walls up to 4 feet in height which function as a fence, screen, or barrier with optional integral pilasters up to 6 feet in height.
- d. Retaining walls up to 4 feet in height measured from the top of the footing to the top of the wall, unless supporting a surcharge or confining liquids.
- e. Water tanks supported directly on grade if the capacity does not exceed 5,000 gallons and the ratio of height to diameter or width does not exceed 2:1.
- f. Sidewalks and driveways not more than 30 inches above adjacent grade, and not over any basement or story below and are not part of an accessible route.
- g. Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work.
- h. Temporary motion picture, television and theater stage sets and scenery.
- i. Prefabricated swimming pools accessory to a Group R-3 occupancy that are less than 24 inches deep, do not exceed 5,000 gallons and are installed entirely above ground.
- j. Shade cloth structures constructed for nursery or agricultural purposes which are not accessible to the public and do not include service systems such as electrical, fuel gas piping, mechanical, and plumbing systems.

- k. Window awnings of Group R-3 and U occupancies supported by an exterior wall that do not project more than 54 inches from the exterior wall and do not require additional support.
- l. Non-fixed and movable fixtures, cases, counters and partitions up to 5 feet 9 inches in height.
- m. Basketball goals which are stand alone and not part of a basketball court.
- n. Private vehicular bridges with no clear span exceeding 2 feet.

(2) *Electrical:*

- a. Repairs and maintenance: Minor repair work, including the replacement of lamps or the connection of approved portable electrical equipment to approved permanently installed receptacles.
- b. Radio and television transmitting stations: The provisions of this code shall not apply to electrical equipment used for radio and television transmissions, but do apply to equipment and wiring for a power supply and the installations of towers and antennas.
- c. Temporary testing systems: A permit shall not be required for the installation of any temporary system required for the testing or servicing of electrical equipment or apparatus.

(3) *Gas:*

- a. Portable heating appliances.
- b. Replacement of any minor part that does not alter approval of equipment or make such equipment unsafe.

(4) *Mechanical:*

- a. Portable heating appliances.
- b. Portable ventilation appliances and equipment.
- c. Portable cooling units.
- d. Steam, hot or chilled water piping within any heating or cooling equipment or appliances regulated by this code.
- e. Replacement of any minor part that does not alter the approval of equipment or appliance or make such equipment or appliance unsafe.
- f. Portable evaporative coolers.
- g. Self-contained refrigeration systems that contain 10 pounds or less of refrigerant or that are actuated by motors of 1 horsepower or less.
- h. Portable fuel cell appliances that are not connected to a fixed piping system and are not interconnected to a power grid.

(5) *Plumbing:*

- a. The stopping of leaks in drains, water, soil, waste or vent pipe, provided, however, that if any concealed trap, drain pipe, water, soil, waste or vent pipe becomes defective and it becomes necessary to remove

and replace the same with new material, such work shall be considered as new work and a permit shall be obtained and inspection made as provided in this code.

b. The clearing of stoppages or the repairing of leaks in pipes, valves or fixtures and the removal and reinstallation of water closets, provided such repairs do not involve or require the replacement or rearrangement of valves, pipes or fixtures.

(i) *Emergency repairs.* Where equipment replacements and repairs must be performed in an emergency situation, the permit application shall be submitted within the next two (2) working business days to the building official.

(ii) *Repairs.* Application or notice to the building official is not required for ordinary repairs to structures, replacement of lamps or the connection of approved portable electrical equipment to approved permanently installed receptacles. Such repairs shall not include the cutting away of any wall, partition or portion thereof, the removal or cutting of any structural beam or load-bearing support, or the removal or change of any required means of egress, or rearrangement of parts of a structure affecting the egress requirements; nor shall ordinary repairs include addition to, alteration of, replacement or relocation of any standpipe, water supply, sewer, drainage, drain leader, gas, soil, waste, vent or similar piping, electric wiring or mechanical or other work affecting public health or general safety.

(iii) *Public service agencies.* A permit shall not be required for the installation, alteration or repair of generation, transmission, distribution, metering or other related equipment that is under the ownership and control of public service agencies by established right.

(e) *Application for permit.* To obtain a permit, the applicant shall first file an application on a form furnished by the Department of Planning and Development for that purpose. Such application shall:

(1) Identify and describe the work to be covered by the permit for which application is made.

(2) State the full name and address of the applicant.

(3) Describe the land on which the proposed work is to be done by legal description, street address or similar description that will readily identify and definitely locate the proposed building or work.

(4) Indicate the use and occupancy for which the proposed work is intended.

(5) Be accompanied by construction documents and other information as required in Section 107.

(6) State the valuation of the proposed work.

(7) Be signed by the applicant, or the applicant's authorized agent.

(8) Give such other data and information as required by the building official.

a. *Action on permit application and permit issuance.* The building official shall examine or cause to be examined applications for permits and amendments thereto within a reasonable time after filing and within the time period prescribed by law. If the application, construction documents, or other data filed by the applicant do not conform to the requirements of this code and all applicable laws and ordinances, the building official shall reject such application in writing, stating the reasons therefor. If the building official is satisfied that the proposed work conforms to the requirements of this code and laws and ordinances applicable thereto, the building official shall issue a permit therefor as soon as practicable within the time period prescribed by law.

b. *Time limitation of permit application.* An application for a permit for any proposed work shall be deemed to have been abandoned 180 days after the date of filing, unless such application has been pursued in good faith or a permit has been issued; except that the building official is authorized to grant one or more extensions of time for additional periods not exceeding 90 days each. The extension shall be requested in writing and justifiable cause demonstrated.

(f) *Validity of permit.* The issuance of a permit or authorization of construction documents shall not be construed to be a permit for, or an approval of, any violation of any of the provisions of this code or of any other applicable ordinance or law. Permits presuming to give authority to violate or cancel the provisions of this code or other applicable ordinances or laws shall not be valid. The issuance of a permit based on construction documents and other data shall not prevent the building official from requiring the correction of errors in the construction documents and other data. The building official is also authorized to prevent occupancy or use of a structure where in violation of this code or of any other applicable ordinances or laws.

(g) *Expiration.* Each permit issued by the building official under the provisions of this code shall expire by limitation and shall become null and void under at least one of the following conditions:

(1) The work authorized by such permit is not commenced within 180 days from the date of its issuance or renewal, as applicable, with no passed inspection of the work within the stated time frame.

(2) The work authorized by such permit is suspended or abandoned at any time for a period of 180 days after the work is commenced with no passed inspection of the work within the stated time frame. The building official is authorized to grant one extension of time for a period not more than 180 days. The extension shall be requested by the permit holder in writing prior to expiration and justifiable cause demonstrated.

(3) The weather-resistant building envelope including exterior walls, windows, doors, and roofing, as required by the applicable building code and authorized by such permit, is not complete within 360 days after the work is commenced on the pertinent one- or two-family dwelling, townhouse, or multi-family or commercial building no greater than 4 stories in height.

(4) Change in permit holder.

(h) *Renewal.* The building official is authorized to grant one renewal for a permit issued under the provisions of this code when the permit is expired. The renewal shall be requested by the original permit holder in writing within the time frame established by the building official and justifiable cause demonstrated.

(i) *Suspension or revocation.* The building official is authorized to suspend or revoke a permit issued under the provisions of this code wherever the permit is issued in error or on the basis of incorrect, inaccurate or incomplete information, or in violation of any applicable ordinance or regulation or any of the provisions of this code.

(j) *Placement of permit card.* Work authorized by a building permit shall not proceed until the permit card has been properly posted at the construction site. The building permit card shall be displayed in an easily visible location at the entrance to the site, building, structure, or space under construction, until completion of the project and issuance of the certificate of occupancy or certificate of completion as applicable.

SECTION 10-237. Construction documents.

(a) *Submittal documents.* Construction documents including but not limited to statement of special inspections, engineering calculations, technical reports, and other data as applicable shall be submitted in one or more sets with each permit application. The construction documents shall be prepared by a registered design professional where required by state law and any applicable ordinance. Where special conditions exist, the building official is authorized to require additional construction documents to be prepared by a registered design professional.

Construction documents prepared by a registered design professional shall bear a current date of seal by the registered design professional within 180 days of the date of permit issuance.

Exception: The building official is authorized to waive the submission of construction documents and other data not required to be prepared by a registered design professional if it is found that the nature of the work applied for is such that review of construction documents is not necessary to obtain compliance with this code.

(1) *Information on construction documents.* Construction documents shall be dimensioned and drawn upon suitable material. Electronic media documents are permitted to be submitted when approved by the building official. Construction documents shall be of sufficient clarity to indicate the location, nature and extent of the work proposed and show in detail that the work conforms to the provisions of this code and relevant laws, ordinances, rules and regulations, as determined by the building official.

(2) *Occupant Load.* The construction documents shall designate the number of occupants to be accommodated on each floor, and in each room and space, as required by the building official.

(3) *Exterior wall envelope.* Construction documents for all buildings shall describe the exterior wall envelope in sufficient detail to determine compliance with this code. The construction documents shall provide details of the exterior wall envelope as required, including flashing, intersections with dissimilar materials, corners, end details, control joints, intersections at roof, eaves or parapets, means of drainage, water-resistive membrane and details around openings. The construction documents shall include manufacturer's installation instructions that provide supporting documentation that the proposed penetration and opening details described in the construction documents maintain the weather resistance of the exterior wall envelope. The supporting documentation shall fully describe the exterior wall system which was tested, where applicable, as well as the test procedure used.

(b) *Site plan.* The construction documents submitted with the application for permit shall be accompanied by a site plan showing to scale the size and location of new construction and existing structures on the site, distances from lot lines, the established street grades and the proposed finished grades and, as applicable, flood hazard areas, floodways, and design flood elevations; and it shall be drawn in accordance with an accurate boundary line survey. In the case of demolition, the site plan shall show construction to be demolished and the location and size of existing structures and construction that are to remain on the site or plot. The building official is authorized to waive or modify the requirement for a site plan when the application for permit is for alteration or repair or when otherwise warranted.

(c) *Examination of documents.* The building official shall examine or cause to be examined the accompanying construction documents and shall ascertain by such examinations

whether the construction indicated and described is in accordance with the requirements of this code and other pertinent laws or ordinances.

(1) *Authorization of construction documents.* When the building official issues a permit, the construction documents shall be authorized by stamp as “**Authorized for Issuance of Building Permit.**” One set of construction documents so reviewed shall be retained by the building official. The other set shall be returned to the applicant, shall be kept at the site of work and shall be open to inspection by the building official or a duly authorized representative. Such authorized construction documents shall not be changed, modified or altered without authorization from the building official. Work shall be done in accordance with the authorized construction drawings.

(2) *Previous authorization.* No changes in the construction documents, construction or designated occupancy of a structure shall be required for which a lawful permit has been heretofore issued or otherwise lawfully authorized, and the construction of which has been pursued in good faith within 180 days after the effective date of this code and has not been abandoned irrespective of the adoption of subsequent editions and amendments to the Georgia State Minimum Standard Codes listed in Section 101.4.

(3) *Phased authorization.* The building official is authorized to issue a permit for the construction of foundations or any other part of a building or structure before construction documents for the whole building or structure have been submitted, provided that adequate information and detailed statements have been filed complying with pertinent requirements of this code. The holder of such permit for the foundation or other parts of a building or structure shall proceed at the holder’s own risk with the building operation and without assurance that a permit for the entire structure will be granted.

(4) *Primary design professional.*

a. *General.*

When it is required that documents be prepared by a registered design professional, the building official shall be authorized to require the owner to engage and designate on the building permit application a registered design professional who shall act as the primary design professional. If the circumstances require, the owner shall designate a substitute primary design professional who shall perform the duties required of the original primary design professional. The building official shall be notified in writing by the owner if the primary registered design professional is changed or is unable to continue to perform the duties.

The primary design professional shall be responsible for reviewing and coordinating submittal documents prepared by others, including phased and deferred submittal items, for compatibility with the design of the building.

b. *Deferred submittals.*

For the purposes of this section, deferred submittals are defined as those portions of the design that are not submitted at the time of the application and that are to be submitted to the building official within a specified period.

Deferral of any submittal items shall have the prior approval of the building official.

The primary registered design professional shall list the deferred submittals on the construction documents for review by the building official.

Documents for deferred submittal items shall be submitted to the primary registered design professional who shall review them and forward them to the building official with a notation indicating that the deferred submittal documents have been reviewed and been found to be in general conformance to the design of the building. The deferred submittal items shall not be installed until the design and submittal documents have been authorized by the building official.

c. *Residential construction submittals.*

Documents for Residential Group R-3 (one and two family dwellings) buildings which are 7,500 square feet or greater in total floor area, or are more than three (3) stories above grade plane in height shall be prepared by a primary registered design professional.

d. *Amended construction documents.*

Work shall be installed in accordance with the authorized construction documents, and any changes made during construction that are not in compliance with the authorized construction documents shall be resubmitted for authorization as an amended set of construction documents.

e. *Retention of construction documents.*

One set of authorized construction documents shall be retained by the building official in accordance with the appropriate retention schedule.

SECTION 10-238. Temporary structures and uses.

(a) *General.* The building official is authorized to issue a permit for temporary structures and temporary uses.

Such permits shall be limited as to time of service, but shall not be permitted for more than 180 days. The building official is authorized to grant extensions for demonstrated cause.

(b) *Conformance.* Temporary structures and uses shall conform to the structural strength, fire safety, means of egress, accessibility, light, ventilation and sanitary requirements of this code as necessary to ensure public health, safety and general welfare.

(c) *Temporary power.* The building official is authorized to give permission to temporarily supply and use power in part of an electric installation before such installation has

been fully completed and the final certificate of completion has been issued. The part covered by the temporary certificate shall comply with the requirements specified for temporary lighting, heat or power in the Georgia State Minimum Standard Electrical Code.

(d) *Termination of approval.* The building official is authorized to terminate such permit for a temporary structure or use and to order the temporary structure or use to be discontinued.

SECTION 10-239. Fees.

(a) *Payment of fees.* A permit shall not be valid until the appropriate fees have been paid, nor shall an amendment to a permit be released until all additional fees, if any, have been paid.

(b) *Schedule of permit fees.* On buildings, structures, electrical, fuel gas piping, mechanical and plumbing systems or alterations requiring a permit, a fee for each permit shall be paid as required, in accordance with the schedule as established by the City of Lawrenceville.

(c) *Building permit valuations.* The applicant for a permit shall provide an estimated permit value at time of application. Permit valuations shall include total value of work, including materials and labor, for which the permit is being issued, such as electrical, fuel gas piping, mechanical, plumbing equipment and permanent systems. If, in the opinion of the building official, the valuation is underestimated on the application, the permit shall be denied, unless the applicant can show detailed estimates to meet the approval of the building official. Final building permit valuation shall be set by the building official.

(d) *Work commencing before permit issuance.* Any person who commences any work on a building, structure, electrical, fuel gas piping, mechanical or plumbing system before obtaining the necessary permits shall be subject to a fee established by the City of Lawrenceville that shall be in addition to the required permit fees.

(e) *Related fees.* The payment of the fee for the construction, alteration, removal or demolition for work done in connection to or concurrently with the work authorized by a building permit shall not relieve the applicant or holder of the permit from the payment of other fees that are established by the City of Lawrenceville.

SECTION 10-240. INSPECTIONS AND TESTING.

(a) *General.* Construction or work for which a permit is required shall be subject to inspection by the building official and such construction or work shall remain accessible and exposed for inspection purposes until approved. Approval as a result of an inspection shall not be construed to be an approval of a violation of the provisions of this code or of other ordinances of the City of Lawrenceville.

Inspections presuming to give authority to violate or cancel the provisions of this code or of other ordinances of the City of Lawrenceville shall not be valid. It shall be the duty of the permit applicant to cause the work to remain accessible and exposed for inspection purposes. Neither the building official nor the City of Lawrenceville shall be liable for expense entailed in the removal or replacement of any material required to allow inspection.

(b) *Preliminary inspection.* Before issuing a permit, the building official is authorized to examine or cause to be examined buildings, structures and sites for which an application has been filed.

(c) *Required inspections.* The building official, upon notification from the permit holder or permit holder's agent, shall make the inspections set forth in Sections 110.3.1 through 110.3.10 and other such inspections as necessary, and shall either release that portion of the construction or notify the permit holder or the permit holder's agent of violations that are required to be corrected. The permit holder is responsible for scheduling the required inspections.

(1) *Footing and foundation inspection.* Footing and foundation inspections shall be made after excavations for footings are complete and any required reinforcing steel is in place. For concrete foundations, any required forms shall be in place prior to inspection. Materials for the foundation shall be on the job, except where concrete is ready mixed in accordance with ASTM C 94, the concrete need not be on the job.

(2) *Concrete slab and under-floor inspection.* Concrete slab and under-floor inspections shall be made after in-slab or under-floor reinforcing steel and building service equipment, conduit, piping accessories and other ancillary equipment items are in place, but before any concrete is placed or floor sheathing installed, including the subfloor.

(3) *Rough Inspection.* Inspection of electrical, fuel gas piping, mechanical, and plumbing systems and components to be concealed shall be made after the roof, framing, fire-blocking and bracing are in place and prior to the installation of wall or ceiling membranes.

(4) *Framing inspection.* Framing inspections shall be made after the roof deck or sheathing, all framing, fire-blocking and bracing are in place and pipes, chimneys and vents to be concealed are complete and the rough electrical, plumbing, heating wires, pipes and ducts are approved.

(5) *Lath and gypsum board inspection.* Lath and gypsum board inspections shall be made after lathing and gypsum board, interior and exterior, is in place, but before any plastering is applied or gypsum board joints and fasteners are taped and finished.

Exception: Gypsum board that is not part of a fire-resistance-rated assembly or a shear assembly.

(6) *Fire-resistant penetrations.* Protection of joints and penetrations in fire-resistance-rated assemblies shall not be concealed from view until inspected and approved.

(7) *Energy efficiency inspections.* Inspections shall be made to determine compliance with the Georgia State Minimum Standard Energy Code and shall include, but not be limited to, inspections for: envelope insulation R and U values, fenestration U value, duct system R value, and HVAC and water heating equipment efficiency.

(8) *Other inspections.* In addition to the inspections specified above, the building official is authorized to make or require other inspections of any construction work to ascertain compliance with the provisions of this code and other ordinances and laws that are enforced by the Department of Planning and Development.

(9) *Special inspections.* Special inspections shall be provided in accordance with the Georgia State Minimum Standard Building Code.

(10) *Final inspection.* The final inspection shall be made after all work required by the building permit is completed.

(d) *Inspection agencies.* The building official is authorized to accept reports of authorized inspection agencies, provided such agencies satisfy the requirements as to qualifications and reliability.

(e) *Inspection requests.* It shall be the duty of the holder of the building permit or their duly authorized agent to notify the building official when work is ready for inspection. It shall be the duty of the permit holder to provide access to and means for inspections of such work that are required by this code.

(f) *Testing.* Electrical, fuel gas piping, mechanical, and plumbing installations shall be tested as required in this code and in accordance with Sections 110.6.1 through 110.6.3. Tests shall be made by the permit holder and observed by the building official.

(1) *New, altered, extended, or repaired installations.* New electrical, fuel gas piping, mechanical, and plumbing systems and parts of existing systems, which have been altered, extended or repaired, shall be tested as prescribed herein to disclose leaks and/or defects except that testing is not required in any case that does not include addition to, replacement, alteration or relocation of any water supply, drainage or vent piping.

(2) *Equipment, instruments, material and labor for tests.* Equipment, instruments, material and labor required for testing an electrical, fuel gas piping, mechanical, and plumbing system or part thereof shall be furnished by the permit holder.

(3) *Re-inspection and testing.* Where any work or installation does not pass any initial test or inspection, the necessary corrections shall be made to comply with this code. The work or installation shall then be resubmitted to the building official for inspection and testing.

(g) *Approval required.* Work shall not be done beyond the point indicated in each successive inspection without first obtaining the approval of the building official. The building official, upon notification, shall make the requested inspections and shall either indicate the portion of the construction that is satisfactory as completed, or notify the permit holder or his or her agent wherein the same fails to comply with this code. Any portions that do not comply shall be corrected and such portion shall not be covered or concealed until approved by the building official.

SECTION 10-241. VIOLATIONS.

(a) *Unlawful acts.* It shall be unlawful for any person, firm or corporation to erect, construct, alter, repair, remove, demolish or utilize any structural, electrical, fuel gas piping, mechanical, or plumbing system, or occupy any building, structure, or equipment regulated by this code or cause same to be done, in conflict with or in violation of any of the provisions of this code.

(b) *Notice of violation.* The building official shall serve a notice of violation on the owner and/or the person responsible for the erection, installation, alteration, extension, repair, removal or demolition of structural, electrical, fuel gas piping, mechanical or plumbing work or occupancy of a building or structure in violation of the provisions of this code, or in violation of a detail statement or the authorized construction documents thereunder, or in violation of a permit or certificate issued under the provisions of this code. Such notice shall direct the discontinuance of the illegal action or condition and the abatement of the violation. If the notice of violation is not complied with by the established deadline, the owner and/or the person responsible shall be subject to issuance of a citation by the building official to appear in the Lawrenceville Municipal Court to respond to violations of any of the provisions of this code.

(c) *Stop Work Order.* The building official is authorized to issue a stop work order on the responsible person to immediately cease work on any structural, electrical, fuel gas piping, mechanical or plumbing system that is being done contrary to the provisions of this code or in a dangerous or unsafe manner. The stop work order shall be in writing and shall be given to the owner of the property or to the owner's agent, or to the person doing the work. The stop work order shall state the conditions under which work is authorized to resume. Where an emergency

exists, the building official shall not be required to give a written notice prior to stopping work. Any person who shall continue any work in or about the structure after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be subject to issuance of a citation by the building official to appear in the Lawrenceville Municipal Court to respond to violations of any of the provisions of this code.

(d) *Violation penalties.* Any person who shall violate a provision of this code or who shall fail to comply with any of the requirements thereof or who shall erect, install, alter or repair structural, electrical, fuel gas piping, mechanical or plumbing work in violation of the authorized construction documents or directive of the building official, or of a permit or certificate issued under the provisions of this code, shall be guilty of violating a duly adopted ordinance, and subject to punishment upon conviction of any such violation in accordance with section 1-16 of the Code of the City of Lawrenceville, Georgia. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

(e) *Abatement of violation.* When any building structure, or electrical, fuel gas piping, mechanical or plumbing system or installation is maintained in violation of this code, and in violation of a notice issued pursuant to the provisions of this section, the building official shall institute appropriate action to prevent, restrain, correct or abate the violation. The imposition of the penalties herein prescribed shall not preclude the legal officer of Lawrenceville from instituting appropriate action to prevent unlawful construction, restrain, correct or abate a violation, prevent illegal occupancy of a building, structure or premises, or stop an illegal act, conduct, business or utilization of the installations on or about any premises.

SECTION 10-242. Means of appeals.

(a) *Application for appeal.* The owner of a building, structure or service system, or authorized agent, shall have the right to appeal a denial, revocation of a permit, or administrative decision of the building official to the Lawrenceville Board of Appeals.

SECTION 10-243. Certificate of occupancy and certificate of completion.

(a) *Certificate of occupancy.* No building or structure shall be used or occupied, and no change in the existing occupancy classification of a building or structure or portion thereof shall be made until the building official has issued a certificate of occupancy therefore as provided herein. Issuance of a certificate of occupancy shall not be construed as an approval of a violation of the provisions of this code or of other ordinances of the City of Lawrenceville.

(b) *Certificate of completion.* A certificate of completion is issued by the building official to document that the construction work applicable to each building, structure, system, or space with no change in use or occupancy is complete and is not subject to any known violations of the provisions of this code, state or local law. Authorization to occupy a building or habitable structure or connect a building or habitable structure to a permanent utility system is granted only upon issuance of a certificate of occupancy. Issuance of a certificate of completion shall not

be construed as an approval of a violation of the provisions of this code or of other ordinances of the City of Lawrenceville.

(c) *Certificate issued.* After the building official inspects the building or structure and finds no violation of the provisions of this code or other ordinances and laws that are enforced by the Department of Planning and Development, the building official shall issue a certificate of occupancy or certificate of completion as applicable that contains the following:

- (1) The building permit number.
- (2) The address of the structure.
- (3) Parcel identification number.
- (4) Lot/block location (residential only).
- (5) A description of that portion of the structure for which the certificate is issued.
- (6) The name of the inspector responsible for certificate issuance.
- (7) The use and occupancy, in accordance with state law.
- (8) The maximum occupant load (certificate of occupancy only).
- (9) Any special stipulations and conditions of the building permit.
- (10) Zoning classification.

(d) *Temporary occupancy.*

The building official is authorized to issue a temporary certificate of occupancy before the completion of the entire work covered by the permit, provided that such portion or portions shall be occupied safely. The building official shall set a time during which the temporary certificate of occupancy is valid.

(e) *Revocation.*

The building official is authorized to, in writing, suspend or revoke a certificate of occupancy or completion issued under the provisions of this code wherever the certificate is issued in error, or on the basis of incorrect information supplied, or where it is determined that the building or structure or portion thereof is in violation of any ordinance or regulation of any of the provisions of this code.

SECTION 10-244. 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 that is regulated by this code for which a permit is required, until released by the building official.

(b) *Temporary connection.* The building official shall have the authority to authorize the temporary connection of the building or system to the utility source of energy, fuel or power.

(c) *Authority to order disconnection of utility service.* The building official shall have the authority to order disconnection of utility service to the building, structure or system regulated by this code in case of emergency, where necessary, to eliminate an immediate danger to life or property. Written notice of such order to disconnect service and the causes thereof shall be given within 24 hours to the owner and occupant of such building, structure or premises, provided, however, that in cases of immediate danger to life or property, such disconnection shall be made immediately without such notice. Where energy sources are provided by a public utility, the building official shall immediately notify the serving utility in writing of the issuance of such order to disconnect. Where possible, the owner and occupant of the building, structure or service system shall be notified of the decision to disconnect utility service prior to taking such action. If not notified prior to disconnecting, the owner or occupant of the building, structure or system shall be notified in writing, as soon as practical thereafter.

(d) *Connection after order to disconnect utility service.* No person shall make connections from any energy, fuel, power supply or water distribution system or supply energy, fuel or water to any electrical, gas, mechanical or plumbing system regulated by this code that has been disconnected or ordered to be disconnected by the building official, or the use of which has been ordered to be disconnected by the building official until the building official authorizes the reconnection and use of such electrical, fuel gas piping, mechanical or plumbing system.

IT IS SO ORDAINED, this 13th day of May, 2020.

David R. Still, Mayor

Attest:

Karen Pierce, City Clerk