

STATE OF GEORGIA

FULTON COUNTY

First Reading: August 13, 2012  
Second Reading: August 27, 2012

**ORDINANCE OF THE CITY OF ROSWELL, GEORGIA TO AMEND  
SECTIONS 5.3.1, 5.3.2, 5.3.3, 5.3.5, 5.3.6, 5.3.9, 5.3.11, 5.3.12, and 5.4.39 OF  
CHAPTER 5 - BUILDING AND CONSTRUCTION**

**WHEREAS**, the City of Roswell is a Georgia municipal corporation; and

**WHEREAS**, the Mayor and Council are the governing authority of the City of Roswell; and

**WHEREAS**, the Mayor and Council are periodically update the Code of Ordinances of the City of Roswell; and

**WHEREAS**, Mayor and Council wish to update the minimum standard codes for building and construction; and

**WHEREAS**, Mayor and Council have considered the effects on the public health, safety and welfare and determined that it would be in the best interest of the public to amend the Code of Ordinances regarding building and construction:

**NOW, THEREFORE, BE IT ORDAINED**, the Mayor and Council of the City of Roswell, pursuant to their authority, do hereby adopt the following Ordinance:

1

**Chapter 5, Building and Construction** is amended by deleting **Chapter 5, Section 5.3.1 Building and Construction –Adoption by Reference in its entirety and substituting a new Section 5.3.1 to read as follows:**

**Section 5.3.1 - Building and Technical Codes—Adoption by Reference.**

(a) The following technical and building codes, including the latest edition of each as adopted and amended the latest editions of the following Georgia State Minimum Standard Codes, adopted by reference and shall be enforced in the City of Roswell:

- (1) International Building Code
- (2) National Electrical Code
- (3) International Fuel Gas Code
- (4) International Mechanical Code
- (5) International Plumbing Code
- (6) International Residential Code.
- (7) International Energy Conservation Code
- (8) International Fire Code
- (9) International Residential Code, Appendix G.
- (10) International Existing Buildings Code
- (11) Standard Unsafe Building Abatement Code
- (12) International Property Maintenance Code

- (b) The codes listed in subsection (a) of this section shall mean such codes as they exist, provided that any such code may hereafter be amended as provided in O.C.G.A. § 8-2-20(9).
- (c) Any matters in any standard code adopted by this section which are contrary to or inconsistent with any existing ordinance of the City of Roswell shall prevail over such ordinance and such ordinance shall stand repealed to the extent of the inconsistency or conflict.
- (d) Unless otherwise specified, when the standard codes refer to the duties of certain officials named therein, the official of the City of Roswell who has duties corresponding to those of the named individual in such standard code shall be deemed to be the responsible official insofar as enforcing the provisions of such standard code.

2

**Chapter 5, Building and Construction** is amended by deleting **Chapter 5, Section 5.3.2 Applicability** its entirety and substituting a new **Section 5.3.2** to read as follows:

**Section 5.3.2 - Applicability.**

- (a) *General.* Where, in any specific case, different sections of these codes 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) *Building.* The provisions of the International Building Code, as amended, shall apply to the construction, alteration, 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 in one- and two-family dwellings.
- (c) *Electrical.* The provisions of the National Electrical Code, as amended, shall apply to the installation of electrical systems, including alterations, repairs, replacement, equipment, appliances, fixtures, fittings and appurtenances thereto.
- (d) *Gas.* The provisions of the International Fuel Gas Code, as amended, shall apply to the installation of consumer's gas piping, gas appliances and related accessories as covered in this Code. These requirements apply to gas piping systems extending from the point of delivery to the inlet connections of appliances and the installation and operation of residential and commercial gas appliances and related accessories, except in one- and two-family dwellings.
- (e) *Mechanical.* The provisions of the International Mechanical Code, as amended, shall apply to the installation of mechanical systems, including alterations, repairs, replacement, equipment, appliances, fixtures, fittings and/or appurtenances, including ventilating, heating, cooling, air conditioning and refrigeration systems, incinerators, and other energy-related systems, except in one- and two-family dwellings.
- (f) *Plumbing.* The provisions of the International Plumbing Code, as amended, shall apply to every plumbing installation, including alterations, repairs, replacement, equipment, appliances, fixtures, fittings and appurtenances, and when connected to a water or sewerage system.

- (g) *Fire prevention.* The provisions of the International Fire Code, as amended, shall apply to the construction, alteration, repair, equipment, use and occupancy, location, maintenance, of every building or structure or any appurtenances connected or attached to such buildings or structures.
- (h) *Energy.* The provisions of the International Energy Conservation Code, as amended, shall regulate the design of building envelopes for adequate thermal resistance and low air leakage and the design and selection of mechanical, electrical, service water heating, and illumination systems and equipment that will enable the effective use of energy in new building construction.
- (i) *One- and two-family dwelling.* The provisions of the International Residential Code, as amended, shall apply to the construction, alteration, repair, equipment, use and occupancy, location, maintenance, of every one- or two-family dwelling or any appurtenances connected or attached to such buildings or structures.
- (j) *The Unsafe Building Abatement Code.* The provisions of this code provide code enforcement personnel with the necessary tools to have dangerous and unsafe buildings repaired or demolished.

3

**Chapter 5, Building and Construction** is amended by deleting **Chapter 5, Section 5.3.3 Standard Building Code – Appendices** in its entirety and substituting a new **Section 5.3.3** to read as follows:

**Section 5.3.3 - Standard Building Code—Appendix.**

The City of Roswell hereby adopts Appendix G of the International Residential Code. Such standards and schedules shall be enforced in their entirety unless expressly modified in this chapter.

4

**Chapter 5, Building and Construction** is amended by deleting **Chapter 5, Section 5.3.5 Existing Buildings** in its entirety and substituting a new **Section 5.3.5** to read as follows:

**Section 5.3.5 - Existing Buildings.**

- (a) Alterations, repairs or rehabilitation work may be made to any existing, structure, building, electrical, gas, mechanical or plumbing system without requiring the building, structure, plumbing, electrical, mechanical or gas system to comply with all the requirements of the technical codes. Any such alteration, repair or rehabilitation work must conform to the requirements of the technical codes for new construction. The chief building official shall determine the extent to which the existing system shall be made to conform to the requirements of the technical codes for new construction.
- (b) If the occupancy classification of any existing building or structure is changed, the building, electrical, gas, mechanical and plumbing systems shall be made to conform to the intent of the technical codes as required by the chief building official.

5

**Chapter 5, Building and Construction** is amended by deleting **Chapter 5, Section 5.3.6 Same-Historic Structures in its entirety and substituting a new Section 5.3.6 to read as follows:**

**Section 5.3.6 - Historic Structures.**

In addition to those provisions contained within the International Building Code, the following restrictions shall govern moving, demolition, or alteration of historic structures and shall be considered an amendment to the International Building Code:

No structure of any type may be moved into a historic district until the provisions of Section 765 H.R. Historic Roswell District of Appendix A—Zoning of the Code of Ordinances of the City of Roswell, approved March 18, 1974, as amended, have been complied with. Further, no structure within an historic Roswell district may be erected, demolished, removed wholly and/or in part nor the exterior architectural character of such structure be altered until referenced Section 765 has been complied with. All structures and/or buildings that are moved into the City of Roswell must be inspected and approved by the chief building official or his representative before the structure and/or building is moved into the city.

6

**Chapter 5, Building and Construction** is amended by deleting **Chapter 5, Section 5.3.9 Codes – Administration and Enforcement in its entirety and substituting a new Section 5.3.9 to read as follows:**

**Section 5.3.9 - Codes—Administration and Enforcement.**

The building code shall be administered and enforced by the chief building official of the City of Roswell and his assistants. The chief building official shall have general charge and supervision of all building construction in the city and the inspector, through himself and his designated representatives, shall require all contractors and builders to conform to such code.

7

**Chapter 5, Building and Construction** is amended by deleting **Chapter 5, Section 5.3.11 Requirements not Covered by Code in its entirety and substituting a new Section 5.3.11 to read as follows:**

**Section 5.3.11 - Requirements not Covered by Code.**

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

**Chapter 5, Building and Construction** is amended by deleting **Chapter 5, Section 5.3.12 Alternative Materials and Methods** in its entirety and substituting a new **Section 5.3.12** to read as follows:

**Section 5.3.12 - Alternate Materials and Methods.**

The provisions of the technical codes are not intended to prevent the use of any material or method of construction not specifically prescribed by them, provided any such alternate has been reviewed by the chief building official. The chief building official shall approve any such alternate, provided the chief building official finds that the alternate for the purpose intended is at least the equivalent of that prescribed in the technical codes, in quality, strength, effectiveness, fire resistance, durability and safety. The chief building official shall require that sufficient evidence or proof be submitted to substantiate any claim made regarding the alternate.

**Chapter 5, Building and Construction** is amended by deleting **Chapter 5, Section 5.4.39 Permits and Inspection** in its entirety and substituting a new **Section 5.4.39** to read as follows:

**Section 5.4.39 - Required Inspections.**

The chief building inspector upon notification from the permit holder or his agent shall make the following inspections and such other inspections as necessary, and shall either release that portion of the construction or shall notify the permit holder or his agent of any violations which must be corrected in order to comply with the technical code:

*(a) Building:*

- (1) Footing/Foundation/Foundation Wall Inspection:* To be made after trenches are excavated, the reinforcement in place, and the forms erected, prior to the placing of concrete.
- (2) Slab/Monolithic Slab Inspection:* To be made prior to the placing of concrete.
- (3) Frame Inspection:* To be made after the roof, all framing, fire blocking and bracing, are in place, all concealed wiring, all pipes, chimneys, ducts and vents are complete.
- (4) Moisture Barrier Inspection:* To be made prior to the installation of the exterior finish material.
- (5) Final Inspection:* To be made after the building is completed and ready for occupancy.

*(b) Electrical:*

- (1) Temporary Pole:* To be made after the temporary power pole has been placed, properly grounded and ready to be energized.
- (2) Underground Inspection:* To be made after trenches or ditches are excavated, conduit or cable installed, and before any backfill is put in place.
- (3) Rough-In Inspection:* To be made after the roof, framing, fire blocking and bracing is in place and prior to the installation of wall or ceiling-membranes.

(4)*Final Inspection:* To be made after the building is complete, all required electrical fixtures are in place and properly connected or protected, and the structure is ready for occupancy.

(c)*Plumbing:*

(1)*Underground Inspection:* To be made after trenches or ditches are excavated, piping installed, and before any backfill is put in place.

(2)*Rough-In Inspection:* To be made after the roof, framing, fire blocking and bracing is in place and all soil, waste and vent piping is complete, and prior to this installation of wall or ceiling membranes.

(3)*Final Inspection:* To be made after the building is complete, all plumbing fixtures are in place and properly connected, and the structure is ready for occupancy.

(4)Required Tests: Tests performed as required by code.

(d)*Mechanical:*

(1)*Underground Inspection:* To be made after trenches or ditches are excavated, underground duct and fuel piping installed, and before any backfill is put in place.

(2)*Rough-In Inspection:* To be made after the roof, framing, fire blocking and bracing are in place and all ducting, and other concealed components are complete, and prior to the installation of wall or ceiling membranes.

(3)*Final Inspection:* To be made after the building is complete, the mechanical system is in place and properly connected, and the structure is ready for occupancy.

(e)*Gas:*

(1)*Rough Piping Inspection:* To be made after all new piping authorized by the permit has been installed, and before any such piping has been covered or concealed or any fixtures or gas appliances have been connected.

(2)*Final Piping Inspection:* To be made after all piping authorized by the permit has been installed and after all portions which are to be concealed by plastering or otherwise have been so concealed, and before any fixtures or gas appliances have been connected. This inspection shall include a pressure test.

(3)*Final Inspection:* To be made on all new gas work authorized by the permit and such portions of existing systems as may be affected by new work or any changes, to insure compliance with all the requirements of this Code and to assure that the installation and construction of the gas system is in accordance with reviewed plans.

(f)*Energy:*

(1)*Foundation Inspection:* To be made before slab concrete is poured in place. To verify that perimeter insulation has been installed correctly on any slab on grade foundations, if required.

(2)*Frame Inspection:* To be made before exterior wall insulation is concealed by wall board to check installation of exterior walls insulation and to inspect that all holes and cracks through the structure envelope have been sealed in an appropriate manner as to restrict air passage.

(3)*Final Inspection:* To be made after the building is completed and ready for occupancy. To verify installation and R-value of ceiling and floor insulation. A completed Energy Code Compliance Certificate shall be installed in or near the electrical panel as required by code.

10

*Severability.* Should any section of this Ordinance be declared invalid or unconstitutional by any court of competent jurisdiction, such declaration shall not affect the validity of the Ordinance as a whole or any part thereof which is not specifically declared to be invalid or unconstitutional.

11

*Repeal of Conflicting Provisions.* All ordinances, parts of ordinances, or regulations in conflict herewith are repealed.

12

*Renumbering.* It is the intention of the Mayor and Council, and it is hereby ordained that the provisions of this ordinance shall become and be made a part of the Code of Ordinances, City of Roswell, Georgia and the sections of this ordinance may be renumbered to accomplish such intention.

The Ordinance amendment shall become effective on the date of its adoption.

The above Ordinance was read and approved by the Mayor and Council of the City of Roswell on the 27<sup>th</sup> day of August 2012.

Attest:

Marlee Press  
Marlee Press, City Clerk  
(Seal)

Jerry Orlans  
Councilmember Jerry Orlans

Betty Price  
Councilmember Betty Price

Kent Igleheart  
Councilmember Kent Igleheart  
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Jere Wood  
Jere Wood, Mayor

Rebecca Wynn  
Councilmember Rebecca Wynn

Richard Dippolito  
Councilmember Richard Dippolito

Nancy Diamond  
Councilmember Nancy Diamond

