

Chapter 14 BUILDINGS AND BUILDING REGULATIONS ^[1]

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State Law reference— State Building Code, W. Va. Code, § 29-3-5b, W. Va. CSR § 87-04; building regulations, W. Va. Code, § 8-12-13; municipal inspection, W. Va. Code, § 8-12-15.

ARTICLE I. IN GENERAL

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Secs. 14-1—14-16. Reserved.

ARTICLE II. BUILDING CODE AND ENFORCEMENT AGENCY

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Sec. 14-17. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Dwelling means a building or structure, except temporary housing, which is wholly or partly used or intended to be used for living or sleeping by human occupants.

Dwelling unit means a room or group of rooms located within a dwelling and forming a single habitable unit with facilities which are used or intended to be used for living, sleeping, cooking and eating.

Multifamily dwelling means any dwelling or part thereof containing three or more dwelling units.

Occupant means any person including an owner or operator living and sleeping in a dwelling unit or rooming unit.

Openable area means the part of a window or door which is available for unobstructed ventilation and which opens directly to the outdoors.

Operator means any person having charge, care, management or control of any dwelling or part of it, in which dwelling units or rooming units are let.

Owner means any person who, alone, jointly or severally with others, holds legal or equitable title to any dwelling, roominghouse, dwelling unit, or rooming unit.

Plumbing means water-heater facilities, water pipes, waste pipes, water closets, sinks, installed dishwashers, lavatories, bathtubs, shower baths, installed clothes washing machines, catchbasins, drains, vents and other similar supplied fixtures, together with all connections to water and sewer lines.

Rooming unit means any room or group of rooms forming a single habitable unit used or intended to be used for living and sleeping, but not for cooking or eating purposes.

Roominghouse means any dwelling, or that part thereof containing one or more rooming units, in which space is let to five or more persons.

Supplied means installed, furnished, or provided by the owner or operator at his expense.

Two-family dwelling means any dwelling containing two dwelling units.

(Code 1981, § 12-113)

Sec. 14-18. Penalty.

Any person who, having failed to request a hearing or apply for an injunction as provided in sections 14-25 and 14-26, respectively, knowingly fails to comply with any notice issued by the

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building enforcement agency, or any person who fails to comply with any order entered by the building enforcement agency, shall be guilty of a misdemeanor, and upon conviction thereof shall be subject to a fine of not more than \$100.00.

(Code 1981, § 12-112)

Sec. 14-19. Adoption of State Building Code.

Except as otherwise provided in this article, the State Building Code as provided for in W. Va. Code, § 29-3-56(b) is hereby adopted by reference as if set forth verbatim herein. The State Building Code and its adoption within the town is subject to legislative rules adopted by the state fire commission and authorized by the state legislature.

State Law reference— Adoption of technical code by reference, W. Va. Code, § 8-11-4.

Sec. 14-20. Building enforcement agency—Composition.

There is hereby created a building enforcement agency which shall consist of the mayor, the person designated by the mayor and town council as building inspector, and one member at large who shall be a resident of the town, and appointed by the mayor with the advice and consent of the council. Said member at large shall be selected to serve at the will and pleasure of the mayor. The chief of the fire department and the ranking health officer, as designed by the town, shall be ex officio members of the agency.

(Code 1981, § 12-101)

State Law reference— Building enforcement agency, W. Va. Code, § 8-12-16(b).

Sec. 14-21. Same—Power and authority.

The building enforcement agency shall have the power and authority, in accordance with provisions of W. Va. Code, § 8-12-16, to require the repair, closing or demolition of any dwelling or other buildings situated in the town which is unfit for human habitation due to dilapidation, defects increasing the hazard of fire, accidents or other calamities, lack of ventilation, light or sanitary facilities, or any other conditions prevailing in any dwelling or building, whether used for human habitation or not, which would cause such building to be unsafe, unsanitary, dangerous or detrimental to the public welfare. The building enforcement agency shall have power and authority to enforce the minimum housing standards hereinafter set forth.

(Code 1981, § 12-102)

State Law reference— Plenary municipal power to adopt provisions regulating repair, vacating, or demolition of dwellings unfit for human habitation, W. Va. Code, § 8-12-16.

Sec. 14-22. Inspection or examination of buildings.

The building enforcement agency shall have the right and authority, through either its members or duly authorized agents, to enter any dwelling or building for the purpose of making any inspection or examination that may be necessary in order for the said agency to determine whether such dwelling or building is unfit for human habitation, unsafe, unsanitary, dangerous or detrimental to the public welfare; provided, however, that any entrance upon premises for the purpose of making an examination or inspection, as aforesaid, shall be made in such manner as to cause the least possible inconvenience to the persons in possession.

(Code 1981, § 12-103)

Sec. 14-23. Agency's service of notice.

If, after proper investigation and such hearing as the building enforcement agency may deem necessary, the agency determines that a dwelling or building, or portion thereof, is unfit for human habitation, unsafe, unsanitary, dangerous or detrimental to the public welfare, the agency shall cause notice to be issued, and served on the owner or person in charge of such dwelling or building, advising him of the agency's findings and instructing him to take such action, either by repairing, closing or demolishing such dwelling or building, as the agency deems necessary in the interest of the public welfare.

(Code 1981, § 12-104)

Sec. 14-24. Forbidding occupancy.

If the building enforcement agency so prescribes, no such dwelling or building shall be occupied or used for any purpose, after the service of a notice upon the owner or person in charge thereof, as aforesaid, until the instructions of the building enforcement agency have been complied with, rescinded or set aside.

(Code 1981, § 12-105)

Sec. 14-25. Hearing.

Any person upon whom a notice is served, as aforesaid, shall have the right, within ten days from the date of service, to demand a hearing before the building enforcement agency. Such hearing, at which such owner or other person shall have the right to be heard in full and to introduce such pertinent evidence and testimony as he desires, shall be held within five days after the receipt of a written demand therefor by the building enforcement agency. The decision of the building enforcement agency affirming, rescinding, altering or modifying its original findings shall be handed down within ten days after the termination of the hearing.

(Code 1981, § 12-106)

Sec. 14-26. Right of appeal.

Any owner or person in charge of a dwelling or building also shall have the right, within ten days after the service of a notice, as aforesaid, to appeal to the circuit court of the county for a temporary injunction restraining the building enforcement agency from taking any action pending final disposition of the cause; and hearings shall be had by the said court as soon thereafter as possible, to enter such final order or decree as law and justice may require. Cost shall be imposed at the discretion of the court.

(Code 1981, § 12-107)

Sec. 14-27. Publication of notice.

If the owner or person in charge of any dwelling or building is not a resident of the state, or is unknown, the notice required by section 14-23 shall be published once a week for three successive weeks in a local newspaper of general circulation. The service thereof shall be complete upon the third publication. A copy of such notice shall be sent to such owner or other person, by registered mail, at his last known address.

(Code 1981, § 12-108)

Sec. 14-28. Notice to be posted.

All notices and orders issued by the building enforcement agency shall be served in accordance with the law of the state, and shall in addition thereto, be posted in a conspicuous place on premises affected by the notice or order.

(Code 1981, § 12-109)

Sec. 14-29. Failure of owner to comply.

In the event of the failure of an owner or person in charge of any dwelling or building to comply with the terms and requirements of any notice or order of the building enforcement agency, within 20 days after the service or entry thereof, except where a proper request has been made for a hearing and the matters arising thereon remain undetermined, or within 20 days after the dissolution of any injunction that may be granted, the building enforcement agency may cause all necessary repairs, alternations or improvements to be made, or if the public welfare requires, may cause the dwelling or building to be closed, removed or demolished. Provided, however, that the building enforcement agency may extend the period for compliance with this article; and requirements of any notice which it may issue or other which it may enter, upon receipt of written request from the owner or person in charge of any building or dwelling and proper showing by such owner or other person that he is unable, because of circumstances over which he has no control, to comply with the terms and requirements of such notice or order within the aforesaid 20-day period.

(Code 1981, § 12-110)

Sec. 14-30. Costs and expenses in making repairs, etc.

All costs and expenses incurred by the building enforcement agency in making necessary repairs, alterations or improvements to a building or dwelling, or in closing, removing or demolishing a building or dwelling, shall be borne by the town. A statement of such costs and expenses shall be transmitted by the building enforcement agency to the town council, which shall cause the same, after crediting the proceeds of the sale of salvaged materials to the owner or person in charge of the building or dwelling; to be assessed against the real estate upon which such dwelling or building is, or was, located. Such assessment shall constitute a lien against such property, and a transcript thereof, duly certified and acknowledged by the town recorder, shall be recorded in the office of the clerk of the county court. Such lien may be enforced by an appropriate suit or proceeding, in the name of the town, in the circuit court of the county.

(Code 1981, § 12-111)

Sec. 14-31. Sanitation facilities.

No person shall occupy as owner-occupant or shall let to another for occupancy any dwelling, roominghouse, dwelling unit, or rooming unit which does not comply with the following minimum standards for basic equipment and facilities:

- (1) *Dwelling units.* Every dwelling unit shall contain a room, separate from the habitable rooms, which affords privacy and which is equipped with a flush water closet, lavatory basin and bathtub or shower. Every dwelling unit shall contain a kitchen sink.
- (2) *Water line connections.*
 - a. Every kitchen sink, lavatory basin and bathtub or shower shall be connected with both hot and cold water lines. The hot water lines shall be connected with supplied water-heating facilities capable of heating an adequate amount of water for use at every kitchen sink, lavatory basin, bathtub or shower, to a proper, healthful and reasonable temperature.

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- b. All plumbing work shall be performed in conformity with that set forth in the State Building Code.
- (3) *Facilities for storage or disposal of garbage or rubbish.* Every dwelling unit shall have adequate garbage and rubbish storage or disposal facilities as required by town ordinances.
- (4) *Roominghouse, hotel or motel; additional sanitation standards.*
 - a. Every roominghouse, hotel or motel shall be equipped with at least one flush water closet, one lavatory basin and one bathtub or shower for each six persons, or fraction thereof, living within the roominghouse, hotel or motel, including members of the family of the owner or operator if they share the use of facilities. In a roominghouse, hotel or motel in which rooms are let only to male occupants, flush urinals may be substituted for not more than one-half of the required number of water closets. No such facilities located in the basement or cellar shall count in computing the number of facilities required by this subsection, except when approved by the building inspector.
 - b. Every flush water closet, flush urinal, lavatory basin, and bathtub or shower shall be located within the roominghouse, hotel or motel, in a room which affords privacy and are separate from the habitable rooms and are accessible from a common hall and without going outside the roominghouse, hotel or motel.

(Code 1981, § 12-114)

Sec. 14-32. Ventilation, light and heating.

No person shall occupy as owner-occupant or shall let to another for occupancy any dwelling, roominghouse, dwelling unit or rooming unit which does not comply with the following standards for ventilation, light and heating:

- (1) *Windows and openable space.*
 - a. Every habitable room shall have at least one window which can be easily opened and which faces directly to the outdoors. The minimum total window area of every habitable room shall be ten percent of the floor area of such room. The total openable window area for each habitable room shall be equal to at least 45 percent of the required window area. Adequate alternative methods of providing light and ventilation may be used instead of window openings if approved by the building inspector.
 - b. Every bathroom and water closet compartment shall comply with window requirements for light and ventilation of habitable rooms, as set out in subsection (1)a of this section, provided, however, that an approved mechanical or gravity ventilation system affording adequate ventilation may be provided if approved by the building inspector.
 - c. Whenever a window of a room faces a wall or other portion or any abutting structure which is located less than three feet from the window and extends to a level above the ceiling of the room, the window shall not be counted in calculating window area or openable area.
 - d. Every public hall and stairway in every multifamily dwelling and roominghouse shall be adequately ventilated.
- (2) *Lighting.* Every dwelling shall be supplied with electricity as follows:
 - a. Every public hall and stairway in every two-family dwelling, multifamily dwelling and roominghouse shall be adequately lighted at all times except that in a two-family dwelling an adequate lighting system which may be turned on when needed by conveniently located light switches shall be permitted instead of a full-time lighting system.

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- b. Every electrical outlet and fixture shall be properly installed and maintained in good and safe working condition, according to accepted standards and practices prevailing in the community. The National Electrical Code may be considered standard and acceptable practice.
- (3) *Heating.* Every dwelling shall have heating facilities which are capable of safely and adequately heating all habitable rooms, bathrooms, and water closet compartments in every dwelling unit. Such heating facilities shall be properly installed and vented and maintained in a safe operating condition according to standard and acceptable practices set forth in the State Building Code.

(Code 1981, § 12-115)

Sec. 14-33. Space and occupancy.

No person shall occupy or let to another for occupancy and dwelling, roominghouse, dwelling unit or rooming unit which does not comply with the following minimum standards for space and occupancy:

- (1) *Habitable floor area.* Every dwelling unit shall contain at least 150 square feet of floor space for the first occupant and at least 100 additional square feet of floor space for every additional occupant. A person under one year of age shall not be counted as an occupant.
- (2) *Sleeping rooms.* Every room occupied for sleeping purposes by one occupant shall contain at least 70 square feet of floor area. Every room occupied for sleeping purposes by more than one occupant, in addition to the minimum light and ventilation requirement of section 14-34, shall have five square feet of additional window area and 2.2 square feet of additional openable window area for each person in excess of one. Effective mechanical means for providing ventilation may be substituted for openable window area if approved by the building inspector.
- (3) *Ceiling height of habitable rooms.* At least one-half of the floor area of every habitable room shall have a ceiling height of at least seven feet. The floor area of that part of any room where the ceiling height is less than five feet shall not be considered as part of the required floor area.
- (4) *Conditions for habitable rooms.* No basement or cellar space shall be used as a habitable room or dwelling unit or rooming unit unless:
 - a. The floor and walls shall be impervious to leakage of underground and surface runoff water and are well drained and protected against dampness.
 - b. The total of window area in each room is equal to at least ten percent of the floor area of the room as measured between stops and is entirely above the grade of ground adjoining such window area.
 - c. The total openable window area of each habitable room is 45 percent of the required window area.
 - d. It is separated from central heating equipment, incinerators, or other equally hazardous equipment by a standard partition.

(Code 1981, § 12-116)

Sec. 14-34. Structural elements.

No owner shall occupy as owner-occupant or shall let to another for occupancy any dwelling, roominghouse, dwelling unit or rooming unit which does not comply with the following minimum standards for safe and sanitary maintenance:

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- (1) Every foundation, floor, exterior wall, ceiling and roof shall be substantially weathertight, watertight and rodentproof, shall be kept in sound condition and good repair, and shall be safe to use and capable of supporting the load which normal use may cause to be placed thereon.
- (2) Every floor, interior wall and ceiling shall be substantially rodentproof, shall be kept in sound condition and good repair, and shall be safe to use and capable of supporting the load which normal use may cause to be placed thereon.
- (3) Every window, exterior door and basement or cellar door and hatchway shall be substantially weathertight, watertight and rodentproof; and shall be kept in sound working condition and good repair.
- (4) Every inside and outside stair, porch and any appurtenance thereto shall be safe to use and capable of supporting the load that normal use may cause to be placed thereon, and shall be kept in sound condition and good repair.
- (5) Every water closet compartment floor surface and bathroom floor surface shall be constructed and maintained so as to be substantially impervious to water and so as to permit such floor to be easily kept in a clean and sanitary condition.
- (6) Every supplied facility, piece of equipment or utility which is required under this article and every chimney and smokepipe shall be so constructed and installed that it will function safely and effectively, and shall be maintained in sound working condition.

(Code 1981, § 12-117)

Sec. 14-35. Responsibilities of owner, operators, and occupants.

- (a) Every owner or owner-occupant shall be responsible for the cleanliness of all parts of the dwelling and premises shared in common by more than one family and, except where such responsibility is assumed by an operator or an occupant by agreement, for provision of the following utilities and services:
 - (1) Garbage and trash disposal facilities or containers where the number of dwelling units in a dwelling exceeds two.
 - (2) Extermination of insects, rodents, or other pests, except that if there are two or more dwelling units in a dwelling and one dwelling unit is infested, the occupant of such infested dwelling unit shall be responsible for its extermination, unless the dwelling is not maintained in a reasonable rodentproof or insectproof condition.
 - (3) All other facilities, utilities, services or conditions required by this article.
- (b) Every operator of a hotel, motel, roominghouse or boardinghouse shall be responsible for the maintenance of all walls, floors and ceilings and for the maintenance of a sanitary condition in every other part of the hotel, motel, roominghouse or boardinghouse and premises. The operator shall be responsible for the sanitary maintenance of the entire premises where the entire structure or building is leased, owned or occupied by the operator. The operator shall be further responsible for the maintenance, cleanliness, extermination, good operating condition, provision of facilities, in the portion of the building being operated as a roominghouse except where such facilities or services are provided by the owner, in which case the operator shall be responsible for their maintenance in clean and good operating condition.
- (c) Every occupant of a dwelling unit or rooming unit shall be responsible for the following as applied to that dwelling unit or rooming unit or which he occupies and controls:
 - (1) To keep occupied areas and premises and all plumbing equipment and facilities in a clean, safe and sanitary condition at all times.

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- (2) To dispose of rubbish and garbage or store such wastes in proper containers and in a neat and sanitary manner and to provide such disposal or storage facilities as are not required and provided under subsection (a)(1) of this section.

(Code 1981, § 12-118)

Secs. 14-36—14-62. Reserved.

ARTICLE III. OFFICE OF BUILDING INSPECTOR

Sec. 14-63. Appointment.

Sec. 14-64. Duties.

Secs. 14-65—14-86. Reserved.

Sec. 14-63. Appointment.

The mayor shall appoint, with the advice and consent of the council, a building inspector who shall be knowledgeable of generally accepted standards and practices of the building trade. The building inspector shall serve at the will and pleasure of the mayor and council.

(Code 1981, § 12-201)

Sec. 14-64. Duties.

- (a) The building inspector shall examine all building permit applications submitted to the council to determine if the work to be completed meets with standards set forth in the State Building Code.
- (b) The building inspector may examine premises for which permits have been issued to see that an applicant is complying with provisions of the permit application and that work is prosecuted safely.

(Code 1981, § 12-202; Ord. No. 94-4, 5-16-1994)

Secs. 14-65—14-86. Reserved.

ARTICLE IV. BUILDING PERMITS FOR SINGLE-FAMILY DWELLINGS

Sec. 14-87. Application.

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Sec. 14-90. Water service.

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Sec. 14-93. Note concerning present structures required.

Sec. 14-94. Forms for remodeling.

Sec. 14-95. Fee for applications for a permit for single-family dwellings.

Secs. 14-96—14-118. Reserved.

Sec. 14-87. Application.

An application for a building permit for a single-family dwelling shall be submitted to the town council at least 30 days before any work or construction within the corporate limits of the town is scheduled to start on the site thereof.

- (1) *Building permit procedure.* The building permit applicant presents the application and the fee to the town for classification of their permit under one of the four classifications of work listed below:

Classification (1)—Emergency repairs.

Emergency repairs such as, but not limited to, patching or replacing a deteriorated roof; repairing or replacing plumbing/electrical systems, stairs or stair treads and/or rotted or weakened flooring. This may include demolition of property.

The work required in this classification must truly be emergency repairs that need immediate attention. Any delay in making these repairs could make the residence uninhabitable or unsafe to occupants, and could result in further damage to the residence. The permit for this work will be issued immediately on proper application request and payment of fee required the town council shall be notified at the next scheduled meeting after issuance of such a permit.

Classification (2)—Routine home maintenance/Repairs.

This work would include, but not be limited to, repairing/replacing existing windows or doors; repairs to existing porches or decks; repair/replacement of existing sidewalks, curbs, driveways (not expanding the width or length); patching/repairing existing walls or fencing (not expanding height, width or length); exterior painting; landscaping (provided such landscaping does not infringe on existing boundaries with adjoining properties, or cause adverse draining/runoff to adjoining properties, streets, curbs, sidewalks or rights-of-way. The permit for this work will be issued immediately on proper application request and payment of fee required. The town council shall be notified at the next scheduled meeting after issuance of such a permit

Classification (3)—Additions/Improvements not included in current property.

This work would include, but not be limited to, changing interior wall design to add rooms or enlarge existing rooms; or remodeling to add baths, kitchens, fireplaces/stoves, and demolition of property, etc. The permit for this work will be issued only after a minimum of one reading at a scheduled town council meeting. The council may at its discretion waive a second reading and direct the permit be issued.

Classification (4)—New construction and flood plain area work.

This work would include, but not be limited to, adding new structure space to the current footprint of the residence; adding new outbuildings or fences/walls; adding new sidewalks or driveways, and demolition of property. This classification would also apply to any permit request that indicates work may be done in designated flood plain/flood way areas. The permit for work in this classification will be issued only after a minimum of two readings at scheduled town council meetings, and in the case of the flood plain permit request, only after all flood plain issues have been resolved to the satisfaction of the County Flood Plain Coordinator.

- (2) *Permit fee and penal ties.* Upon submission of the application for permit, the applicant shall also submit the proper fee of \$20.00 for the first estimated \$15,000.00 of work, and an additional \$1.00 per additional thousand dollars of estimated work. Should

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professional contract work be required, the contractor(s) must possess a valid state and town business license. A West Virginia Business Registration Certificate and a State License is required to obtain a town business license. These license numbers shall be included in the permit application when submitted for classification and approval/issuance. Attempts to intentionally falsify application information or attempts to begin work prior to properly obtaining a building permit shall be subject to the following penalty fees:

Work Classifications 1 & 2—\$100.00 flat penalty fee

Work Classifications 3 & 4—\$100.00 penalty fee for the first day of infraction, plus \$50.00 each day thereafter until work stops and proper permit procedures are followed.

- (3) *Permit issuing and enforcement.* The Town of Bath Police Chief shall be responsible for the issuance and enforcement of town building permits by direction of this [section] and the town council.

(Code 1981, § 12-301; Ord. No. 2012-03, 12-4-2012)

Sec. 14-88. Plat to be submitted.

For a typical house to be so constructed, a plat shall be submitted with the application showing the lots involved, their size and the location of the house in relation to the lot lines and the adjacent streets. The plat shall be to scale and on a sheet no smaller than 8½ inches by 11 inches. Three copies are required: one each for the town record, the water department, and sewerage mapping.

(Code 1981, § 12-302)

Sec. 14-89. Sanitary sewer to be shown.

The proposed sanitary sewer shall also be shown on the plat including the location and depth both at the house and at the street. No roof drains, cellar drains, or exterior drainage shall be connected to the sanitary sewer. Sanitary sewer arrangements shall be cleared and approved by the local sanitarian or department of health representative. When available, the sewer shall be properly connected to the sewer system of the Warm Springs Public Service District and shall be approved and directed by their engineer or official representative.

(Code 1981, § 12-303)

Sec. 14-90. Water service.

Prior arrangements for water service shall be made with the Berkeley Springs Water Department. The location and size of the service line shall also be shown on the plat as approved by the water department.

(Code 1981, § 12-304)

Sec. 14-91. Grading of lot.

Grading of the lot shall not produce any excessive soil erosion. Vegetation or other means shall be arranged to cover bare soil as promptly as possible. Grading adjacent to streets shall not encroach on established street widths or the stability of the street or sidewalk. Retaining walls over four feet in height, where required adjacent to streets or adjoining properties, shall be designed and the construction supervised by a registered professional engineer.

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(Code 1981, § 12-305)

Sec. 14-92. Rubbish not to accumulate.

Rubbish shall not be allowed to accumulate on the job during construction and must be promptly cleaned upon completion.

(Code 1981, § 12-306)

Sec. 14-93. Note concerning present structures required.

A note shall be made on or with such application stating whether any present structures are to be removed.

(Code 1981, § 12-307)

Sec. 14-94. Forms for remodeling.

Forms prescribed by the town council for remodeling of single-family dwellings including additions and improvements, and for new or changed water or sewer service, indicating that proper application for such service has been made and approved, shall be obtained from the town prior to the time such remodeling is begun.

(Code 1981, § 12-308)

Sec. 14-95. Fee for applications for a permit for single-family dwellings.

Applications for a building permit shall be accompanied by a fee payable to the town, based upon the estimated cost of the proposed construction as determined by the building permit officer at the rates as established from time to time by ordinance.

(Ord. No. 86-4, 11-4-1986)

Secs. 14-96—14-118. Reserved.

ARTICLE V. BUILDING PERMITS FOR OTHER THAN SINGLE-FAMILY DWELLINGS

Sec. 14-119. Application.

Sec. 14-120. Plat to be submitted.

Sec. 14-121. Sanitary sewer to be shown.

Sec. 14-122. Water service.

Sec. 14-123. Excavation or grading.

Sec. 14-124. Construction to be supervised.

Sec. 14-125. Additions, etc., subject to same regulations.

Sec. 14-126. Debris not to accumulate.

Sec. 14-127. Fee for applications for a permit for other than single-family dwellings.

Sec. 14-119. Application.

An application for a building permit for other than single-family dwellings shall be submitted to the town council at least 30 days before any work or construction within the corporate limits of the town on the site is scheduled to start on the site thereof.

(Code 1981, § 12-401)

Sec. 14-120. Plat to be submitted.

A plat shall accompany the plans submitted with the application for any building to be so constructed showing the relation of the property lines to the structure. Three copies shall be submitted: one for the town record, one for the water department, one for sewerage mapping.

(Code 1981, § 12-402)

Sec. 14-121. Sanitary sewer to be shown.

The proposed sanitary sewer shall also be shown on the plat including size, location, and depth both at the building and at the street. No roof drains, basement floor drains, or exterior drainage shall be connected to the sanitary sewer. Sanitary sewer arrangements shall be cleared and approved by the local sanitarian or department of health representative. When available the sewer shall be properly connected to the sewer system of the Warm Springs Public Service District and shall be approved and directed by their engineer or official representative.

(Code 1981, § 12-403)

Sec. 14-122. Water service.

Prior arrangements for water service shall be made with the Berkeley Springs Water Department. The location and size of the service line shall also be shown on the plat as approved by the water department.

(Code 1981, § 12-404)

Sec. 14-123. Excavation or grading.

Any excavation or grading on the property shall not produce any excessive soil erosion. Excavation, grading, and the structure itself shall not encroach on established street widths or the stability and safety on the street or sidewalk. Excavation at the street or adjacent property lines shall be properly shored to prevent any settlement or hazard.

(Code 1981, § 12-405)

Sec. 14-124. Construction to be supervised.

Apartment buildings for two or more families, store buildings, restaurants, hotels, offices, assembly halls, churches, nursing homes, schools, and similar structures which will be accessible to the public shall be designed and the construction supervised by a competent registered architect and/or registered engineer. Copies of the plans and specifications for such structures shall be submitted with the application for a building permit, and shall be sufficient detail to show all important structural members, floor loads, stairways, shafts, exists, fire and smoke prevention facilities, and all other factors affecting the health, safety, and welfare of the public.

(Code 1981, § 12-406)

Sec. 14-125. Additions, etc., subject to same regulations.

Additions, extensive remodeling, and improvements shall be subject to the same regulations stated hereinabove. Any exceptions thereto shall be clearly set forth with reasons for requesting such exception. Such exceptions shall be subject to approval before proceeding with the work.

(Code 1981, § 12-407)

Sec. 14-126. Debris not to accumulate.

No debris shall be allowed to accumulate on the job during construction and shall be promptly cleaned upon completion.

(Code 1981, § 12-408)

Sec. 14-127. Fee for applications for a permit for other than single-family dwellings.

Applications for a building permit shall be accompanied by a fee payable to the town, based upon the estimated cost of the proposed construction as determined by the building permit officer at rates as established from time to time by ordinance.

(Ord. No. 86-4, 11-4-1986)