

ORDINANCE NO. O-2020-32

AN ORDINANCE AMENDING CHAPTER 4 OF THE CODE OF ORDINANCES OF THE TOWN OF KERNERSVILLE

WHEREAS, the Board of Aldermen has determined that the Code of Ordinances of the Town should be reviewed regularly to ensure that the provisions contained therein are up-to-date and in conformity with state and federal laws and to make minor adjustments as needed to make the enforcement of the Ordinances more effective; and

WHEREAS, the Community Development Department reviewed Chapter 4 – Buildings and Building Regulations determine minor adjustment to be in the best interest of the Town.

NOW, THEREFORE, BE IT HEREBY ORDAINED by the Board of Aldermen of the Town of Kernersville that the Code of Ordinances is amended as follows:

Section 1. Chapter 4 - BUILDINGS AND BUILDING REGULATIONS

ARTICLE I. - IN GENERAL

Sec. 4-1. - Codes adopted.

(b) The following volumes of the North Carolina State Building Code, as amended, shall be applicable to construction activities:

~~Administration & Enforcement Requirements~~

Administrative Code and Policies

~~Accessibility Code~~

Building Code (General Construction)

~~Modular Construction Requirements~~

Energy Conservation Code

Sec. 4-5. - Permit required.

No person shall commence or proceed with any of the following without first securing from the Permit and Enforcement Development Services Division any and all permits required by the state building code and any other state or local laws applicable to the work in accordance with G.S. § 160A-417 160D-1110:

(2) The installation, extension, or general repair of any plumbing system except that in any one- or two-family dwelling unit a permit shall not be required for the connection of a water heater that is being replaced, provided that the work is performed by a person licensed under G.S. 87-21 who personally examines the work at completion and ensures that a leak test has been performed on the gas piping, and provided the energy use rate or

thermal input is not greater than that of the water heater that is being replaced, there is no change in fuel, energy source, location, capacity, or routing or sizing of venting and piping, and the replacement is installed in accordance with the current edition of the State Building Code.

(4) The installation, extension, alteration, or general repair of any electrical wiring, devices, appliances, or equipment, except that in any one- or two-family dwelling unit a permit shall not be required for repair or replacement of electrical lighting fixtures or devices, such as receptacles and lighting switches, or for the connection of an existing branch circuit to an electric water heater that is being replaced, provided that all of the following requirements are met:

a. With respect to electric water heaters, the replacement water heater is placed in the same location and is of the same or less capacity and electrical rating as the original.

b. With respect to electrical lighting fixtures and devices, the replacement is with a fixture or device having the same voltage and the same or less amperage.

c. The work is performed by a person licensed under G.S. 87-43.

d. The repair or replacement installation meets the current edition of the State Building Code, including the State Electrical Code.

Sec. 4-8. - Enforcement of ordinances.

The duties and responsibilities of the ~~Permit and Enforcement~~ Development Services Division, and of the assigned inspectors in it, are to enforce within the corporate limits of the Town of Kernersville and its extra territorial zoning jurisdiction state and local laws and regulations relating to:

Sec. 4-11. - Conflicts of interest.

No officer or employee of the ~~Permit and Enforcement~~ Development Services Division shall be financially interested in the furnishing of labor, material, or appliances for the construction, alteration or maintenance of a building or any part thereof, or in the making of plans or specifications therefore, unless said officer or employee is the owner of such building. No officer or employee of the ~~Permit and Enforcement~~ Development Services Division shall engage in any work inconsistent with their duties or the interest of the Town.

Sec. 4-12. - Duties and responsibilities of the Building Inspectors and Code Enforcement Officers.

In addition to other duties assigned to Building Inspectors, the Building Inspectors and those Code Enforcement Officers assigned to assist the Building Inspectors shall have the duty and responsibility of enforcing chapter 8.5 (Housing), chapter 7 article III (Fire Prevention and Protection), chapter 10 (Nuisances), ~~chapter 11~~, chapter 15.5 (Soil Erosion and Sedimentation Control), and chapter 19 (~~zoning enforcement~~)(Unified Development). The Building Inspector

and Code Enforcement Officers shall enforce such sections by the inspection of property and by the observance of those persons who are seen to violate any of the sections. They shall be empowered to issue citations when in their opinion any of the provisions of such sections have been violated. Citations so issued may be delivered in person to the violator by the Building Inspector or Code Enforcement Officers or they may be mailed to the person so charged if the alleged violator cannot be readily found. Any notice or citation so delivered or mailed shall direct the alleged violator to appear at the Permit and Enforcement Development Services Division, on or before a specific day and hour named in the notice, and the period so specified shall be not less than seventy-two (72) hours after its delivery to the violator.

Sec. 4-13. - Copies on file.

There shall not be less than two (2) copies of the North Carolina State Building Code as adopted herein on file in the offices of the Town, one in the office of the Town Clerk and one in the Permit and Enforcement Development Services Division office.

ARTICLE II. - HOUSE NUMBERS

Sec. 4-26. - Required; plan.

Every single-family dwelling and every multifamily dwelling and principal entrance to every commercial building or business structure located within the corporate limits of the Town and fronting a public street shall be numbered in accordance with the Town's property numbering plan Master Address Repository as part of the Town of Kernersville's Enterprise Geographic Information System (GIS) or by reference to the latest available data referenced in the Forsyth or Guilford County Tax Assessor's database. ~~as shown on the official map of the Town and on the master maps showing the assignment of building numbers on all streets of the Town, which maps are on file in the office of the Town Clerk. Such property numbering plan is hereby adopted as a part of this article to the same extent as if set out at length herein. The details of the plan showing the numbers assigned shall be depicted and kept up to date on a map located in the office of the Town Clerk.~~

Sec. 4-32. - Failure to comply.

If any property owner shall fail or refuse to comply with the provisions of this article, the Permit and Enforcement Development Services Division shall have the authority, after giving fifteen (15) days written notice to the owner mailed to the property owner's last known address, to remove or cause to be removed any unofficial street number displayed on the property and to cause to be displayed upon such property the official street number assigned thereto, all at the expense of the owner of the property.

Sec. 4-36. - Standards.

(b) Standards for residential swimming pools shall be as follows:

(2) Rear yard setbacks. Pools located in the rear yard of the property shall be no less than ~~twenty (20)~~ ten (10) feet from the rear property line as measured from the pool water's edge.

Sec. 4-37. - Permits.

A building permit is required and shall be issued by the Permit and Enforcement Development Services Division, before any construction is begun on any public swimming pool or residential swimming pool. All plans and specifications for public swimming pools and residential swimming pools shall be submitted to the Permit and Enforcement Development Services Division for approval. For properties with an existing septic tank, ~~The Building Inspector shall in all cases require~~ an additional copy of the plans and specifications are required to be submitted to the Forsyth County Board of Health for their recommendations and approval. If the county board of health does not act within twenty (20) days of the submission of the plans and specifications to them, the building inspector may then take independent action to approve or disapprove the plans and specifications as submitted to the ~~Building Inspector~~ Development Services Division.

Section 2. This Ordinance shall be effective upon adoption.

Adopted this the 4th day of November, 2020.


Dawn H. Morgan, Mayor

Attested to:


Keith Hooker, Town Clerk

