

**BUCKINGHAM COUNTY
BUILDING PERMIT ORDINANCE**

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ARTICLE I ADMINISTRATION

Sec. 5-100 Purpose and intent.

A. The purpose and intent of this chapter is to promote and to protect the public health, safety and welfare by making the Virginia Construction Code, as set forth in the International Code Council and amended by order of the Virginia Board of Housing and Community Development, applicable to all matters affecting or relating to structures, including the construction, alteration, repair, addition, demolition and removal of all structures, and to the equipment in such structures. The purpose and intent of this chapter is also to establish a procedure by which unsafe buildings and structures are repaired, removed, or demolished.

B. The Virginia Construction Code shall be referred to in this chapter as the “building code” and shall include the building code in its current form and as amended in the future.

C. A copy of the building code shall be kept on file in the department of building code and zoning services.

State law reference--Va. Code §§ 36-97 et seq.; 36-105.

Sec. 5-101 Building inspection office established; powers and duties.

A building inspection office is hereby established, as provided herein:

A. The building inspection office shall be charged with the administration and enforcement of the building code and this chapter, the review and approval of plans, the inspection of buildings and structures and the issuance of permits or certificates pertaining thereto. For purposes of this chapter, the term “building inspection office” means the “local building department” as that term is used in the building code.

B. The building inspection office shall be directed by a building official appointed by the Board of Supervisors. The building official shall be charged with the administration and enforcement of this chapter and the building code and, as such, shall have the duties and powers of a code official set forth in the building code. The building official also shall be responsible for the supervision of the other employees of the building inspection office. For purposes of this chapter, the term “building official” means the “code official” as that term is used in the building code.

State law reference--Va. Code §§ 36-97 et seq.; 36-105

Sec. 5-102 Board of appeals established; powers and duties.

A board of appeals is hereby established as provided herein:

- A. The board shall consist of five (5) members appointed by the board of supervisors.
- B. Each member of the board shall serve a five (5) year term, which shall extend beyond such term until a successor is appointed.
- C. To the extent that such persons may be available, the board shall consist of individuals who meet the qualifications for board membership set forth in section 119.3 of the building code.
- D. The members of the board shall be compensated as provided in section 2-1105 of the Code.
- E. The organization and duties of the board shall be as set forth in section 119 of the building code and such duties shall include considering appeals as provided in section 5-103.

Sec. 5-103 Appeals of decisions of the building official.

The board of appeals shall consider and act upon appeals from decisions of the building official as provided herein:

- A. The board shall consider appeals concerning the application of the building code or the refusal to grant a modification of the provisions of the building code pertaining to the manner of construction or materials to be used in the erection, alteration or repair of a building or structure.
- B. The right of appeal, the parties to an appeal, the scope of an appeal, the procedure for an appeal, and the conduct of the appeal, shall be as set forth in section 119 of the building code.

State law reference--Va. Code § 36-105

Sec. 5-104 Violation and penalty.

It shall be unlawful for any owner or any other person, firm or corporation to violate any provision of this chapter or the building code, and such violation shall be punishable and shall be abated, as provided herein:

A. A violation of this chapter, which is not a violation of the building code, shall be punishable as a Class One Misdemeanor as set forth in the 1950 Code of Virginia, as amended.

B. A violation of this chapter which is a violation of the building code shall be punishable and shall be abated as provided therein.

State law reference--Va. Code § 36-106.

ARTICLE II FEES

Sec. 5-200 Permit and inspection fees, generally.

The fees for a permit or inspection required pursuant to the building code and this chapter shall be paid as provided herein:

A. Except as provided in paragraph (E), no permit shall be issued until the applicable fees required by this article have been paid. The fee shall be for the purpose of reimbursing, in whole or in part, the department of building code and zoning services' cost to review plans, issue permits and conduct up to one re-inspection of work performed pursuant to a permit.

B. Each fee shall be in the form of cash or a check payable to the "County of Buckingham" Payment shall be made in the Treasurer's Office.

C. The payment of fees for a permit or permit amendment shall not relieve any person from the payment of any other fees that may be required by law including, but not limited to, fees for water connections and sewer connections.

D. The building official shall keep an accurate account of all fees due and collected pursuant to this chapter.

E. Neither the county nor the county school board shall be required to pay any fee otherwise required by this article for a permit or inspection required by this chapter.

State law reference--Va. Code § 36-105.

Sec. 5-201 Fees for building permits.

The fees for building permits are hereby established as provided herein:

A. ***Residential structures.*** The fee for each new structure (one- and two-family dwellings) other than a garage, deck or porch, or for an addition to an existing residential structure in either such use group, shall be \$0.23 per square foot, calculated on gross square footage. The minimum fee shall be \$125.00.

B. ***Accessory residential structures.*** The fee for each residential attached garage, detached garage, shed, or deck or porch fifty square feet or larger, shall be \$0.11 per square foot, calculated on gross square footage. The minimum fee shall be \$25.00.

C. ***Residential or Commercial swimming pools, hot tubs and spas.*** The fee for each residential swimming pool, hot tub or spa shall be \$0.23 per square foot but not less than \$50.00.

D. ***Mobile homes and prefabricated homes.*** The fee for each mobile home or prefabricated home shall be \$0.23 per square foot but not less than \$50.00.

E. ***New commercial structures.*** The fee for each new structure or an addition to an existing commercial structure in any such use group, shall be \$0.11 per square foot, calculated on gross square footage, but not less than \$50.00.

F. ***Mobile offices and pre-manufactured units.*** The fee for each mobile office or pre-manufactured unit shall be \$0.23 per square foot but not less than \$50.00.

G. ***Alterations and repairs of structures in all use groups.*** The fee for an alteration or repair of a structure in any use group shall be \$ 0.23 per square foot of floor area affected, provided that there is no increase in gross square footage. The minimum fee shall be \$50.00.

State law reference--Va. Code § 36-105.

Sec. 5-202 Fees for electrical permits.

The fee for an electrical permit only shall be \$0.02 per square foot but not less than \$25.00.

State law reference--Va. Code § 36-105.

Sec. 5-203 Fees for plumbing permits.

The fee for a plumbing permit only shall be \$0.02 per square foot but not less than \$25.00.

State law reference--Va. Code § 36-105.

Sec. 5-204 Fees for mechanical permits.

The fee for a mechanical permit only shall be \$0.02 per square foot but not less than \$25.00.

State law reference--Va. Code § 36-105.

Sec. 5-205 Fees for amusement devices.

The fees for amusement devices are hereby established as provided herein:

A. *Kiddie rides*. The fee for each kiddie ride shall be \$15.00.

B. *Intermediate rides*. The fee for each major ride shall be \$25.00.

C. *Major rides*. The fee for each spectacular ride shall be \$45.00.

State law reference--Va. Code § 36-105.

Sec. 5-206 Fee for demolition permits.

The fee for each demolition permit shall be \$25.00.

State law reference--Va. Code § 36-105.

Sec. 5-207 State Fee.

A 2% (percent) mandatory state fee shall be added to all building permits.

State law reference--Va. Code § 36-105.

Sec. 5-208 Fees for other permits, plan amendments and re-inspections.

The fees for re-inspections are established for each inspection of work performed, after the second inspection of such work, shall be \$50.00 per inspection.

State law reference--Va. Code § 36-105.

Sec. 5-209 Refunds.

Upon receipt by the building official of a written request by the owner within six (6) months of the event identified below, a fee paid pursuant to this article may be refunded as provided herein:

A. If a permit application is withdrawn or voided after the plan is reviewed, in whole or in part, but before the work authorized by the permit begins, the owner shall be refunded the entire building permit fee less \$20.00 for processing plus any other direct cost incurred by the County.

State law reference--Va. Code § 36-105.

ARTICLE III

RADON RESISTANT CONSTRUCTION and DETECTION

Sec. 5-300 Applicability.

This article shall apply to the new construction of one and two dwelling units.

Sec. 5-301 New Construction.

All new one and two dwelling units construction shall incorporate the radon resistant methods of Appendix F of the International Residential Code for One and Two-Family Dwellings which is incorporated in the Virginia Construction Code.

Sec. 5-302 Exception.

In accordance with the Building Code, these requirements shall not apply to buildings or portions thereof that have a crawl space foundation which is ventilated to the exterior.