

AN ORDINANCE OF THE COUNTY COMMISSIONER OF BARTOW COUNTY FOR THE PURPOSE OF **AMENDING THE CODE OF BARTOW COUNTY, CHAPTER 18, ARTICLE I, RELATING TO ENFORCEMENT OF FIRE CODES; ADOPTING PROVISIONS OF STATE LAW RELATING TO FIRE CODES; ADOPTING PROVISIONS RELATING TO SPECIAL HISTORICAL BUILDINGS AND CERTAIN OTHER BUILDINGS;** AND FOR OTHER PURPOSES AT THE REGULAR MEETING OF THE COMMISSIONER OF BARTOW COUNTY HELD ON MAY 16, 2012.

WHEREAS, pursuant to O.C.G.A. § 25-2-12, Bartow County – having exceeded 100,000 population as of the 2010 Census – is required to adopt the state minimum fire safety standards, and to enforce such fire safety standards within its jurisdiction, and

WHEREAS, Fire Chief and Fire Marshal have recommended the adoption of this ordinance to regulate certain structures; and

WHEREAS, the Commissioner deems it to be in the best interest of the citizens of Bartow County to make said amendments;

NOW THEREFORE, BE IT ORDAINED, and it is hereby ordained, that Chapter 18, Article I of the Code of Bartow County is amended as follows:

I. New Sections 18-1 and 18-2 are adopted, as follows:

Sec. 18-1. Adoption of State Minimum Fire Safety Standards

(a) Bartow County does hereby, pursuant to O.C.G.A. § 25-2-12, adopt the state minimum fire safety standards adopted in the rules and regulations promulgated pursuant to Chapter 2 of Title 12 of the Georgia Code, including all subsequent revisions thereof, entitled the “Rules and Regulations for the State Minimum Fire Safety Standards” as set forth in the Georgia Administrative Code, Chapter 120-3-3.

(b) The Fire Marshal for Bartow County, Georgia is hereby authorized to enforce the provisions of this section.

(c) The Commissioner of Bartow County shall be authorized to adopt a fee schedule for such inspections and related activities as performed by the Fire Marshal.

Sec. 18-2. Existing Buildings and Special Historical Buildings.

(a) In accordance with O.C.G.A. § 8-2-203, the provisions of Title 8, Chapter 2, Article 3 of the Georgia Code, “Application of Building and Fire Related Codes to Existing Buildings,” (O.C.G.A. § 8-2-200 et seq.) are hereby adopted by reference.

(b) The Building Official and Fire Marshal for Bartow County, Georgia are hereby authorized to enforce the provisions of this section and O.C.G.A. § 8-2-200 et seq.

(c) The Building Official and Fire Marshal, upon reviewing an existing building or Special Historic Building to which this section is applicable, may, in their discretion based on the standards contained in O.C.G.A. § 8-2-200 et seq., require compliance alternatives as indicated therein. However, this paragraph is only applicable as to buildings constructed prior to December 31, 1945, and no exceptions to this building or fire codes pursuant to this section are permitted on buildings constructed after January 1, 1946.

(d) This section is not applicable to buildings being used for residential uses or those used for industrial uses as specified in the Bartow County Zoning Ordinance, Appendix A to the Code of Bartow County.

(e) No exceptions or compliance alternatives are allowed with respect to the Georgia State Fire Code, the most current edition as adopted by the State of Georgia.

(f) Appeals of decisions of the Building Official and/or Fire Marshal shall be made to the Bartow County Construction Board of Adjustment and Appeals pursuant to the procedures set forth in the Article II, Division 13 of Chapter 18 of the Code of Bartow County,

SO ORDAINED, this 16th day of May, 2012, to be effective immediately, the public health, safety and welfare demanding.

ATTEST:

BARTOW COUNTY, GEORGIA

Kathy Gill, County Clerk

Clarence Brown, Commissioner