

**RALEIGH COUNTY BUILDING CODE ORDINANCE  
AMENDED EFFECTIVE  
AUGUST 2, 2022**

**Article I – Authority**

Title 87, Legislative Rule, State Fire Commission, Series 4, State Building Code, Effective August 2, 2022

**Article II – Purpose**

The purpose of this document is to amend the Raleigh County Building Code Ordinance to reflect changes in the WV Code updating the content, editions and amendments to the State Building Code and content of portions of the Raleigh County Building Code Ordinance of April 15, 2003, that established the administrative procedures for promulgating these codes and regulating the department.

**Article III - Building Code Official, Department**

Section 1-301- The Raleigh County Code Enforcement Department is directed by the appointed Chief Building Code Official who is responsible for the enforcement of the state building code and such other responsibilities as assigned by the County Commission of Raleigh County.

Section 1-302 - Same — Nomination, appointment term of office, qualifications

- (a) The County Commission shall appoint a qualified individual as Chief Building Code Official, qualified under the legislative rules adopted by the State Fire Commission for Building Code Official(s). The chief, inspectors, plans examiners, permit technicians, administrative specialists and other department employees shall serve at the will and pleasure of the County Commission.
- (b) The Chief shall employ such number of inspectors, plans examiners, permit technicians or other employees as shall be necessary for the administration of the code enforcement department as authorized by the County Commission. Each inspector, plans examiner, permit technician, administrative specialist or other employee shall be qualified under the legislative rules adopted by the State Fire Commission or the Raleigh County Commission for Inspectors, Plans Examiners, Permit Technicians, Administrative Specialists or other employees.
- (c) Each Employee shall have two attempts to pass any required certification examination at county expense. Thereafter, exams shall be paid for by the employee. Study materials shall be paid for by the department.
- (d) Each certified building code official, inspector, plans examiner, permit technician, administrative specialist, or other employee shall maintain such certification in good standing by complying with State Fire Commission continuing education requirements.
- (e) All required State Fire Commission certification and certification renewal shall be at county expense.

Section 1-303 - Same — Administrative powers and duties generally; records

- (a) The administrative powers and duties of the Code Enforcement Department shall include receiving, processing and issuing building permits; performing inspections; and issuing or denying certificates of occupancy.
- (b) The code official and/or inspectors, to enforce the state building code and/or Raleigh County Building Code Ordinance, shall issue such notices and orders as may be necessary to affect the removal of illegal conditions, secure necessary safeguards during construction, require adequate exit facilities or any other necessary building code or ordinance requirement.
- (c) The code enforcement department shall keep comprehensive records of applications, permits, inspections, rejections and certificates issued, building plans and related documents, and retain same as requires. All applicable building records are open for public inspection during normal business hours. Such records shall not be removed from the Code Enforcement Department.

Section 1-304 - Same — Powers and duties as to inspections

- (a) The building code official and building inspectors shall have the power to inspect structures and construction sites, where building permits are issued or where such work is underway without a building permit, to ensure the State Building Code, the Raleigh County Building Code Ordinance and related laws and ordinances are complied with and construction is prosecuted safely. The building code official and/or any other duly appointed inspector when requested by proper authority or when the interests of the county so require, shall make inspections and/or investigations pertaining to the State Building Code or Raleigh County Building Code Ordinance and file written reports thereon to the County Commission.
- (b) When a building permit is obtained all required inspections will be made and documented. Upon completion a final inspection will indicate minimum compliance with the West Virginia State Building and Fire Codes and a Certificate of Occupancy issued. No structure may be lawfully occupied until the CO is issued.
- (c) Inspection fees are part of the building permit fee, except: (1) the second and all other re-inspections (on any failed items) are at \$35.00 for each re-inspection; (2) inspections not ready, when scheduled, shall be considered in the same category as a second re-inspection and the \$35.00 fee shall apply to each.
- (d) Upon completion it shall be the responsibility of the owner or designated agent to schedule the final inspection, within three business days. Failure will result in the imposition of a \$35.00 administration fee. The provisions of subsection (c) above shall also apply.
- (e) The following are required (but not limited to) inspections: **NEW (on site) CONSTRUCTION**
  - 1. Footing/foundation/slab-after excavation, prior to pouring concrete **REQUIREMENTS:** minimum footer \_depth 24", width to accommodate block width; rebar minimum 3" from bottom & sides; bulkheads per specs, grade stakes to show footer thickness (minimum 8"); interior girder pier minimum depth 12", thickness (minimum 8"); vapor barrier & reinforcement wire per slab specs; plumbing & electrical stubs in place. **APPROVAL REQUIRED BEFORE PROCEEDING**

2. Rough-in-after footing/foundation/slab, before covering

**REQUIREMENTS:**

**ELECTRICAL:** two ground rods, six feet apart, approved ground rod clamps, wiring protection, smoke detectors interconnected in each bedroom & each landing, GFI/arc fault protection where required, proper wiring size and load rating, proper outlet spacing, proper location and clearance for all electrical equipment, isolated circuits for all major appliances, disconnects within sight of all major appliances, proper wiring securing.

**MECHANICAL:** first and final can be simultaneous, except when any part of the supply or return trunk line is permanently enclosed; flex connects not exceeding 14', light and receptacle within 25' of furnace/air handler, catwalk for attic installations with drain pan and primary and secondary drains; floor joist support/furnace/air handler not less than 6" above pad, cinderblock or concrete pad support not less than 3" above pad, gas appliance shut-off valve & drip leg, disconnect within 25' & in clear view of all HVAC equipment, no returns in kitchen or baths, proper size supply & return trunk lines, venting per mfg. requirements.

**PLUMBING:** proper framing, drilling and/or notching; proper protection or piping thru walls; proper backfill for underground plumbing (12" tamped dirt minimum, no rocks or frozen dirt), proper piping support; proper unions, slip joints, ferrule and flange connections, proper sizing, cut off valves, drains 1K" or larger (lavatory drains 1 Y\*"), proper venting, discharge line cleanouts, proper installation of wyes, traps, strainers, cross bars, floor drains not less than 2", proper supply line sizing; proper shut off valve sizing, location and accessibility; proper supply testing (water system not less than 100 psi-30 minutes—PVC drain systems) with water column test, proper drain direction changes, drain stacks, vents and traps.

**FRAMING:** proper joist and girder spans; sizing, bearing, lapping, bridging, drilling and/or notching locations, proper stud spacing, top plate splicing, stud drilling, and notching, header sizing, jack location, ceiling joist bearings and spans, beam support, rafter sizing and notching; truss design, bracing and support; proper roof sheathing, knee walls.

**INSULATION:** proper "R" values, locations and securing; proper vapor barriers.

**GREASE INTERCEPTORS:** where grease interceptors are required dishwashers may not be connected to a grease interceptor and shall be installed and connected as required by the PSD having jurisdiction.

3. Final Inspection - completed work on all elements to verify compliance with the minimum standards of the State Building and Fire Codes, reviewed and approved construction drawings, public utility requirements, prior to the issuance of a Certificate of Occupancy. All elements are in proper working order, testing where applicable. All licensure, addressing, zoning, flood plain, storm water requirements must be completed prior to issuance of the CO and structure occupancy.

## **Article IV - Building Code – Adoption**

### **Section 1-401 Adoption of the State Building Code**

- (a) Pursuant to WV Code 15A-11-5, the Raleigh County Commission adopts the State Building Code as adopted by the WV State Legislature by Legislative Rule promulgated by the State Fire Commission and hereby incorporates the rule into this Ordinance. A copy of the State Building Code and the Legislative Rule is available in the office of the Raleigh County Code Enforcement Dept., available to the public during regular business hours
- (b) Any existing county ordinance that is more stringent or imposes a higher standard than is required by the above referenced code shall govern, provided such ordinance is not inconsistent with the laws of West Virginia and is not contrary to recognized standards and good engineering practices.
- (c) Any existing county ordinance that is less stringent or imposes a lower standard than is required by the above referenced code is hereby amended to comply therewith.
- (d) The standards and requirements are as set out and published:

### STATE BUILDING CODE

#### **GENERAL**

Authority: WV Code 15A-11-5

Agency: WV State Fire Commission Legislative Rule: Title 87. Series 4

Effective date: August 2, 2022

Incorporation of other Documents - - This does not include a reprinting of all the requirements imposed by statute or by incorporation of various nationally recognized standards and codes cited. For ascertaining these additional standards and requirements, it is necessary to make reference to the other document.

#### **DEFINITIONS**

"ANSI" means American National Standards Institute, 25 West 43rd St., Fourth Floor, New York, NY 10036.

"Building Inspection" means a visual examination of any structure under construction or renovation or any appurtenances, components or systems therein, for the purpose of determining compliance or non-compliance with any of the provisions of the Raleigh County/West Virginia State Building Code.

"Building Inspector" means any person certified, pursuant to the West Virginia State Fire Commission Legislative Rules, Title 87, and Series 7, who performs building inspections and writes building inspection reports verifying compliance or noting non-compliance with the Raleigh County/West Virginia State Building Code.

"Fire Commission" means the thirteen (13) appointed members of the West Virginia State Fire Commission.

"Fire Marshal" means the West Virginia State Fire Marshal and/or his or her designated representatives.

"Home Inspection" means a visual analysis for the purpose of providing a professional opinion on the condition of an existing building and its carports and garages, and reasonable accessible installed components and the operation of the building systems, including controls normal operated by the owner, for the following components of a residential dwelling of four units or less: heating system, cooling system, electrical system, plumbing system, structural components, foundation, roof covering, exterior and interior components and the site aspects that affect the dwelling, pursuant to the West Virginia State Fire Commission Legislative Rules, Title 87 Series 5.

"Home Inspector" means any person who is certified pursuant to West Virginia State Fire Commission Legislative Rule, Title 87, Series 5, and who engages in the business of performing home inspections for compensation and who writes home inspection reports. A home inspector is not a building inspector and does not perform construction or renovation (building) inspections. A home inspector shall not write a report or render an opinion on compliance or non-compliance with any codes, statutes, regulatory requirements, special utility, insurance or restrictions relating to a residential structure or any of its components or system

"ICC" or "International" means International Code Council, 500 New Jersey Ave. NW, 6th Floor, Washington, DC 20001.

"Local jurisdiction" means Raleigh County Commission.

"NFPA" means National Fire Protection Association, 1 Batterymarch Park, PO Box 9101, Quincy, MA 02269-9101.

"State Building Code" means the entire contents of this rule and the referenced national standards and codes.

"State Fire Code" means the entire contents of the State Fire Commission, State Fire Code, 87CSR1 and the referenced standards and codes.

### **CONFLICTS**

Whenever there is a conflict between the State Fire Code and the State Building Code, the State Fire Code takes precedence.

Whenever there is a conflict between the International Plumbing Code requirements of the State Building Code and the rules of the West Virginia State Department of Health and Human Resources, the rules of DHHR take precedence.

Whenever there is a conflict between the State Building Code and the statutory laws or the State of West Virginia, the laws of the state take precedence

### **NATIONAL CODES AND STANDARDS**

The standards and requirements as set out and published by the International Code Council, the American National Standards Institute and the National Fire Protection Association as listed in this subsection, have force and effect as if set out verbatim in this rule

1. The 2018 edition of the International Building Code, with the following exceptions:
  - a. The section entitled "*Fire Protection*" and identified as *Section 101.4.5* is deleted and not Considered a part of this rule.
  - b. The entire subsection entitled as "*Qualifications*" and identified as *Section 113.3* is deleted and replaced with:

#### Section 113.3. Board of Appeals Qualifications

The board of appeals shall consist of five members, with up to three alternates, who are qualified by experience and training to pass on matters pertaining to building construction and are not by employees of the jurisdiction. They may include, but are not limited to, a WV Registered Professional Architect or Engineer, WV Licensed Building Contractor, Residential, Electrical, Piping, Plumbing, Mechanical or Fire Protection Contractor, with at least 10 years' experience, five of which shall be in responsible charge of work.

2. The 2018 edition of the International Plumbing Code.
3. The 2018 edition of the International Mechanical Code.

The 2018 edition of the International Fuel Gas Code, with the following exceptions:

- a. Section 404.10. Underground piping systems shall be installed a minimum depth of 12 inches (305 mm) below grade. If the minim depth cannot be maintained, the piping system shall be installed in conduit or shielded in an approved manner.
4. The 2015 edition of the International Energy Conservation Code for residential Buildings.
  5. The ANSI/ASHRAE /IES Standard 90.1-2013 for all commercial buildings.
  6. The 2018 edition of the International Residential Code, for One- and Two- Family Dwellings, with the following exceptions:
    - (a) Chapter 11, entitled "*Energy Efficiency*" is exempt from this rule.
    - (b) Section G2415.10 Minimum Burial Depth. Underground piping systems shall be installed a minimum depth of 12 inches (305 mm) below grade. If the minimum depth cannot be maintained, the piping system shall be installed in conduit or shielded in an approved manner.
    - (c) 311.7.4. Stair treads and Risers.  
Section R311.7.5.1 Riser Heights – The maximum riser height shall be 7 and  $\frac{3}{4}$  inches.  
R311.7.4.2 Tread Depth – The minimum tread depth shall be ten (10) inches.
    - (d) Section R403.1.7.1 Building Clearances from Ascending Slopes is not applicable to this rule.
    - (e) Section R403.1.7.2 Footing Setbacks from Descending Slope Surfaces it no applicable to this rule.

7. The 2017 ICC/ANSI A117.1 American National Standard for Accessibility & Usable Buildings & Facilities.
8. The 2018 edition of the International Existing Building Code, with the following exception: a. Omit References to the *International Fire Code* and substitute *NFPA, Life Safety Code 2021*.
9. The 2020 edition of NFPA 70, the National Electric Code, with the following exceptions:
  - A. For renovations in one- and two- family homes where no new square footage is involved, arc-fault circuit interrupter (AFCI) protection shall not be required, except for in bedrooms. For renovations in one- and two- family homes where square footage is added but no electrical service is installed, arc-fault circuit interrupter (AFCI) protection shall not be required.
  - B. Item 4.1m.1 Section 210.8(F) GFCI protection shall not be required on all new mini-split heating/ventilation/air-conditioning (HVAC) equipment and other HVAC units employing power conversion equipment as a means to control compressor speed systems including but not limited to mini-split and A/C units until January 1, 2023
10. Fire Protection of Floors in Residential Buildings.  
 New One-and Two-Family Dwellings over one level height, New One-and Two-Family Dwellings containing a basement and New One-and Two-Family Dwellings containing a crawl space containing a fuel burning appliance below the first floor, shall provide one of the following methods for fire protection of floors:
  - (1) a ½ inch (12.7 mm) gypsum wallboard membrane. 5/8- inch (16 mm) wood structural panel membrane or equivalent, on the underside of the floor framing member;
  - (2) Wood floor assemblies using dimension lumber or structural composite lumber equal to or greater than 2-inch by 10-inch (50.8 mm by 254 mm) nominal dimension, or other approved floor assemblies demonstrating equivalent fire performance; or, (3) an automatic fire sprinkler system as set forth in

Section R313.2 of the 2018 edition of the International Residential Code for One-and Two-Family Dwellings: *Provided*, that floor assemblies located directly over a space protected by an automatic sprinkler system as set forth in Section R313.2 of the 2018 edition of the International Residential Code for One-and Two-Family Dwellings are exempt from this requirement.

**EXCEPTIONS:**

The following structures are not subject to inspection by local jurisdictions:

However, all structures require a preapplication to verify compliance with Zoning and Flood Plain Ordinance requirements.

Group U utility structures and storage sheds comprising an area not more than 200 sq. ft. which have no plumbing or electrical connections and are used only for residential storage purposes. (Examples include sheds that are for the residential storage of lawnmowers, tools, bicycles or furniture.) Not included are those utility structures and storage sheds which have plumbing or electrical connections, are a non-residential use or for the storage of explosives or other hazardous or explosive materials.

Section 1.6 of the State Building Code has no application to buildings or structures used primarily for agricultural purposes including agritourism purposes.

- A. If a property owner or other responsible party claims exemption from the applicable Building Code based on the agricultural purpose exemption identified in subsection 1.6 of this rule, he or she shall submit the question to the Commissioner of Agriculture for a determination of eligibility.
- B. The property owner or responsible party shall submit to the Commissioner of Agriculture sufficient information to allow the Commissioner to determine the primary use of the property. This information shall include, but is not limited to, the location of the property and buildings, the types of agricultural use or uses, the percentage or frequency of use, and any other information that the Commissioner requires to make a decision.
- C. The Commissioner of Agriculture shall provide a copy of his or her decision to the property owner or responsible party, and to the entity that has adopted and is enforcing the Building Code.

#### ADOPTION BY LOCAL JURISDICTIONS

The Raleigh County Commission shall notify the State Fire Commission in writing of its adoption of the State Building Code. The Commission shall send a copy of the ordinance to the State Fire Marshal, West Virginia State Fire Commission, 1207 Quarrier St., 2nd Floor, Charleston, WV 25301, within 30 days of adoption.

The Raleigh County Commission shall be responsible for the enforcement of the State Building Code within its jurisdiction in Raleigh County as provided in WV Code. 15A-11-5

Throughout the national codes, adopted in this rule, there are discretionary provisions or appendices which require further action by the Raleigh County Commission in order to adopt these codes to Raleigh County conditions. The appendices are not a part of the code and must also be adopted by the Raleigh County Commission to be enforceable. It is therefore the intent of this rule to further authorize the Raleigh County Commission to further complete, by ordinance, those respective areas which are indicated to be completed and by adopting any of the appendices the Raleigh County Commission wishes to adopt.

Within the penalty sections of each of the national codes there is a penalty for imprisonment. The provision of imprisonment for any violation of this rule is optional and rejected by the Raleigh County Commission.

Each of the national codes adopted provides for a separate appeals board. However, the intent and requirements of an appeals board may be met with the creation by the Raleigh County Commission of a single appeals board for the entire State Code.

#### EXISTING BUILDING CODES:

All building codes previously by the Raleigh County Commission are null and void

Section 1-402 Same - County Amendments



(a) 2018 International Building Code

Section 101.1 insert: Raleigh County, West Virginia

Section 1607: Ground Snow Load - = or > 30 and 30 psf roof live load

Section 1612.3 insert: Raleigh County West Virginia, October 3, 1989

The Raleigh County Commission hereby adopts the following Appendices to the IBC 2018

Appendix C - Group U, Agricultural Buildings

Appendix E - Supplementary Accessibility Requirements

Appendix F - Rodent Proofing

Appendix G - Flood-Resistant Construction

Appendix H - Signs

Appendix I - Patio Covers

Appendix J – Grading

(b) 2018 International Residential Code

Section R101.1 insert: Raleigh County, West Virginia

Table R301.2 (1) insert: Ground Snow Load - = or > 30 psf roof live load

Wind Speed - 90 mph

Seismic Design Category - C

Weathering - Severe

Frost Line Depth - 24"

Termite - M-H

Decay - S-M

Winter Design Temp -11

Ice Shield Underlayment Required - Yes

Flood Hazards - October 3, 1989

Air Freezing Index -1000

Mean Annual Temp - 50.4

Section P2603 insert: ... 24 inches private sewage disposal systems ... 24 inches building

Section P3103.1 insert: ... at least 12 inches above the roof or 12 inches above the anticipated snow accumulation ...

The Raleigh County Commission hereby adopts the following Appendices to IRC 2018

Appendix E - Manufactured Housing used as Dwellings

Appendix G- Piping Standards for Various Applications

Appendix H - Patio Covers

Appendix K - Sound Transmissions

(c) 2018 International Plumbing Code:

Section 101.1 insert: Raleigh County, West Virginia

Section 305.6 insert:...24 inches private sewage disposal systems ... 24 inches building

Section 904.1 insert: ... at least 12 inches above the roof or 12 inches above the anticipated snow accumulation.

The Raleigh County Commission hereby adopts the following Appendices to the IPC 2018:

Appendix D— Degree Day and Design Temperatures (Charleston)

Appendix E - Sizing of Water Pipe Systems

Appendix C - Structural Safety

(d) 2018\_International Mechanical Code

Section 101.1 insert: Raleigh County, West Virginia

The Raleigh County Commission hereby adopts the following Appendices to the IMC 2018

Appendix A - Combustion Air Openings and Chimney Pass-throughs

(e) 2018\_International Fuel Gas Code

Section 101.1 insert: Raleigh County, West Virginia

The Raleigh County Commission hereby adopts the following Appendices to the IFGC

Appendix A - Sizing and Capacities of Gas Piping

Appendix B - Sizing of Vent Systems

Appendix C - Exit Terminals of Mechanical Draft Systems and Direct Vent Venting Systems

Appendix D - Recommended Procedures for Safety Inspection of an Existing Appliance Installation

(f) 2015 International Energy Conservation Code (Residential) with the following exceptions:

Section, R402.4.1.2 Testing. The building or dwelling unit shall in lieu thereof have an air leakage rate not exceeding five air changes per hour in Climate Zones 3 through 8.

(g) 101.1 insert: Raleigh County, West Virginia

(h) 2013 ANSI/ASHRAE/IES Standard 90.1 Commercial Energy Code

(i) 2018 International Existing Building Code

Section 101.1 insert: Raleigh County, West Virginia

Section 1301.2 insert: April 15, 2003.

Omit reference to the International Fire Code and substitute NFPA 101/2021, Life Safety Code

The Raleigh County Commission hereby adopts the following Appendix to the IEBC

Appendix B - Supplementary Accessibility Requirements for Existing Buildings and Facilities

(j) 2020 NFPA 70, National Electric Code

(k) 2017-ICC/A117.1 Accessible & Usable Buildings & Facilities

## **Article V – Permits**

### **Section 1-501. Same - "Estimated Cost" defined**

The term "estimated cost" shall mean the reasonable cost of both labor and materials involved in the prosecution and completion of work, a job or a project, and all the parts thereof, until ready for use or occupancy. The work, job or project may not be subdivided into separate projects to reduce the "estimated cost" or a permit fee or to exempt the applicant or contractor from any other provisions of this ordinance or any elements of the building code. Where no "estimated cost" is provided by the applicant or a discrepancy occurs on an application whereby the accuracy of such estimated cost figures are in question, the following will be used: \$100.00 per square foot for all inhabited structures or areas; \$80.00 per square foot for garages, porches, decks, accessory buildings; \$60.00 per square foot for unfinished basements, sidewalks, driveways, walkways. Upon completion of any project where the "estimated cost" can be documents as being less than stated on the application, a refund of part of the building permit amount may be issued when proper, required, documentation is submitted and approved

### **Section 1-502. Same - Obtaining Permit Before Work Commences**

No person shall do work for which a permit is required, or allow any condition to exist upon any premises owned by such person or under such a person's control when a permit is required for the maintenance of such condition, without first having obtained the permit. Any person who acts as an agent, contractor, employee or other person in violation of this section shall be guilty of an offense against this section jointly with the person committing the act which constitutes the offense. Failure to obtain the permit before the work commences will result in double the building permit fee, paid by all persons in violation of this section.

### **Section 1-503. Same - Workers Compensation and Public Liability Insurance**

No permit shall be issued for the construction of a building or structure I the county, or for the renovation of alteration of the exterior on any building or structure unless a certificate or other proof is filed that the contractor carries workers compensation insurance and public liability insurance with general liability limits of five hundred thousand dollars (\$500,000.00) per occurrence and one million dollars (\$1,000,000.00) aggregate.

### **Section 1-504. Same - Fees Payable Prior To Issuance of Permit**

No permit required by this ordinance shall be issued until the fees prescribed have been paid, nor shall an amendment to a permit be approved until additional fees, if any, due to an increase in the estimated cost of the square footage of the building or structure has been paid. Provided, that upon completion of any work for which a permit has been obtained as provided and No Certificate of Occupancy shall be issued when any required fee is unpaid.

### **Section 1-505. Same - Exemptions from obtaining a Building Permit**

The following are exempt from obtaining a building permit; however, all structures require a pre-application to verify compliance with Zoning and Flood Plain Ordinance Requirements.

1. Commercial or residential, detach, one-story accessory buildings (no electrical or plumbing, of mechanical), not more than 200 sq. ft.
2. A deck not more than 200 sq. ft and 30 inches above grade
3. Fences not more than seven feet high
4. Oil derricks
5. Retaining walls not more than two feet above grade, unless supporting a surcharge
6. Water tanks supported directly on grade, capacity of less than 5,000 gallons and ratio of height to diameter not in excess of 2 to 1
7. Sidewalks and driveways not more than 30 inches above grade and not over any basement and not part of an accessible route
8. Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work
9. Prefabricated swimming pools less than 24 inches deep, not exceeding 5,000-gallon capacity, installed completely above ground
10. Shady cloth structures for nursery or agricultural purposes, not including service systems
11. Swings and other playground equipment
12. Window awnings supported by an exterior wall not projecting more than 54 inches and not requiring additional support
13. Temporary motion picture, television and theater stage sets and scene

Electrical:

1. Minor repair work, including replacement of lamps or connections or approved portable appliances to approved permanently installed receptacles
2. Electrical equipment used for radio and television transmission (permits apply to equipment and wiring for power supply and installation of towers and antennas)
3. Any temporary system for testing or servicing electrical; equipment or apparatus

Gas:

1. Portable heating, cooking or clothes drying appliances
2. Replacement of any minor part that does not alter approval of equipment or make such equipment unsafe

3. Portable fuel cell appliances not connected to a fixed piping system and not interconnected to a power grid

**Plumbing:**

1. The stopping of leaks in drains, water, soil, waste or vent pipes, provided that if any concealed trap, drain pipe, water, soil, waste or vent pipe becomes defective and necessary to move and replace with new material, such work requires a permit
2. Clearing of stoppages or repairing leaks in pipes, valves or fixtures, removal and reinstallation of water closets, provided such repairs do not involve or require replacement or rearrangement of valves, pipes or fixtures

**Mechanical:**

1. Portable heating appliances, ventilating equipment or cooling units
2. Steam heat or chilled water piping within heating or cooling equipment regulated by the State Building Code
3. Replacement if any part that does not alter its approval or make it unsafe
4. Self-contained refrigeration systems containing 10 lbs. (4.54 kg) or less of refrigerant and actuated by motors of one horsepower (746 w) or less

**Repairs:**

Ordinary repairs to a structure, replacement of lamps or connections of approved portable electrical equipment to approved permanently installed receptacles. Repairs DO NOT include: cutting away of any wall, partition or portion thereof; removal or cutting away of structural beam or load-bearing support; removal load-bearing support; removal or change of any required means of egress; rearrangement of parts of a structure affecting egress requirements; replacement of or relocation of any standpipe, water supply, sewer, drainage, drain leader, gas, soil, waste, vent or similar piping, electric wiring or mechanical or other work affecting public health or general safety.

**Article VI. Licensure Required**

**Section 1-601. Same-Contractor-Mechanic Licensing Policy**

It is hereby declared the policy of the Raleigh County Commission that all persons performing construction work regulated by the WV State Building Code in Raleigh County, be duly licensed as required by rules and regulations promulgated: under Chapter 21, Article 11, Title 28, Series 2, WV Contractor Licensing Act; Chapter 21, Article 14, Title 42, Series 19, Manufactured Housing Construction and Safety Standards; Chapter "12, Article 14, Title 28, Series 3, Certification of Plumbers; Chapter 29, Article 3b, Title 103, Series 1, Supervision of Electricians; to insure capable and skilled craftsmanship utilized in construction projects in this county both public and private; fair bidding practices between bidding contractors through uniform compliance with the laws of this country and state and protection of the public of unfair, unsafe and unscrupulous bidding and construction practices

**Section 1-602. Same - Administrative Duties of the Department**

(a) On behalf of the County, the Code Enforcement Department shall perform the following administrative duties:

1. Collect and record all fees
  2. Maintain records and files
  3. Accept, process applications and issue building permits
  4. Accept, process applications and issue licenses
  5. Issue duplicate permits and/or licenses upon written request, for a fee established by the County Commission
  6. Notify licensees of renewal dates at least 30 days prior to expiration
  7. Answer all routine inquiries
  8. Maintain all permit and license files
  9. Arrange for printing and advertising
  10. Purchase supplies
  11. Perform other services than may be requested by the Commission
  12. Provide inspection, enforcement and investigative services to the Raleigh County Building Code Board of Appeals
  13. Issue cease and desist orders to person engaging in contracting in the county without a license
  14. Issue stop work orders to persons performing construction work in the county without a building permit.
- (b) All authority not specifically delegated to the department shall be the responsibility of the County Commission
- (c) The department may prepare rules and regulations as are necessary, for approval by the County Commission, to carry out the provisions of this ordinance. The department may disseminate educational materials designed to assist contractors and residents of the county to understand and comply with the building code provisions.

## **Article VII. Fees**

### **Section 1-701. Same - Building permit, plan review fees, other requirements**

A building permit for construction, alteration, renovation or demolition shall be as follows:

- (a) Any work performed, regulated under this ordinance, require a building permit, effective July 1, 2019 shall be at rate of  $\frac{1}{4}$  of 1% (.0025) of the estimated cost, in accordance with Section 1-501. The minimum permit fee shall be \$20.00. When work has commenced before a building permit is obtained, the fee shall be double the regular permit fee. A \$100.00 plan review fee payable upon the first submission of required COMMERCIAL/NON-RESIDENTIAL construction documents.

Electrical service inspection is required by the power company to restore or connect power, including service upgrades.

Electrical inspection fees are as noted below:

- (a) Electrical permit fee includes first inspection only.
  - (b) Any additional re-inspections are \$40.00 per inspection.
- (b) Any work performed under this ordinance shall be inspected, the cost included in the permit fee. Should an inspection fail, violations will be noted, and the first re-inspection shall be a no charge. Thereafter, any further inspections shall require a \$35.00 re-inspection fee. Any element not ready for inspection when scheduled shall be considered as a failed inspection and subject to the re-inspection fee. The inspection fee for any work completed without obtaining a building permit shall be \$35.00 per inspection, plus double the regular permit fee.

- (c) No more than three business days from completion of any project requiring a building permit, a final inspection shall be scheduled. Failure to schedule will result in a \$35.00 administrative and a \$35.00 re-inspection fee.
- (d) Any individual, owner or corporation or agent thereof, who commences work without a permit when one is required, shall be issued a STOP WORK ORDER. Before said order can be rescinded, all documents required shall be submitted for approval by the Building Official. An inspection shall be completed on all work already performed at a charge of \$35.00 and a report from a licensed WV Design Professional may be required.
- (e) Any individual, owner, corporation or agent thereof found in violation by obtaining a permit fraudulently, employing an unlicensed contractor, subcontractor, electrician or plumber, shall be charged an administrative fee of \$50.00, in addition to any amended or corrected permit fees. A repeat offense shall result in a \$100.00 fee.
- (f) A building permit shall be valid for one year from date of issuance. Permits may be renewed prior to the expiration date for a \$20.00 fee. If permit expires for more than 10 days, a new permit must be obtained and the fee will be based on the remaining job cost. Inspections cannot be scheduled while a building permit is expired.
- (g) All building permits for any use that requires construction plans, **except one-and two-family residential dwellings**, shall require submission, review and approval of two sets of construction drawings prior to the issuance of a building permit. One set will be stamped as reviewed and approved and returned to the contractor or owner and must remain on the project site until completion. A \$100.00 plan review fee payable upon the first submission of COMMERCIAL/NONRESIDENTIAL construction documents.
- (h) Building permit applications also require additional information that must be completed before a permit can be issued. This includes, but is not limited to (if applicable); tax map, parcel and lot information; zoning classification, use and setback approval; property boundaries; approved potable water and sanitary sewer service; flood plain elevation certificate; street address verification by Raleigh County EOC; storm water retention and dispersal approval; contractor and subcontractor license verification; electrician, plumber and/or mechanic license verification; fire marshal inspection and approval report.


On request of the Raleigh County Commission, a building permit inspection and/or Certificate of Occupancy may be denied for violation of any other Raleigh County Ordinance, State of West Virginia licensing or other code violation or delinquency in any duly levied tax, fee or assessment.

#### **Article VIII - Rescission, Approval and Performance**

This ordinance repeals all previous ordinances relating to building codes and code enforcement prior to the date of this signing.

All inspections and approvals are made in good faith, based on education, training, experience, licensing and certification. Anything that may be overlooked, cannot be held against the department, individual employees or the Raleigh County Commission.

Adopted on the 2nd day of August 2022.

  
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David L. Tolliver, President

  
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Linda K. Epling, Commissioner

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Gregory A. Duckworth, Commissioner