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Chapter 105 – BUILDINGS AND BUILDING REGULATIONS

**ARTICLE I. MINIMUM STANDARDS CODE**

DIVISION 1. SCOPE AND APPLICATION

**Sec. 105-1. Minimum Standards Code.**

This division provides for the administration and enforcement of the Dawson County Minimum Standards Code, adopted from the Georgia State Minimum Standard Building Code, as adopted and amended by the Georgia Department of Community Affairs. The Dawson County Minimum Standards Code shall be referred to as "this code."

**Sec. 105-2. - Scope.**

Dawson County implements comprehensive administrative provisions to properly administer and enforce the state minimum standard codes. The power to adopt administrative procedures is outlined in O.C.G.A Section 8-2-26 (a) (1). The provisions of this code cover the construction, alteration, relocation, enlargement, replacement, 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.

**Sec. 105-3. - Intent.**

The purpose of this code is to establish the minimum requirements to provide a reasonable level of safety, public health, and general welfare through structural strength, means of egress facilities, stability, sanitation, adequate light and ventilation, energy conservation, and safety to life and property from fire, explosion, and other hazards, and to provide a reasonable level of protection to emergency responders during emergency operations.

**Sec. 105-4. - Referenced Codes.**

Codes listed and referenced elsewhere in this code shall be considered part of the requirements of this code to the prescribed extent of each such reference. Dawson County enforces the current state minimum standard codes adopted by the Georgia Department of Community Affairs.

- (1) *Construction.* The provisions of the Georgia State Minimum Standard Building Code shall apply to the construction, alteration, relocation, enlargement, replacement, 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.
- (2) *Administration.* Dawson County further adopts Sections 101 through 116 of the International Building Code, as amended, to administer such code.
- (3) *Gas.* The provisions of the Georgia State Minimum Standard Gas Code shall apply to the installation of gas piping from the point of delivery, 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 installing and operating residential and commercial gas appliances and related accessories.
- (4) *Mechanical.* The provisions of the Georgia State Minimum Standard Mechanical Code shall apply to the installation, alterations, repairs, and replacement of mechanical systems, including equipment, appliances, fixtures, fittings, and appurtenances, including ventilating, heating, cooling, air-conditioning, refrigeration systems, incinerators, and other energy-related systems.

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- (5) *Plumbing.* The provisions of the Georgia State Minimum Standard Plumbing Code shall apply to the installation, alteration, repair, and replacement of plumbing systems, including equipment, appliances, fixtures, fittings, and appurtenances, and where connected to a water or sewage system and all aspects of a medical gas system. The provisions of the International Private Sewage Disposal Code shall apply to private sewage disposal systems.
- (6) *Electrical.* The provisions of the Georgia State Minimum Standard Electrical Code shall apply to the installation of electrical systems, including alterations, repairs, replacement, equipment, appliances, fixtures, fittings, and appurtenances.
- (7) *Energy.* The provisions of the Georgia State Minimum Standard Energy Code shall apply to all matters governing the design and construction of buildings for energy efficiency.
- (8) *Detached One- and Two-Family Dwellings.* The provisions of the Georgia State Minimum Standard One and Two-Family Dwelling Code shall apply to detached one- and two-family dwellings and multiple single-family dwellings.
- (9) *Townhouses.* The provisions of the Georgia State Minimum Standard One and Two-Family Dwelling Code shall apply to two-family dwellings and multiple single-family dwellings. Townhouses shall be separated by a 2-hour fire-resistance-rated wall assembly not more than three stories above grade plane in height with a separate means of egress and their accessory structures.
- (10) *Fire Prevention.* The provisions of Georgia State Minimum Fire Prevention Code, as supplemented by Chapter 22 – Fire Prevention and Protection, of the Dawson County Code, shall apply to matters affecting or relating to structures, processes, and premises from the hazard of fire and explosion arising from the storage, handling, or use of structures, materials, or devices; from conditions hazardous to life, property or public welfare in the occupancy of structures or premises; and from the construction, extension, repair, alteration or removal of fire suppression, automatic sprinkler systems, and alarm systems or fire hazards in the structure or on the premises from occupancy or operation.

**Section 105-5. - Applicability.**

- (a) *General.* Where a general requirement conflicts with a specific requirement, the specific requirement shall be applicable. Where, in any specific case, different sections of this code specify different materials, construction methods, or other requirements, the most restrictive shall govern.
- (b) *Other Laws.* The provisions of this code shall not be deemed to nullify any provisions of local, state, or federal law.
- (c) *Application of References.* References to chapter or section numbers or to provisions not specifically identified by number shall be construed to refer to such chapter, section, or provision of this code.
- (d) *Referenced Codes and Standards.* The codes and standards referenced in this code shall be considered part of the requirements of this code to the prescribed extent of each such reference and as further regulated in Section 105-5.
- (e) *Provisions in Referenced Codes and Standards.* Where the extent of the reference to a referenced code or standard includes subject matter that is within the scope of this code or the Georgia State Minimum Standard Codes listed in Section Sec. 105-4, the provisions of this code or the Georgia

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State Minimum Standard Codes listed in Section Sec. 105-4, as applicable, shall take precedence over the provisions in the referenced code or standard.

- (f) *Conflicts.* Where conflicts occur between provisions of this code and referenced codes and standards, the provisions of this code shall apply.
- (g) *Partial Invalidity.* If any part or provision of this code is held to be illegal or void, this shall not have the effect of making void or illegal any of the other parts or provisions.
- (h) *Existing Structures.* The legal occupancy of any structure existing on the date of adoption of this code shall be permitted to continue without change, except as otherwise specifically provided in the Georgia State Minimum Fire Protection Code, as supplemented by Chapter 22 of the Dawson County Code, or Chapter 121 of the Code of Dawson County, Georgia.
- (i) *Buildings Not Previously Occupied.* A building or portion of a building that has not been previously occupied or used for its intended purpose by the laws in existence at the time of its completion shall comply with the provisions of the Georgia State Minimum Standard Building Code or the Georgia State Minimum Standard One and Two-Family Dwelling Code, as applicable, for new construction or with any current permit for such occupancy.
- (j) *Buildings Previously Occupied.* The legal occupancy of any building existing on the date of adoption of this code shall be permitted to continue without change, except as otherwise specifically provided in this code, the Georgia State Minimum Fire Protection Code, or Chapter 121 of the Code of Dawson County, Georgia, or as is deemed necessary by the building official for the general safety and welfare of the occupants and the public.

## ***DIVISION 2. ADMINISTRATION AND ENFORCEMENT***

### **Section 105-6. - The Department of Planning and Development.**

- (1) **Enforcement Agency**  
The Department of Planning and Development is hereby designated as the enforcement agency, and the official in charge shall be known as the Planning and Development Director.
- (2) **Appointment**  
The Planning and Development Director shall appoint the building official.
- (3) **Employing Inspectors**  
The building official shall have the authority to employ inspectors and other personnel necessary to enforce codes. Such employees shall have powers as delegated by the building official.

### **Section 105-7. - Duties and Powers of Building Official.**

- (1) *General.* The building official is hereby authorized and directed to enforce the provisions of this code. Such interpretations, policies, and procedures shall comply with this code's intent and purpose. Such policies and procedures shall not have the effect of waiving requirements specifically provided for in this code.

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- (2) *Applications and Permits.* The building official shall receive applications, review construction documents, and issue permits for the erection, alteration, demolition, and moving of buildings and structures. The official shall also inspect the premises for which such permits have been issued and enforce compliance with the provisions of this code.
  - (3) *Determination of Substantially Improved or Substantially Damaged Existing Buildings and Structures in Flood Hazard Areas.* For applications for reconstruction, rehabilitation, repair, alteration, addition, or other improvement of existing buildings or structures located in flood hazard areas, the building official shall determine if the proposed work constitutes substantial improvement or repair of substantial damage. Where the building official determines that the proposed work constitutes substantial improvement or repair of substantial damage, and where required by this code, the building official shall require the building to meet the requirements of Section 1612 of the Georgia State Minimum Standard Building Code.
  - (4) *Notices and Orders.* The building official shall issue necessary notices or orders to ensure compliance with this code.
  - (5) *Inspecting buildings and other structures to ensure compliance with the code.* The building official shall make the required inspections or have the authority to accept inspection reports by state-certified agencies or individuals. Reports of such inspections shall be in writing and certified by a responsible officer of such approved agency or the accountable individual. The building official is authorized to engage such expert opinion as necessary to report on unusual technical issues that arise, subject to the approval of the appointing authority.
  - (6) *Identification.* The building official shall carry proper identification when inspecting structures or premises in performing duties under this code.
  - (7) *Right of Entry.* Where it is necessary to make an inspection to enforce the provisions of this code, or where the building official has reasonable cause to believe that there exists in a structure or on-premises a condition that is contrary to or in violation of this code that makes the structure or premises unsafe, dangerous or hazardous, the building official is authorized to enter the structure or premises at reasonable times to inspect or to perform the duties imposed by this code, provided that if such structure or premises be occupied that credentials be presented to the occupant and entry requested. If such structure or premises are unoccupied, the building official shall first make a reasonable effort to locate the owner or other person in charge or control of the structure or premises and request entry. If entry is refused, the building official shall have recourse to the remedies provided by law to secure entry.
  - (8) *Department Records.* The building official shall keep official records of applications received, permits and certificates issued, fees collected, reports of inspections, and notices and orders issued. Such records shall be retained in the official documents for the period required to maintain public records.
  - (9) *Liability.* The building official, members of the construction board of appeals, and employees charged with the enforcement of this code, while acting for Dawson County in good faith and without malice in the discharge of the duties required by this code or other pertinent law or ordinance, shall not thereby be civilly or criminally rendered liable personally and are hereby relieved from personal liability for any damage accruing to persons or property as a result of any act or because of an act or omission in the discharge of official duties.
  - (10) *Legal Defense.* Any suit or criminal complaint instituted against an officer or employee because of an act performed by that officer or employee in the lawful discharge of duties and under the

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provisions of this code shall be defended by the Dawson County legal representatives until the final termination of the proceedings. The building official or any subordinate shall not be liable for cost in any action, suit, or proceeding instituted in pursuance of the provisions of this code.

- (11) *Approved Materials and Equipment* Materials, equipment, and devices approved by the building official shall be constructed and installed in compliance with such approval.
- (12) *Used Materials and Equipment.* Reused materials must comply with the requirements of this code for new materials. Used equipment and devices may not be reused unless the building official approves.
- (13) *Modifications.* Where there are practical difficulties involved in carrying out the provisions of this code, the building official shall have the authority to grant modifications for individual cases upon application of the owner or the owner's authorized agent, provided that the building official shall first find that unique individual reason makes the strict letter of this code impractical, the modification complies with the intent and purpose of this code and that such modification does not lessen the health, accessibility, life, and fire safety or structural requirements. The details of action granting modifications shall be recorded and entered into the Planning and Development department files. Any provisions for the Fire Code shall reference the Georgia State Minimum Fire Prevention Code, as supplemented by Chapter 22 – Fire Prevention and Protection, of the Dawson County Code.
- (14) *Alternative Materials, Design, and Methods of Construction and Equipment.* The provisions of this code are not intended to prevent the installation of any material or to prohibit any design or method of construction not specifically prescribed by this code, provided that the building official has approved any such alternative. An alternative material, design, or method of construction shall be approved where the building official finds that the proposed design is satisfactory and complies with the intent of the provisions of this code and that the material, method, or work offered is, for the purpose intended, not less than the equivalent of that prescribed in this code in quality, strength, effectiveness, fire resistance, durability, and safety. Where the alternative material, design, or construction method is not approved, the building official shall respond in writing, stating why the alternative was not approved. Any provisions for the Fire Code shall reference Chapter 22 – Fire Prevention and Protection.
- (15) *Technical Reports.* Supporting data, where necessary to approve materials or assemblies not specifically provided for in this code, shall consist of valid research reports from approved industry sources.
- (16) *Tests.* Whenever there is insufficient evidence of compliance with the provisions of this code or evidence that material or method does not conform to the requirements of this code or to substantiate claims for alternative materials or techniques, the building official shall have the authority to require tests as evidence of compliance to be made without expense to the Dawson County. Test methods shall be specified in this code or other recognized test standards. Without recognized and accepted test methods, the building official shall approve the testing procedures. An approved agency shall perform tests. Reports of such tests shall be retained by the building official for the period required to maintain public records.

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**Sec. 105 – 8. - Permits.**

- (1) Required  
Any owner or owner's authorized agent who intends to construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure or to erect, install, enlarge, adjust, repair, remove, convert, or replace any electrical, gas, mechanical or plumbing system, the installation of which is regulated by this code, or to cause any such work to be performed, shall first make application to the building official and obtain the required building permit.
- (2) Annual Permit  
Instead of an individual permit for each alteration to an already approved electrical, gas, mechanical, or plumbing installation, the building official is authorized to issue an annual permit upon application therefor to any person, firm, or corporation regularly employing one or more qualified trade persons in the building, structure or on the premises owned or operated by the applicant for the permit.
- (3) Annual Permit Records  
The person to whom an annual permit is issued shall keep a detailed record of alterations made under such annual permit. The building official shall have access to such records at all times, or such records shall be filed with the building official as designated.
- (4) Work Exempt from Permit  
Exemptions from permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of Dawson County. Building Permits shall not be required for the following:
  - a. Building:
    - i. One-story detached accessory structures that are used as tool and storage sheds, playhouses, and similar residential uses, provided the floor area is not over 200 square feet.
    - ii. One-story detached accessory structures in commercial or industrial zoning districts, provided the floor area is not greater than 120 square feet
    - iii. Fences not over 7 feet high.
    - iv. Retaining walls not over 4 feet in height measured from the bottom of the footing to the top of the wall unless supporting a surcharge or impounding Class I, II, or IIIA liquids.
    - v. Water tanks that are supported directly on grade if the capacity is not greater than 5,000 gallons and the height-to-diameter or width ratio is not greater than 2:1.
    - vi. Sidewalks and driveways that are not more than 30 inches above adjacent grade, not over any basement or story below, and are not part of an accessible route.
    - vii. Painting, papering, tiling, carpeting, cabinets, countertops, and similar finish work.
    - viii. Prefabricated swimming pool less than 24 inches deep and installed entirely above ground.
    - ix. Shade cloth structures constructed for nursery or agricultural purposes, not including service systems.
    - x. Swings and other traditional playground equipment accessory to detached one- and two-family dwellings.

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- x. Window awnings in Group R-3 and U occupancies that are supported by an exterior wall that does not project more than 54 inches from the exterior wall and does not require additional support.
  - xii. Non-fixed and movable fixtures, cases, racks, counters, and partitions not over 5 feet 9 inches in height.
  - xiii. Buildings and Structures specifically regulated and preempted by the Federal Government
  - xiv. Temporary buildings or sheds used exclusively for construction purposes.
  - xv. Mobile or modular structures used as temporary offices, except that the provisions relating to accessibility by persons with disabilities apply to such mobile or modular structures.
  - xvi. Those structures or facilities of electric utilities directly involved in generating, transmitting, or distributing electricity.
  - xvii. Temporary sets, assemblies, or structures used in commercial motion picture or television production or any sound recording equipment used in such production, on or off premises.
- b. Electrical:
- i. Repairs and maintenance: Minor repair work, including replacing lamps or connecting approved portable electrical equipment to approved permanently installed receptacles.
  - ii. Radio and television transmitting stations: The provisions of this code shall not apply to electrical equipment used for radio and television transmissions but shall apply to equipment and wiring for a power supply and the installation of towers and antennas.
  - iii. Temporary testing systems: A permit shall not be required to install any temporary system to test or service electrical equipment or apparatus.
- c. Gas:
- i. Portable heating appliance.
  - ii. Replacement of any minor part that does not alter equipment approval or make such equipment unsafe.
- d. Mechanical:
- i. Portable heating appliance.
  - ii. Portable ventilation equipment.
  - iii. Portable cooling unit.
  - iv. Steam, hot, or chilled water piping within any heating or cooling equipment.
  - v. Replacement of any part that does not alter its approval or make it unsafe.
  - vi. Portable evaporative cooler.
  - vii. A self-contained refrigeration system containing 10 pounds or less of refrigerant and actuated by one horsepower or fewer motors.
- e. Plumbing:
- i. Stopping leaks in drains, water, soil, waste, or vent pipes; provided, however, that if any concealed trap, drain pipe, water, soil, waste, or vent pipe becomes defective and it becomes necessary to remove and replace it with new material, such work shall be considered new work. A permit shall be obtained and an inspection made.

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- ii. Clearing stoppages or repairing leaks in pipes, valves, or fixtures and removing and reinstalling water closets are permitted, provided such repairs do not involve replacing or rearranging valves, pipes, or fixtures.
  
  - f. Emergency Repairs  
Where equipment replacements and repairs must be performed in an emergency; however, a permit application shall be submitted to the building official within the next working business day.
  
  - g. Public Service Agencies  
A permit shall not be required for the installation, alteration, or repair of generation, transmission, distribution or, metering or other related equipment under the ownership and control of public service agencies by established right.

**Sec. 105- 9. - Manufactured/Mobile Homes.**

This division applies to all mobile homes used as residences, places of business, classrooms, or other activities of a non-temporary nature. Mobile homes used temporarily at construction sites, mobile health units, or similar uses of a temporary nature may be exempt from this regulation at the discretion of the board of commissioners where the public health, safety, and welfare are served by such exemption and subject to such conditions as the board of commissioners deems appropriate to protect the public health, safety, and welfare.

**Sec. 105-.10. - Manufactured/mobile home compatibility standards.**

- (a) Manufactured or mobile homes shall meet the following compatibility standards:  
Every pre-owned manufactured home located in the county shall comply with the Federal Manufactured Housing Construction and Safety Standards Act, [43](#) U.S.C. § 5401-5455 ("HUD Code"), and shall not have been altered in such a way that it no longer meets the HUD Code.
  - (1) The home shall be attached to a permanent foundation; each home shall be provided with anchors and tie-downs, such as cast-in-place concrete dead men or other similar devices approved by the building official, that secure the stability of the home.
  - (2) All towing devices, wheels, axles, and hitches must be removed.
  - (3) Each exit door must have a landing of at least 48 inches by 48 inches. Landings shall not be attached to the structure and must be freestanding and fully self-supporting.
  - (4) The roof shall have a surface of wood shakes, asphalt composition, wood shingles, concrete, fiberglass, metal tiles, slate built-up gravel materials, or other similar materials approved by the building official. All roofs shall have a minimum of 3/12 pitch to approximate the traditional architecture within the county and protect public health, safety, and welfare.
  - (5) The exterior siding materials shall consist of wood, masonry, concrete, stucco, Masonite metal or vinyl lap, or other materials of like appearance. The exterior of all pre-owned manufactured homes shall be free of loose or rotting boards or timbers and any other conditions that might admit rain or moisture to the interior portions of the walls or occupied spaces. The exterior siding shall be free of rot and rust. Roofs shall be structurally sound and



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have no obvious defects that might admit rain or cause moisture to collect on the interior portion of the home.

(6) Each home shall be skirted entirely with an appropriate barrier, properly ventilated, to enclose the area between the bottom of the structure and the ground. Such skirting shall not be required for a home with a complete masonry or concrete perimeter foundation.

(7) Each home shall be established according to the manufacturer's installation instructions, as appropriate. If manufacturer instructions are unavailable, installation shall follow the HUD model manufactured home installation standards available from the housing and urban development website.

(8) All utility connections, including, but not limited to, water, sanitary sewer/septic tank, electricity, and gas, shall be made as required by the county's building codes.

(9) There is no age restriction on a manufactured home, mobile home, or moved-in house; however, any pre-owned manufactured home, mobile home, or moved-in house proposed for setup and placement within Dawson County shall be inspected pursuant to below to determine sound condition and compliance with this resolution prior to permitting.

#### **Sec. 105.- 11. - Inspection checklist for pre-owned manufactured/mobile homes.**

All pre-owned manufactured or mobile homes being located in the county or moved into the county under this division must meet the following regulations:

(1) *Electric.*

a. *Electrical systems.* All parts of the home's electrical systems (including, but not limited to, switches, receptacles, fixtures, etc.) shall be properly installed and wired and shall be in working condition. Distribution panels shall be in compliance with the approved listing, complete with required breakers, and all unused openings covered with solid covers approved and listed for that purpose. The home shall be subject to an electrical continuity test to ensure that all metallic parts are properly bonded.

b. *Smoke detectors.* Each pre-owned manufactured home shall contain one operable battery-powered smoke detector in each bedroom and the kitchen, which must be installed per the manufacturer's recommendations.

(2) *Plumbing.*

a. Every plumbing fixture, water, and waste pipe of a pre-owned manufactured home shall be in sanitary working condition when properly connected and free from leaks and obstructions. Each home shall contain a kitchen sink. Each bathroom shall contain a lavatory and water closet. At least one bathroom shall include a tub and/or shower facility. Each of these fixtures shall be checked upon being connected to ensure they are in good working condition.

b. *Hot water supply.* Each home shall contain a water heater that is safe and working condition.

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(3) *HVAC—Heating system.*

*Heating systems.* Heating systems shall be safe and in working condition. Un-vented heaters shall be prohibited.

(4) *Manufactured or mobile home unit.*

a. Every floor, interior wall, and ceiling of a pre-owned manufactured home shall be in sound condition. Doors and windows shall be operable, watertight, and in good working condition. The floor system shall be in sound condition and free of warping, holes, water damage, or deterioration.

b. Roofs shall be structurally sound and have no apparent defects that might admit rain or cause moisture to collect on the interior portion of the home.

c. The exterior of all pre-owned manufactured homes shall be free of loose or rotting boards or timbers and any other conditions that might admit rain or moisture to the interior portions of the walls or to occupied spaces.

d. *HUD code.* Every pre-owned manufactured home located in Dawson County shall be in compliance with the Federal Manufactured Housing Construction and Safety Standards Act, [42](#) U.S.C. 5401-5445 (the HUD Code), and shall not have been altered in such a way that it no longer meets the HUD code.

*Note.* Newly manufactured units that have never been used must be verified by the manufacturer.

(5) **Additional requirements for pre-owned manufactured/mobile homes.**

Manufactured or mobile homes can be moved into Dawson County only after passing an inspection on all requirements hereinabove set out. Inspections requested to be conducted by county inspection staff shall be limited to a 50-mile radius of the City of Dawsonville; these inspections shall be:

- a. Scheduled by building inspector;
- b. If inside the county: Subject to the following fees: \$500.00 per inspection;
- c. If outside the county: Subject to the following fees: \$500.00 per inspection plus \$0.25 per mile. These fees are in addition to permit fees for manufactured or mobile homes, which include inspection fees on manufactured or mobile homes after being located inside the county.
- d. Inspections may be performed by a licensed structural engineer regardless of distance; however, an inspection by a licensed structural engineer shall be required for all manufactured or mobile homes within a 50-mile radius of the City of Dawsonville.
- e. All third-party inspections shall cover the requirements of this division, and the licensed structural engineer shall stamp the inspection results.

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**Sec. 105-12. - Application for Permit.**

- (1) To obtain a permit, the applicant shall first apply in writing on a form furnished by the Department of Planning and Development. Such application shall:
- a. Identify and describe the work to be covered by the permit for which the application is made;
  - b. Describe the land on which the proposed work is to be done by legal description, street address, and tax parcel identification that will readily identify and locate the proposed building or work;
  - c. Indicate the use and occupancy for which the proposed work is intended;
  - d. Be accompanied by construction documents and other information as required by this code;
  - e. State the valuation of the proposed work;
  - f. Be signed by the applicant, or the applicant's authorized agent; and
  - g. Provide such other data and information as the building official reasonably requires to ensure compliance with this code.

(2) **Action on Application**

The building official shall examine or cause to be examined applications for permits and amendments to it within a reasonable time after filing. If the application or the construction documents do not conform to the requirements of pertinent laws, the building official shall reject such application in writing, stating the reasons. If the building official is satisfied that the proposed work conforms to the requirements of this code and laws and ordinances, the building official shall issue a permit therefor as soon as practicable.

(3) **Time Limitation of Application**

An application for a permit for any proposed work shall be deemed to have been abandoned 180 days after the date of filing unless such application has been pursued in good faith or a permit has been issued, except that the building official is authorized to grant one or more extensions of time for additional periods not exceeding 90 days each. The extension shall be requested in writing, and justifiable cause demonstrated.

(4) **Validity of Permit**

The issuance or granting of a permit shall not be construed as a permit for, or approval of, any violation of any of the provisions of this code or any other ordinance of Dawson County. Permits presuming to give authority to violate or cancel the provisions of this code or other ordinances of Dawson County shall not be valid. The issuance of a permit based on construction documents and other data shall not prevent the building official from requiring the correction of errors in the construction documents and other data. The building official is authorized to prevent occupancy or use of a structure violating this code or any other ordinances of Dawson County.

(5) **Expiration**

Every permit issued shall become invalid unless the work on the site authorized by such permit is commenced within 180 days after its issuance or if the work authorized on the site by such permit is suspended or abandoned for 180 days after the time the work is commenced, or if the expiration date on the face of the permit has been reached without any inspections for 180 days. The building official is authorized to grant one or more extensions of time for periods not more than 180 days each from the

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expiration date. The extension shall be requested in writing, and justifiable cause demonstrated. A permit previously issued may be suspended or revoked if a subsequent violation occurs with respect to the project.

(6) Suspension or Revocation

The building official is authorized to suspend or revoke a permit issued under the provisions of this code wherever the permit is issued in error or based on incorrect, inaccurate, or incomplete information or in violation of any ordinance or regulation or any of the provisions of this code.

(7) Placement of Permit

The building permit or copy shall be kept on the job site in a conspicuous place until the project's completion.

**Sec. 105-13. Floor and Roof Design Loads**

(1) Live Loads Posted

In commercial or industrial buildings, for each floor or portion designed for live loads exceeding 50 psf, the owner or the owner's authorized agent shall conspicuously post such designed live load limits using durable signs in that part of each story to which they apply. It shall be unlawful to remove or deface such signs.

(2) Issuance of Certificate of Occupancy

A certificate of occupancy required by Section 105-15 shall not be issued until the floor load signs required by this code have been installed.

(3) Restrictions on loading

It shall be unlawful to place, cause, or permit the placement of a load greater than the limit set by the Georgia State Minimum Standard Building Code on any floor or roof of a building, structure, or portion thereof.

**Sec. 105- 14. Submittal Documents**

(1) General

Submittal documents consisting of construction documents, statements of special inspections, geotechnical reports, and other data shall be submitted in two or more sets and digital media as required, e.g., pdf., with each permit application. A registered design professional shall prepare the construction documents. Where special conditions exist, the building official is authorized to require additional construction documents to be prepared by a registered design professional.

Exception: The building official is authorized to waive the submission of construction documents and other data not required to be prepared by a registered design professional if it is found that the nature of the work applied for makes a review of construction documents unnecessary to obtain compliance with this code.

(2) Information on Construction Documents

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Construction documents shall be dimensioned and drawn on suitable material. Electronic media documents shall be submitted. Construction documents shall be sufficiently clear to indicate the location, nature, and extent of the proposed work and show in detail that it will conform to the provisions of this code and relevant laws, ordinances, rules, and regulations determined by the building official.

(3) Fire Protection System Shop Drawings

Shop drawings for the fire protection system(s) shall be submitted to indicate conformance to this code and the construction documents and shall be approved before the start of system installation. Shop drawings shall contain all information required by the referenced installation standards in Chapter 9 of the International Building Code. Any provisions for the Fire Code shall reference the Georgia State Minimum Fire Prevention Code.

(4) Means of Egress

The construction documents shall show in sufficient detail the location, construction, size, and character of all portions of the means of egress, including the path of the exit discharge to the public way, in compliance with the provisions of this code. Other than occupancies in Groups R-2, R-3, and I-1, the construction documents shall designate the number of occupants to be accommodated on every floor and in all rooms and spaces. Any provisions for the Fire Code shall reference the Georgia State Minimum Fire Prevention Code.

(5) Exterior Wall Envelope

Construction documents shall describe the exterior wall envelope in sufficient detail to determine compliance with this code. Construction documents shall provide details of the exterior wall envelope as required, including flashing, intersections with dissimilar materials, corners, end details, control joints, intersections at roof, eaves or parapets, means of drainage, water-resistive membrane, and details around openings.

Construction documents shall include the manufacturer's installation instructions, which provide supporting documentation that the proposed penetration and opening details described in the construction documents maintain the exterior wall envelope's weather resistance. The supporting documentation shall fully describe the tested exterior wall system, where applicable, and the test procedure used.

(6) Exterior Balconies and Elevated Walking Surfaces

Where balconies or other elevated walking surfaces are exposed to water from direct or blowing rain, snow, or irrigation, and an impervious moisture barrier protects the structural framing, the construction documents shall include details for all impervious moisture barrier system elements. Construction documents shall consist of the manufacturer's installation instructions.

(7) Site Plan

Construction documents submitted with the permit application shall be accompanied by a site plan showing the scale, size, and location of new construction and existing structures on the site, distances from lot lines, the established street grades, and the proposed finished grades and, as applicable, flood hazard areas, floodways, stream buffers, and design flood elevations; and it shall be drawn in accordance with an accurate boundary line survey.

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(8) Site Plan for a demolition permit

The site plan submitted with an application for a demolition permit shall show the construction to be demolished and the location and size of existing structures and construction that remain on the site or tract. The building official is authorized to waive or modify the requirement for a site plan where the permit application is for an interior alteration or repair or where otherwise warranted.

(9) Design Flood Elevations

Where design flood elevations are not specified, they shall be established in accordance with Section 1612.3.1 of the Georgia State Minimum Standard Building Code.

(10) Structural Information

The construction documents shall provide the information specified in Section 1603 of the Georgia State Minimum Standard Building Code.

(11) Relocatable Buildings

Construction documents for relocatable buildings shall comply with Section 3113 of the Georgia State Minimum Standard Building Code.

(12) Examination of Documents

The building official shall examine or cause the submittal documents to be reviewed and shall ascertain by such examinations whether the construction indicated and described is in accordance with the requirements of this code and other pertinent laws or ordinances.

(13) Approval of Construction Documents

When the building official issues a permit, the construction documents shall be approved, in writing or digital format, as "Reviewed for Code Compliance." The building official shall retain one set of construction documents so reviewed. The other set shall be returned to the applicant, kept at the work site, and opened to inspection by the building official or a duly authorized representative.

(14) Previous Approvals

This code shall not require changes in the construction documents, construction, or designated occupancy of a structure for which a lawful permit has been heretofore issued or otherwise lawfully authorized, and the construction of which has been pursued in good faith within 180 days after the effective date of this code and has not been abandoned.

(15) Phased Approval

The building official is authorized to issue a permit for the construction of foundations or any other part of a building or structure before the construction documents for the whole building or structure have been submitted, provided that adequate information and detailed statements have been filed complying with pertinent requirements of this code. The holder of such permit for the foundation or other parts of a building or structure shall proceed at the holder's own risk with the building operation and without assurance that a permit for the entire structure will be granted.

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(16) Design Professional in Responsible Charge

Where it is required that documents be prepared by a registered design professional, the building official shall be authorized to require the owner or the owner's authorized agent to engage and designate on the building permit application a registered design professional who shall act as the registered design professional in responsible charge. If the circumstances require, the owner or the owner's authorized agent shall designate a substitute registered design professional in the responsible charge who shall perform the duties required of the original registered design professional in the responsible charge. The building official shall be notified in writing by the owner or the owner's authorized agent if the registered design professional in responsible charge is changed or cannot continue to perform the duties.

The registered design professional in charge shall be responsible for reviewing and coordinating submittal documents prepared by others, including phased and deferred submittal items, for compatibility with the design of the building.

(17) Deferred Submittals

Deferral of any submittal items shall have the prior approval of the building official. The registered design professional in charge shall list the deferred submittals on the construction documents for review by the building official. Documents for deferred submittal items shall be submitted to the registered design professional in responsible charge, who shall review them and forward them to the building official with a notation indicating that the deferred submittal documents have been reviewed and found to be in general conformance to the design of the building. The deferred submittal items shall not be installed until the building official has approved the deferred submittal documents.

(18) Amended Construction Documents

Work shall be installed in accordance with the approved construction documents, and any changes made during construction that are not in compliance with them shall be resubmitted for approval as an amended set of construction documents.

(19) Retention of Construction Documents

The building official shall retain one set of approved construction documents for not less than 180 days from the completion date of the permitted work or as required by state or local laws.

**Sec. 105-15. Temporary Structures and Uses**

(1) General

The building official is authorized to permit temporary structures and uses. Such permits shall be limited in time of service but not for more than 180 days. The building official is authorized to grant extensions for demonstrated cause.

(2) Conformance

Temporary structures and uses shall comply with Section 3103 of the Georgia State Minimum Standard Building Code requirements.

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(3) Temporary Power

The building official is authorized to permit the temporary supply and use of power in part of an electric installation before such installation has been fully completed and the final certificate of completion has been issued. As amended, the part covered by the temporary certificate shall comply with the requirements specified for temporary lighting, heat, or power in NFPA 70.

(4) Termination of Approval

The building official is authorized to terminate such permit for a temporary structure or use and to order the temporary structure or use to be discontinued.

**Sec. 105- 16. Fees**

(1) Payment of Fees

A permit shall not be valid until the fees prescribed by law have been paid, nor shall an amendment to a permit be released until any additional fees, if any, have been paid.

(2) Schedule of Permit Fees

A fee for each permit shall be paid per the schedule established by the Dawson County Board of Commissioners for buildings, structures, electrical, gas, mechanical, and plumbing systems or alterations requiring a permit.

(3) Work Commencing Before Permit Issuance

Anyone who commences any work on a building, structure, electrical, gas, mechanical, or plumbing system before obtaining the necessary permits shall be subject to twice the required fees.

(4) Related Fees

The payment of the fee for the construction, alteration, removal, or demolition of work done in connection to or concurrently with the work authorized by a building permit shall not relieve the applicant or holder of the permit from the payment of other fees prescribed by law.

**Sec. 105-17. Inspections**

(1) Required Inspections.

The Building Official, upon notification from the permit holder or his or her agent, shall make the minimum required inspections or any other such inspection as deemed necessary and shall either release that portion of the construction or shall notify the permit holder or his or her agent of any violations which must be corrected to comply with the adopted codes. The Building Official shall determine the timing and sequencing of when inspections occur and what elements are inspected at each inspection.

(2) General

Construction or work for which a permit is required shall be subject to inspection by the building official, and such construction or work shall remain visible and able to be accessed for inspection purposes until approved. Approval as a result of an inspection shall not be construed as an approval of a violation of this code's provisions or other county ordinances. Inspections presuming giving authority to violate or



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cancel the provisions of this code or other ordinances of Dawson County shall not be valid. It shall be the owner's or the authorized agent's duty to make the work visible and accessible for inspection. Neither the building official nor Dawson County shall be liable for the expense of removing or replacing any material required to allow inspection.

(3) Preliminary Inspection

Before issuing a permit, the building official is authorized to examine or cause to be examined buildings, structures, and sites for which an application has been filed.

(4) Lot Grading inspection

If required, site staking and erosion control measures in compliance with an approved grading plan shall be taken before any construction activities.

(5) Required Inspections

Upon notification, the building official shall perform the inspections outlined in Sections 105-17 of this code.

(6) Footing and Foundation Inspection

Footing and foundation inspections shall be made after excavations for footings are complete and any required reinforcing steel is in place. Any required forms for concrete foundations shall be in place before the inspection. Materials for the foundation shall be on the job, except where concrete is ready-mixed in accordance with ASTM C94; the concrete need not be on the job.

(7) Concrete Slab and Under-Floor Inspection

Concrete slab and under-floor inspections shall be made after in-slab or under-floor reinforcing steel and building service equipment, conduit, piping accessories, and other ancillary equipment items are in place but before any concrete is placed or floor sheathing installed, including the subfloor.

(8) Lowest Floor Elevation

In flood-hazard areas, the elevation certification required in Section 1612.4 of the Georgia State Minimum Standard shall be submitted to the building official upon placement of the lowest floor, including the basement, and before further vertical construction.

(9) Frame Inspection

Framing inspections shall be made after the roof deck or sheathing, all framing, fire-blocking, and bracing are in place, pipes, chimneys, and vents to be concealed are complete, and the rough electrical, plumbing, heating wires, pipes, and ducts are approved.

(10) Lath, Gypsum Board and Gypsum Panel Product Inspection

Lath, gypsum board, and gypsum panel product inspections shall be made after lathing, gypsum board, and gypsum panel products, interior and exterior, are in place, but before any plastering is applied or gypsum board and gypsum panel product joints and fasteners are taped and finished.

*Exception:* Gypsum board and gypsum panel products are not part of a fire-resistance-rated or shear assembly.

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(11) Weather-exposed balcony and Walking Surface Waterproofing

Where balconies or other elevated walking surfaces are exposed to water from direct or blowing rain, snow, or irrigation, and an impervious moisture barrier protects the structural framing, all elements of the impervious moisture barrier system shall not be concealed until inspected and approved.

*Exception:* Where special inspections are provided in accordance with Section 1705.1.1, Item 3 of the Georgia State Minimum Standard Building Code.

(12) Fire- and Smoke-Resistant Penetrations

Protection of joints and penetrations in fire-resistance-rated assemblies, smoke barriers, and smoke partitions shall not be concealed from view until inspected and approved.

(13) Energy Efficiency Inspections

Inspections shall be made to determine compliance with Chapter 13 of the Georgia State Minimum Standard Building Code. They shall include, but are not limited to, inspections for envelope insulation R- and U-values, fenestration U-value, duct system R-value, and HVAC and water-heating equipment efficiency.

(14) Other Inspections

In addition to the inspections specified in this code, the building official is authorized to make or require other inspections of any construction work to ascertain compliance with its provisions and other laws that the Department of Planning and Development enforces.

(15) Special Inspections

Qualified, independent agents may perform special inspections and tests with special expertise as approved by the Building Official. Special inspections are in addition to the inspections conducted by the Building Official, Structural Observation by the Design Professional, and tests or inspections required by the Construction Documents. Reference the Special Inspections Guide on the Georgia Department of Community Affairs web page.

(16) Final Inspection

The final inspection shall be made after all work authorized by the building permit is completed.

(17) Flood Hazard Documentation

If located in a flood hazard area, documentation of the elevation of the lowest floor, as required by the Federal Emergency Management Agency (FEMA), shall be submitted to the building official before the final inspection.

(18) Inspection Agencies

The building official is authorized to accept reports from approved and licensed inspection agencies, provided that such agencies satisfy the requirements regarding qualifications and reliability.

(19) Inspection Requests

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The holder of the building permit or their duly authorized agent shall notify the building official when work is ready for inspection and provide access to and means for inspections of such work as required by this code.

(20) Work not ready for inspection.

The holder of the building permit or their duly authorized agent shall ensure the work is ready for inspection. If it is not, a complete re-inspection shall be required.

(21) Approval Required.

Work shall not be done beyond the point indicated in each successive inspection without first obtaining the building official's approval. The building official, upon notification, shall make the requested inspections and either indicate the portion of the construction that is satisfactory as completed or notify the permit holder or his or her agent wherein the same fails to comply with this code. Any portions that do not comply shall be corrected, and such portions shall not be covered or concealed until authorized by the building official.

(22) Site Debris.

The contractor and owner of any active or inactive construction project shall be responsible for cleaning up and removing all construction debris or any other miscellaneous discarded articles before receiving final inspections. Construction job sites must be kept clean, such that accumulation of construction debris must not remain on the property for a time exceeding thirty (30) days. All debris shall be kept in such a manner as to prevent it from being spread by any means.

**Sec. 105-18. - Certificate of Occupancy.**

(1) Change of Occupancy

A building or dwelling structure shall not be used or occupied, and a change of occupancy or change of use of a building or dwelling structure or portion thereof shall not be made until the building official has issued a certificate of occupancy, as provided herein. Issuing a certificate of occupancy shall not be construed as approval of violating this code's provisions or other Dawson County ordinances. Certificates of occupancy presuming to give authority to violate or cancel the provisions of this code or other ordinances of Dawson County shall not be valid. Certificates of occupancy are issued to permits where occupancy applies.

*Exception:*

- 1) Certificates of occupancy are not required for work exempt from permits in accordance with Section Sec. 105-8 of this code.
- 2) Certificates of completion are issued for trade-specific permits, retaining walls, white box or shell buildings, and pools.

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(2) Certificate of Occupancy Issued

After the building official inspects the building or dwelling structure and does not find violations of the provisions of this code or other laws that the Department of Planning and Development enforces, the building official shall issue a certificate of occupancy that contains the following:

- The building permit number.
- The address of the structure.
- The owner's or authorized agent's name and address.
- Use and Occupancy
- The name of the building official.
- Certificate issue date

(3) Temporary Occupancy

The building official shall not issue a temporary certificate of occupancy before the completion of all the work covered by the permit,

(4) Revocation

The building official is authorized to, in writing, suspend or revoke a certificate of occupancy or completion issued under the provisions of this code whenever the certificate is issued in error, based on incorrect information supplied, or where it is determined that the building, structure, or portion thereof violates any ordinance or regulation or any of the provisions of this code.

**Sec. 105-19. - Service Utilities.**

(1) Connection of Service Utilities

A person shall not make connections from a utility, energy source, fuel, or power to any building or system regulated by this code for which a permit is required until released by the building official.

(2) Temporary Connection

The building official shall have the authority to authorize the temporary connection of the building or system to the utility, source of energy, fuel, or power.

(3) Authority to Disconnect Service Utilities

The building official shall have the authority to authorize disconnection of utility service to the building, structure, or system regulated by this code and the referenced codes and standards outlined in Section Sec. 105-4 of this code in case of emergency where necessary to eliminate an immediate hazard to life or property or where such utility connection has been made without the

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approval required by Section 105-1 or 105-2 or 105-16 (a) and (b) of this code. The building official shall notify the serving utility and, wherever possible, the owner and occupant of the building, structure, or service system of the decision to disconnect before taking such action. If not notified before disconnecting, the owner or occupant of the building, structure, or service system shall be informed in writing as soon as possible.

(4) On-site Septic System

The holder of the building permit or their duly authorized agent shall notify the Dawson County Environmental Health Department of the necessity to inspect infrastructure associated with an on-site septic system(s).

**Sec. 105- 20. - Construction Board of adjustment and appeals.**

(1) General

The Construction Board of Adjustment and Appeals shall be and is hereby created to hear and decide appeals of orders, decisions, or determinations made by the building official relative to the application and interpretation of this code. The commissioners shall appoint the construction Board of Adjustment and Appeals, which consists of five members. The CBAA board adopts rules of procedure for conducting its business.

(2) Terms

The terms of the board members' offices shall be three years staggered, so no more than one-third of the board is appointed or replaced within any 12 months.

(3) Limitations on Authority

An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply, or an equally good or better form of construction is proposed. The board shall not have the authority to waive building code requirements. Qualifications

The construction board of adjustment and appeals shall consist of members qualified by experience and training, such as design professionals, contractors, or building industry representatives, to advise on building construction matters, not Dawson County employees.

(4) Meetings

The Construction Board of Adjustment and Appeals shall hold meetings as needed.

**Sec. 105-21. Violations**

(1) Unlawful Acts

It shall be unlawful for any person, firm, or corporation to erect, construct, alter, extend, repair, move, Remove, demolish, or occupy any building, structure, or equipment regulated by this code or cause the Same to be done, in conflict with or in violation of any of the provisions of this code.

(2) Notice of Violation

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The building official is authorized to serve a notice of violation or order on the person responsible for the erection, construction, alteration, extension, repair, moving, removal, demolition, or occupancy of a building or structure in violation of the provisions of this code, or violation of a permit or certificate issued under the provisions of this code. Such order shall direct the discontinuance of the illegal action or condition and the abatement of the violation.

(3) Prosecution of Violation

If the notice of violation is not complied with promptly, the building official is authorized to request the County Attorney to institute the appropriate proceeding at law or in equity to restrain, correct, or abate such violation or to require the removal or termination of the unlawful occupancy of the building or structure in violation of the provisions of this code or of the order or direction made pursuant thereto.

(4) Violation Penalties

Any person who violates a provision of this code or fails to comply with any of its requirements or who erects, constructs, alters, or repairs a building or structure in violation of the approved construction documents or directive of the building official or of a permit or certificate issued under the provisions of this code shall be subject to penalties as prescribed by law.

**Sec. 105-22. Stop Work Order**

(1) Authority

Where the building official finds any work regulated by this code being performed either contrary to its provisions or dangerous or unsafe, the building official is authorized to issue a stop work order.

(2) Issuance

A stop-work order shall be in writing and given to the property owner, the owner's authorized agent, or the person performing the work. The stop-work order shall be posted on the job site. The cited work shall immediately cease upon issuance of a stop work order. The stop-work order shall state the reason for the order and the conditions under which the cited work will be permitted to resume.

(3) Unlawful Continuance

Any person who continues work after being served with a stop work order, except work directed to be performed to remove a violation or unsafe condition, shall be subject to penalties as prescribed by law.

**Sec. 105-23 Unsafe Structures and Equipment**

(1) Conditions

Structures or existing equipment that are or hereafter become unsafe, unsanitary, or deficient because of inadequate means of egress facilities, inadequate light, and ventilation, or that constitute a fire hazard, or are otherwise dangerous to human life or the public welfare, or that involve illegal or improper occupancy, shall be deemed an unsafe condition. Unsafe structures shall be taken down, removed, or made safe as the building official deems necessary and as provided in this section. A vacant structure that is not secured against entry shall be deemed unsafe.

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(2) Record

The building official shall report an unsafe condition to Dawson County. The report shall state the occupancy of the structure and the nature of the unsafe condition.

(3) Notice

If an unsafe condition is found, the building official shall serve the owner, agent, or person in control of the structure a written notice that describes the condition deemed unsafe and specifies the required repairs or improvements to be made to abate the unsafe condition, or that requires the unsafe structure to be demolished within a stipulated time. Such notice shall require the person thus notified to declare immediately to the building official acceptance or rejection of the terms of the order.

(4) Method of Service

Such notice of an unsafe condition shall be deemed properly served if a copy is delivered to the owner personally, sent by certified or registered mail addressed to the owner at the last known address with the return receipt requested, or delivered in any other manner as prescribed by local law. If the certified or registered letter is returned showing that the letter was not delivered, a copy shall be posted in a conspicuous place in or about the structure affected by such notice. Service of such notice in the preceding manner on the owner's agent or the person responsible for the structure shall constitute service of notice on the owner.

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PART II - CODE OF ORDINANCES  
Chapter 105 - BUILDINGS AND BUILDING REGULATIONS  
ARTICLE II. THIRD-PARTY INSPECTION

***ARTICLE II. THIRD-PARTY INSPECTION: A Program for Enhanced Quality Assurance***

**Sec. 105-21. Definitions.**

- (a) For purposes of this third-party inspection ordinance, the following definitions shall apply unless the context indicates otherwise:

*Approved third-party inspectors and plans reviewer list.* The department maintains a comprehensive list comprising the names of qualified and experienced professionals who have complied with the application and renewal requirements of the Dawson County Third Party Inspection and Plans Review Program. These individuals have been approved to perform third-party inspections and plan reviews, ensuring the minimum safety and quality standards in unincorporated Dawson County.

*An approved third-party inspector, a registered professional engineer, or an architect plays a significant role in the inspection process. They have successfully met the application and renewal requirements of the Dawson County Third Party Inspection and Plans Review Program.* These professionals are authorized to conduct third-party inspections in unincorporated Dawson County, as per the provisions of this article of the Dawson County Code. It's important to note that an Approved third-party inspector is intended to function as a 'private, professional provider' for inspections, as described in the State Act.

*An approved third-party plans reviewer, a registered professional engineer, or architect, is critical in the plan review process. They have successfully met the application and renewal requirements of the Dawson County Third Party Inspection and Plans Review Program.* These professionals are authorized to conduct third-party plan reviews in unincorporated Dawson County, as per the provisions of this article of the Dawson County Code. Approved third-party plans reviewer is intended to function as a 'private, professional provider' for the review of building construction plans, as described in the State Act.

*The department establishes fees, an integral part of the process.* These fees are to be paid to the county when an applicant chooses to use a third-party inspector or third-party plan reviewer. This is applicable even if the department can provide inspection and plan review services within the time frames mandated by the State Act. These fees are equivalent to any regulatory fees assessed by the department for inspections and plan review services performed by the department.

*County.* Dawson County is outside of the municipal limits of the City of Dawsonville.

*Department.* The Dawson County Department of Planning and Development, or the other department the Dawson County Board of Commissioners may assign, is responsible for performing inspections and overseeing the third-party inspection and plans review system described herein.

*Inspection.* The observance of work and the performance of tests for specific components and elements to establish conformance with Dawson County approved construction documents, building codes and ordinances adopted by Dawson County, and the requirements of the state minimum standards as adopted and amended by the Georgia Department of Community Affairs.



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*Inspection certification.* A written statement signed by an approved third party inspector or their approved technician, which shall indicate that the item(s) being inspected, in the authorized third party inspector's professional opinion and to the best of their knowledge, complies with Dawson County-approved construction documents, building codes and ordinances adopted by Dawson County, the requirements of the state minimum standards as adopted and amended by the Georgia Department of Community Affairs, and any other applicable inspections that inspectors employed by Dawson County typically performs.

*Inspection field report.* A written report prepared by an approved third-party inspector or a technician working under an approved third-party inspector's direct supervision describes the work conducted and the findings of an inspection.

*Plans review affidavit.* A written affidavit that is completed and signed under oath by an approved third-party plans reviewer, which shall indicate the plans that have been reviewed for a building permit for the application in question, in the approved third-party plans reviewer's professional opinion and to the best of their knowledge, complies with the regulatory requirements as designated by Dawson County, including the Georgia State Minimum Standard Codes most recently adopted by the department of community affairs and any locally adopted ordinances and amendments to such codes, applicable zoning ordinances and conditions, design standards, and any other applicable laws and regulations that would otherwise be required of staff employed by the Dawson County Planning and Community Development Department.

*Registered professional architect.* An individual that holds a certificate of registration issued under O.C.G.A. tit. 43, ch. 4.

*Registered professional engineer.* An individual that holds a certificate of registration issued under O.C.G.A. tit. 43, ch. 15.

*Regulatory fees.* All fees established by the department are to be paid to the department for any regulatory action, inspection services, or plan review services as provided by the State Act and this article.

*State Act.* O.C.G.A. § 8-2-26.

*Technician.* An individual who performs inspections under the direct supervision of an approved third-party inspector.

*Third-party inspection.* Inspection is performed in conformance with this program by approved third-party inspectors.

*Third-party inspection and plan review program.* This ordinance describes the rules and procedures for this program.

*Third-party plans review.* A review of building construction plans was performed in conformity with this program by approved third-party plan reviewers.;

## **Sec. 105-22. Third-party inspection and plans review program.**

- (a) The department will establish and maintain an approved list of third-party inspectors and plan reviewers from whom it will accept third-party inspections and third-party plan reviews in accordance with this third-party inspection and plan review ordinance.
- (b) In full compliance with the requirements of the State Act, Dawson County shall allow owners, developers, and contractors to submit inspection certifications by approved third-party inspectors and plans review

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affidavits by approved third-party plans reviewers to satisfy specific inspection and plans review requirements.

- (c) The department will only consider inspection certifications and plans review affidavits from individuals listed on the approved third-party inspector and plans reviewer list. Dawson County makes no representation concerning the approved third-party inspectors and approved third-party plan reviewers other than that they have submitted evidence that they have met the minimum criteria necessary to qualify for the third-party inspection and plans review program described herein.
- (d) For an inspection certification or plans review affidavit to be accepted by the department for a particular project, an approved third-party inspector or approved third-party plans reviewer must be independent of and must not be an employee of, otherwise affiliated with, or financially interested in the person, firm, or corporation engaged in the construction project to be inspected.
- (e) The person, firm, or corporation retaining an approved third-party inspector or approved third-party plans reviewer to conduct an inspection or plans review shall be required to pay to the county the same regulatory fees that would have been required had a county inspector, or county plan reviewer has conducted the inspection or plans review. Upon paying in full the convenience fees associated with the complete application, the applicant may nevertheless choose to retain, at its own expense, an approved third-party inspector or approved third-party plans reviewer to provide the required inspection or plan review, subject to the requirements outlined in this article. Any regulatory fees or convenience fees paid to the county are nonrefundable.
- (f) All other fees and costs related to the performance of the third-party inspections or third-party plans review are matters solely between the approved third-party inspector or approved third-party plans reviewer and the person, firm, or corporation engaging the approved third-party inspector or approved third-party plans reviewer.
- (g) Notwithstanding the submission of an inspection certification or plans review affidavit, the department retains the authority to make all code interpretations and to monitor the quality of all third-party inspections and third-party plans reviews. Nothing in this article shall be construed as authorizing any approved third-party inspector or approved third-party plans reviewer to issue a certificate of occupancy.
- (h) The department will continue to provide full support to customers who choose not to utilize the services of approved third-party inspectors or approved third-party plan reviewers.
- (i) The department will follow all applicable procedures outlined in the State Act for all inspections and plan reviews. For processing applications compliant with the State Act, an application submitted to the department shall not be considered complete until all applicable fees have been paid and all applicable county departments have previously received the application and provided any required approvals.

**Sec. 105-23. Inspections types.**

- (a) The department will, at minimum, accept third-party inspections in compliance with the State Act for any construction inspections required by state and local codes.
- (b) Approved third-party inspectors shall be authorized to conduct any inspection required by the county necessary or required to determine compliance with all regulatory requirements and for the issuance of a building permit or certificate of occupancy, provided that the inspection being performed is within the scope

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of the approved third-party inspector's area of competency. Nothing in this article shall be construed as authorizing any approved third-party inspection of local fire safety standards.

- (c) Nothing in this article shall be construed as authorizing any approved third-party inspection of site staking and erosion control measures in compliance with an approved grading plan, which shall be taken before any construction activities if required.

**Sec.105 -24. Approved third-party inspector qualifications.**

- (a) Individuals wishing to be placed on the approved third-party inspectors and plans reviewer list must submit an initial application to the department.
- (b) To qualify as an approved third-party inspector, an individual must:
  - (1) Be a registered professional engineer or architect as defined in this article.
  - (2) Otherwise, be in good standing with all pertinent certification and professional accreditation boards.
  - (4) Possess and maintain minimum insurance as described herein.
  - (5) Demonstrate relevant experience of at least one year.
- (c) An individual shall not be qualified to be placed on the approved third-party inspectors and plans reviewer list if he/she has had his/her authority to issue third-party inspection certifications in any other jurisdictions revoked. If an individual previously qualified to be on the approved third-party inspectors and plans reviewer list and subsequently has his/her authority to issue third-party inspection certifications revoked, the individual shall be removed from the approved third-party inspectors and plans reviewer list.
- (d) An approved third-party inspector may not submit an inspection certification if the inspector is an officer or employee of the owner, developer, contractor, or other party or if the inspector is employed by or a partner in a firm that is affiliated with or financially interested in the owner, developer, contractor, or other party on whose behalf the inspection certification is submitted.
- (e) Technicians may perform inspections under the supervision of an approved third-party inspector provided that the technician has satisfied any specific requirements as may be designated by the building official.
- (f) Technicians performing inspections under the supervision of an approved third-party inspector shall possess ICC certifications relevant to the types of inspections performed. For zoning inspections, technicians shall provide documentation demonstrating three years of experience and training, including general building construction, construction trades, and code enforcement/interpretation, or any equivalent combination of education, training, and experience to be determined at the building official's discretion.
- (g) Approved third-party inspectors shall obtain and maintain the following minimum insurance coverages and provisions, evidence of which shall be submitted to the department with the initial application:
  - (1) Comprehensive general liability insurance for liability and property damage for not less than \$1,000,000.00 per occurrence.
  - (2) Professional liability insurance for errors and omissions in an amount of not less than \$1,000,000.00 per occurrence and \$1,000,000.00 in aggregate coverage for any project with a construction cost of \$5,000,000.00 or less. For any project with a construction cost of more than \$5,000,000.00, the

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amount of professional liability insurance for errors and omissions shall not be less than \$2,000,000.00 per claim and \$2,000,000.00 in aggregate coverage.

- (3) Such insurance may be a practice policy or project-specific coverage. If the insurance is a practice policy, it shall contain prior acts coverage for the private professional provider. If the insurance is project-specific, it shall continue in effect for two years following the issuance of the final certificate of occupancy or certification of completion for the project.
  - (4) The cancellation provision shall provide for 30 days' cancellation notice.
  - (5) Dawson County, Georgia, its officers, officials, employees, and representatives shall be named additional insureds on the required insurance policies.
  - (6) The required insurance coverages shall be provided by an insurance company licensed to do business by and in good standing with the Georgia Department of Insurance at all times.
  - (7) Approved third-party inspectors shall maintain the minimum insurance coverage as required above at all times during which they are listed as approved third-party inspectors. Approved third-party inspectors shall provide the department with evidence of minimum insurance coverages and provisions annually before any policy or coverage expiration and upon request by the department. Should any insurance coverage or information change, the approved third-party inspector shall provide written notice of any such change to the county within ten business days. If at any time an approved third-party inspector fails to maintain the required insurance coverage, the department may remove them from the approved third-party inspectors and plans reviewer list.
- (h) Suspension of technicians and approved third-party inspectors:
- (1) An individual who performs inspections under this article, whether a Technician or an individual approved third-party inspector, shall be subject to suspension from the authorized third-party inspector and plans reviewer list and from submitting inspection field reports and inspection certifications for the following infractions:
    - a. Inspections are provided without an appropriate license or certification.
    - b. Inspection services are provided before the issuance of a valid building permit.
    - c. Failing to identify any noncompliance with any applicable code, as amended, governing individual and public safety and welfare (including, but not limited to, sections 308, 310-312, 314, and 315 of the International Residential Code, Section 607 of the International Plumbing Code, Sections 406, 502, and 503 of the International Fuel Gas Code, and Sections 210, 240, and 250 of the National Electric Code, as adopted by the Georgia Department of Community Affairs) as determined in the sole good faith discretion of the Building Official of the County. However, it is the express intent of the County not to impose sanctions on an individual under this Article for failing to identify multiple instances of noncompliance in one inspection, such as that each such failure constitutes an individual and separate infraction. Instead, various failures contained in a single inspection under this paragraph shall be treated as a single infraction.
    - d. Authorizing any deviation from the approved permit.
    - e. Falsifying reports.
    - f. Unauthorized employee performing inspections.

- g. Performing unauthorized types of inspections.
  - h. Inspections are passed with a hold on a project or under-stop work.
  - i. Failure to identify noncompliance with any applicable code not captured in subsection (c) above upon identification of such failure by the county on multiple occasions, as determined in the sole good faith discretion of the county's chief building official.
- (2) Infractions within 12 months. Suspension for submitting inspection field reports and inspection certifications for infractions by a technician or individual approved third-party inspector shall be progressive based on the number of infractions in the previous 12-month period. For any combination of infractions within 12 months, the following actions and suspensions against a technician or individual approved third-party inspector shall be assessed:

First infraction:	Warning letter
Second infraction:	Warning letter and notice to permit holder
Third infraction:	A 30-day suspension from eligibility to perform inspections and submit inspection field reports and inspection certifications
Fourth infraction:	A 90-day suspension from eligibility to perform inspections and submit inspection field reports and inspection certifications
Fifth infraction:	1-year suspension from eligibility to perform inspections and submit inspection field reports and inspection certifications

- (3) Violations within 24 months. An approved third-party inspector shall be subject to progressive action based on the number of infractions in the previous 24-month period by individuals performing inspections, including the individual approved third-party inspector or any one or more technicians acting under the supervision of the authorized third-party inspector (which shall include technicians serving as employees, independent contractors, agents, etc.). Violations under this paragraph shall accrue upon every third infraction by an individual contemplated in paragraph (2) above. They shall subject approved third-party inspectors to the following actions and suspensions for any combination of infractions within 24 months:

First violation (upon third individual infraction):	A written letter of reprimand from the Building Official
Second violation (upon sixth individual infraction):	Seven-day suspension from approved third-party inspector and plans reviewer list
Third violation (upon ninth individual infraction):	A 30-day suspension from approved third-party inspector and plans reviewer list

Fourth violation (upon 12th individual infraction):	A 90-day suspension from approved third-party inspector and plans reviewer list
Fifth violation (upon 15th individual infraction):	Two-year suspension from approved third-party inspector and plans reviewer list

The county shall send a written notice to the approved third-party inspector for each infraction as contemplated in paragraph (2) above, the purpose of which shall be to inform the approved third-party inspector of the number of infractions accruing under paragraph (2) to put the authorized third party inspector on notice of possible violations under this paragraph (3), and so the approved third party inspector has the opportunity to take any remedial action necessary to prevent future infractions and violations.

- (4) Notwithstanding any other provision of this article, in the event a technician or individual approved third-party inspector is found to have violated subsection (h)(1) e. - falsifying reports, the progressive actions and suspensions of this article may, at the county's discretion, be bypassed with an immediate suspension and disqualification imposed.
- (5) Suspension and disqualification appeals shall be processed through the Construction Board of Appeals at its next meeting as appeals of building official decisions.

**Sec. 105-25. Procedures for conducting third-party inspections.**

- (a) An approved third-party inspector shall not suggest, direct, or authorize any deviation from approved construction documents without obtaining the Building Officials approval.
- (b) The following procedures shall apply to all third-party inspections:
  - (1) To ensure quality control of the third-party inspection and plans review program, the department shall receive a copy of all inspection field reports within one business day of the inspection.
  - (2) All inspection field reports shall note the type of inspection and any deficiencies observed.
  - (3) Inspection certifications shall be submitted one business day after the inspection. Once the certification is received, the department will update the inspection status in the ordinary course of business.
  - (4) Final inspections will not be scheduled until all outstanding reinspection fees have been paid.
  - (5) Third-party inspectors shall not be authorized to perform final inspections.
  - (6) When performing re-inspections for violations initially noted by department staff, each corrected item shall be addressed individually.
- (c) The department shall have a right to enter any premises inspected by an approved third-party inspector or technician to ensure compliance with this article and the State Act.

**Sec. 105-26. Approved third-party plans reviewer qualifications.**

- (a) Individuals wishing to be placed on the approved third-party inspectors and plans reviewer list as approved plans reviewers must submit an initial application to the department.
- (b) To qualify as an approved third-party plans reviewer, an individual must:
  - (1) Be a partner in or employed by an engineering or architect firm in full compliance with Chapter 22 of the Dawson County, Georgia Code of Ordinances.
  - (2) Be a registered professional engineer or registered professional architect as defined in this article.
  - (3) Otherwise, be in good standing with all pertinent certification and professional accreditation boards.
  - (4) Possess and maintain minimum insurance as described herein.
  - (5) Demonstrate relevant experience of at least one year.
- (c) An individual shall not be qualified to be placed on the approved third-party inspectors and plans reviewer list if they have had the authority to revoke third-party plans review affidavits in other jurisdictions. Suppose an individual previously qualified to be on the approved third-party inspectors and plans reviewer list and subsequently has their authority to issue third-party plans review affidavits revoked. In that case, the individual shall be removed from the approved third-party inspectors and plans reviewer list.
- (d) An approved third-party plans reviewer may not submit a plans review affidavit if the approved third-party plans reviewer is an officer or employee of the owner, developer, contractor, or other party or if the approved third-party plans reviewer is employed by or a partner in a firm that is affiliated with or financially interested in the owner, developer, contractor, or other party on whose behalf the plans review affidavit is submitted.
- (e) Approved third party plans reviewers shall obtain and maintain the following minimum insurance coverages and provisions, evidence of which shall be submitted to the department with the initial application:
  - (1) Comprehensive general liability insurance for liability and property damage for not less than \$1,000,000.00 per occurrence.
  - (2) Professional liability insurance for errors and omissions in an amount of not less than \$1,000,000.00 per occurrence and \$1,000,000.00 in aggregate coverage for any project with a construction cost of \$5,000,000.00 or less. For any project with a construction cost of more than \$5,000,000.00, the amount of professional liability insurance for errors and omissions shall not be less than \$2,000,000.00 per claim and \$2,000,000.00 in aggregate coverage.
  - (3) Such insurance may be a practice policy or project-specific coverage. If the insurance is a practice policy, it shall contain prior acts coverage for the private professional provider. If the insurance is project-specific, it shall continue in effect for two years following the issuance of the final certificate of occupancy or certification of completion for the project.
  - (4) The cancellation provision shall provide for 30 days' cancellation notice.
  - (5) Dawson County, Georgia, its officers, officials, employees, and representatives shall be named additional insureds on the required insurance policies.
  - (6) The required insurance coverages shall be provided by an insurance company licensed to do business by and in good standing with the Georgia Department of Insurance at all times.

(7) Approved third-party plan reviewers shall maintain the minimum insurance coverage as required above at all times during which they are listed as approved third-party plan reviewers. Approved third-party plan reviewers shall provide the department with evidence of minimum insurance coverages and provisions annually before any policy or coverage expiration and upon request by the department. Should any insurance coverage or information change, the approved third-party plans reviewer shall provide written notice of any such change to the county within ten business days. If an approved third-party plans reviewer fails to maintain the required insurance coverage, the department may remove them from the approved third-party inspectors and plans reviewer list.

(f) Suspension of approved third-party plans reviewers:

(1) An individual who performs plans review under this article shall be subject to suspension from the approved third-party inspector and plans reviewer list and from submitting plans review affidavits for the following infractions:

- a. Providing plan reviews without appropriate license or certification.
- b. Failing to identify any noncompliance with any applicable code, as amended, governing individual and public safety and welfare (including, but not limited to, Sections 308, 310—312, 314, and 315 of the International Residential Code, Section 607 of the International Plumbing Code, Sections 406, 502, and 503 of the International Fuel Gas Code, and Sections 210, 240, and 250 of the 2020 National Electric Code, etc.) as determined in the sole good faith discretion of the building official of the county. However, it is the express intent of the county not to impose sanctions on an individual under this article for failing to identify multiple instances of noncompliance in one inspection, such as that each such failure constitutes an individual and separate infraction. Instead, various failures contained in a single inspection under this paragraph shall be treated as a single infraction.
- c. Falsifying plans review affidavits.
- d. Performing unauthorized types of plan reviews.

(2) Suspension for submitting plans review affidavits for infractions by an approved third-party plans reviewer shall be progressive based on the number of infractions in the previous 12-month period. For any combination of infractions within 12 months, the following actions and suspensions against an approved third-party plans reviewer shall be assessed:

First infraction:	A written letter of reprimand from the building official.
Second infraction:	A 10-day suspension from approved third-party inspector and plans reviewer list
Third infraction:	A 30-day suspension from approved third-party inspector and plans reviewer list
Fourth infraction:	A 90-day suspension from approved third-party inspector and plans reviewer list
Fifth infraction:	One-year suspension from approved third-party inspector and plans reviewer list

(3) The county shall send a written notice to the approved third-party plans reviewer for each infraction as contemplated in paragraph (2) above, the purpose of which shall be to inform the approved third-party plans reviewer of the number of infractions accruing under paragraph (2) and so the approved third-



party plans reviewer has the opportunity to take any corrective action necessary to prevent future infractions.

- (4) Notwithstanding any other provision of this article, in the event an approved third-party plans reviewer is found to have violated subsection (f)(1)c. - falsifying plans review affidavits, the progressive actions and suspensions of this article may, at the county's discretion, be bypassed with an immediate suspension and disqualification imposed.
- (5) Suspension and disqualification appeals shall be processed through the Construction Board of Appeals at its next meeting as appeals of building official decisions.

**Sec. 105-27. Procedures for conducting third-party plan reviews.**

- (a) Any plan review conducted by an approved third-party plan reviewer shall be no less extensive than plan reviews conducted by county personnel.
- (b) The following procedures shall apply to all third-party plans reviewed:
  - (1) To ensure quality control of the third-party inspection program, the department shall receive a copy of all plan review affidavits within five business days of completion.
  - (2) All plans review affidavits shall certify that:
    - a. The plans were reviewed by the affiant, who is duly authorized to perform plan review under the third-party inspection and plans review program;
    - b. The plans comply with all applicable regulatory requirements and
    - c. The plans submitted for plan review conform with plans previously submitted to obtain county approvals required in the plan submittal process. Do not change the project reviewed for such approvals.

**Secs. 105-28—105-40. Reserved.**