

To adopt a building code, to fix the fees for issuance of permits, to provide for the office of the building official, to establish the fire limits and to provide regulations governing the construction, alteration, removal, demolition, equipment, use and occupancy, location and maintenance of buildings and structures.

BE IT ORDAINED by the Mayor and Board of Aldermen of the Town of Elizabeth that:

Section 1. There is hereby adopted for the purpose of establishing rules and regulations for the construction, alteration, removal, demolition, equipment, use and occupancy, location and maintenance of buildings and structures, including permits and penalties, that certain building code known as the National Building Code, Abbreviated Edition, recommended by the National Board of Fire Underwriters, being particularly the 1955 edition thereof, as amended through April, 1963, and the whole thereof, of which not less than three (3) copies have been and now are filed in the office of the Clerk of the town, and the same are hereby adopted and incorporated as fully as if set out at length herein, and from ~~September~~ ^{October} 1, 1964, the provisions thereof shall be controlling in the construction of all buildings and other structures within the corporate limits of the Town of Elizabeth.

Section 2. Wherever the word "municipality" is used in the building code, it shall be held to mean the Town of Elizabeth. Wherever the word "corporation counsel" is used in the building code it shall be held to mean the attorney for the Town of Elizabeth.

Section 3. (a) No permit as required by the national building code shall be issued until the fee prescribed in this section shall have been paid. Nor shall an amendment to a permit be approved until the additional fee, if any, due to an increase in the estimated cost of the building or structure, shall have been paid.

(b) GENERALLY. For a permit for the construction or alteration of a building or structure where the estimated cost is less than two hundred dollars, the fee shall be two dollars; where the estimated cost

is more than two hundred dollars but less than one thousand dollars, the fee shall be five dollars; where the estimated cost is more than one thousand dollars, the fee shall be five dollars, plus fifty cents per thousand dollars or portion thereof of the estimated cost in excess of one thousand dollars up to ten thousand dollars; where the estimated cost is more than ten thousand dollars, the fee shall be ten dollars, plus one dollar per thousand dollars or fraction thereof of the estimated cost in excess of ten thousand dollars up to twenty thousand dollars; where the estimated cost is more than twenty thousand dollars, the fee shall be twenty dollars, plus seventy-five cents per thousand dollars or portion thereof the estimated cost in excess of twenty thousand dollars, up to one hundred thousand dollars, and when the estimated cost is more than one hundred thousand dollars, the fee shall be one hundred dollars, plus fifty cents per thousand dollars or fraction thereof of the estimated cost in excess of one hundred thousand dollars.

No fee shall be required where the estimated cost does not exceed seventy-five dollars.

(c) RELOCATION OF BUILDING TO ANOTHER LOT. For a permit for the relocation of a building moved from one lot to another the fee shall be a flat fee of ten dollars for each structure so removed.

(d) REMOVAL OF BUILDING ON SAME LOT. For a permit for the removal of a building or structure to a new location on the same lot, the fee shall be a flat fee of ten dollars for each building or structure so moved.

(e) DEMOLITION OF BUILDING. For a permit for the demolition of a building or structure the fee shall be one dollar per foot in heights, measured from the ground to the eaves, at the highest point of such building or structure, plus one per cent (1%) additional for each foot street frontage of the building or structure in excess of fifty feet.

(f) REFUNDS. In case of abandonment or discontinuance, the cost of work performed under a permit may be estimated, an adjustment of the

All other inspections not covered by the above schedules and reinspections are to be made at a rate of \$2.50 per hour.

Section 4.(a) The office of the building official is hereby created and the executive official in charge shall be known as the building official.

(b) The building official shall be appointed by the mayor and board of aldermen. His appointment shall continue during good behavior and satisfactory service. He shall not be removed from office except for cause after full opportunity has been given him to be heard on specific charges.

(c) During temporary absence or disability of the building official the appointing authority shall designate an acting building official.

Section 5. It shall be the duty of the building official to enforce all laws relating to the construction, alteration, removal and demolition of buildings and structures.

Section 6. The building official, in the discharge of his official duties, and upon proper identification, shall have authority to enter any building, structure or premises at any reasonable hour.

Section 7. The fire limits of the Town of Elizabeth are hereby established as follows: That portion of Main Street that lies between Longleaf Road and a line 155 feet West of the West line of Poplar Street bounded by a line 300 feet Southwest of the South line of Main Street and parallel to it, and by the main line railroad tracks to the Northeast.

Section 8. Nothing in this ordinance or in the code hereby adopted shall be construed to affect any suit or proceeding now pending in any court, or any rights acquired, or liability incurred, nor any cause or causes of action accrued or existing, under any act or ordinance repealed hereby. Nor shall any right or remedy of any character be lost, impaired or affected by this ordinance.

Section 9. The invalidity of any section or provision of this ordinance or of the code hereby adopted shall not invalidate other sections or provisions thereof.

Section 10. Section 7.1 of the Code is amended to read as follows:

"7.1 Noncompliance.

fee made and the portion of the fee for uncompleted work returned to the permit holder. After such a refund has been made, no work shall be resumed until a new application has been made and a new permit has been issued.

(g) ESTIMATED COST DEFINED. The term "estimated cost" as used in this section, means the reasonable value of all services, labor, materials and use of scaffolding and other appliances or devices entering into and necessary to the prosecution and completion of the work ready for occupancy; provided that the cost of excavation or grading, and of painting, decorating or other work that is merely for the embellishment or not necessary for the safe and lawful use of the building or structure, is not deemed a part of such estimated cost.

(h) ELECTRICAL FEES. The following fees shall be paid prior to issuance of a permit for electrical installations:

Schedule of Permit Fees (Electrical)
Outlets and Fixtures

\$.10 each outlet with or without fixtures.

.10 each additional fixture.

Service Entrance Switch Charges

\$1.00 up to and including 30 amperes, or 4-20 amperes.
\$2.00 up to and including 60 amperes, or 4-20 amperes.
\$3.00 up to and including 100 amperes, or 4-20 amperes.
\$4.00 up to and including 200 amperes, or 4-20 amperes.
\$5.00 up to and including 400 amperes, or 4-20 amperes.
\$6.00 up to and including 600 amperes, or 4-20 amperes.

Major Appliances

\$1.00 Water heaters
\$1.00 Electric ranges

Motors

\$.75 Fractional H.P.
1.00 1 H.P. to 1-1/2 H.P.
2.50 2 H.P. to 5 H.P.
3.00 7-1/2 H.P. to 10 H.P.
3.50 15 H.P. to 20 H.P.
5.00 25 H.P. & over

Signs

\$1.00 up to 10 lights
.05 each additional socket
1.00 neon sign - 1st transformer
.50 each additional

"A person who shall violate a provision of this code or fails to comply therewith or with any of the requirements thereof, or who shall erect, construct, alter or repair, or has erected, constructed, altered or repaired a building or structure or portion thereof, in violation of a detailed statement or plan submitted and approved thereunder, or of a permit or certificate issued thereunder, shall be guilty of a misdemeanor punishable by a fine of not less than \$10 nor more than \$100, or by imprisonment not exceeding 30 days, or by both such fine and imprisonment. Also the owner of a building or structure or portion thereof, or of the premises where anything in violation of this code shall be placed or shall exist, and an architect, engineer, builder, contractor, agent, person or corporation employed in connection therewith and who may have assisted in the commission of such violation shall each be guilty of a separate offense and upon conviction thereof shall be punishable by a fine of not less than \$10 nor more than \$100, or by imprisonment not exceeding 30 days, or by both such fine and imprisonment."

Section 11. Whenever the building official shall disapprove an application or refuse to grant a permit applied for, or when it is claimed that the provisions of the Building Code do not apply, or that the true intent and meaning of the code have been misconstrued or wrongly interpreted, the applicant may appeal from the decision of the building official to the Mayor and Board of Aldermen within thirty (30) days from the date of the decision by the building official.

Ordinance Introduced at a meeting of the Board and Aldermen held on the 7th day of July, 1964.

Public hearing held on the 30 day of July, 1964.

Ordinance adopted on the 30 day of July, 1964.

ATTEST:

Robert Reese
ROBERT REESE, Clerk

Jedwin Bond
J. E. BOND, Mayor