

ORDINANCE NO. 12-5(1)

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 5, BUILDING REGULATIONS, ARTICLE I, ADMINISTRATION, OF THE CODE OF THE COUNTY OF ALBEMARLE, VIRGINIA.

BE IT ORDAINED by the Board of Supervisors of the County of Albemarle, Virginia, that Chapter 5, Building Regulations, Article I, Administration, of the Code of the County of Albemarle, Virginia, is hereby amended and reordained as follows:

By Amending:

Sec. 5-100	Purpose and intent
Sec. 5-101	Building inspection office established; powers and duties
Sec. 5-102	Board of appeals established; powers and duties
Sec. 5-103	Appeals of decisions of the building official

Chapter 5. Building Regulations

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 Uniform Statewide Building Code 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 Uniform Statewide Building 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 community development.

(§ 5-1; 10-18-73, § 6-1; 4-20-88; § 5-2; 10-18-73, § 6-2; Code 1988, § 5-1; Ord. 98-A(1), 8-5-98; Ord. 08-5(1), 8-6-08)

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 in the department of community development, 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 county executive. 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 building 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.

(§ 5-1; 10-18-73, § 6-1; 4-20-88; § 5-2; 10-18-73, § 6-2; Code 1988, § 5-2; Ord. 98-A(1), 8-5-98; Ord. 08-5(1), 8-6-08)

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 and two (2) alternates 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 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 the building code and such duties shall include considering appeals as provided in section 5-103.

(§ 5-4; 10-18-73, § 6-5; Code 1988, § 5-4; Ord. 98-A(1), 8-5-98)

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

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.

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 the building code.

(§ 5-4; 10-18-73, § 6-5; Code 1988, § 5-4; Ord. 98-A(1), 8-5-98)

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

I, Ella W. Jordan, do hereby certify that the foregoing writing is a true, correct copy of an Ordinance duly adopted by the Board of Supervisors of Albemarle County, Virginia, by a vote of _____ to _____, as recorded below, at a regular meeting held on _____.

Clerk, Board of County Supervisors

	Aye	Nay
Mr. Boyd	_____	_____
Mr. Dumler	_____	_____
Ms. Mallek	_____	_____
Mr. Rooker	_____	_____
Mr. Snow	_____	_____
Mr. Thomas	_____	_____