

SECTION 9

ADMINISTRATION AND ENFORCEMENT

Sec. 9-1 Inspections Administrator.

Directs the administration and enforcement of all County Codes and Ordinances relative to building and zoning and supervises all related inspectorial work. Works with the County Engineer, Metropolitan Planning Commission, County Commission and other officials in establishing and enforcing building codes and ordinances for the County. Acts as authorized representative of the County Commissioners in contacts with the public in receiving, processing, and issuance of building permits and zoning matters, insuring full compliance with all applicable ordinances and regulations. Supervises inspectorial and zoning personnel. Directs the collections of fees and zoning for new licenses. Confers with architects, contractors and other member of the public regarding ordinance and code interpretations. Supervises the maintenance and control of all departmental records and performs other administrative and inspectorial duties as required. The Inspections Administrator shall also serve in the capacity of Building Official as this title is referred to in the Southern Standard Building Code of other related Codes administered under his supervision.

Sec. 9-1.1 Zoning Administrator.

Works under the Inspections Administrator, and with permission acts as the authorized representative of the Inspections Administrator in contacts with the public regarding zoning matters, including inquiries as to the proper and appropriate land use, assistance in the filing of applications for zoning map and/or text amendments, serves as liaison with Metropolitan Planning Commission in processing application for action by the Metropolitan Planning Commission and the County Commission. Answers correspondence and questions with contractors, architects, and member of the general public regarding all zoning matters. Arranges for the advertising of hearing and posting of property, and other duties as directed.

Sec. 9-2 Demolition Permit.

No principal building or structure shall be demolished before the issuance of a demolition permit.

Sec. 9-3 Building Permits.

Except as hereinafter provided, a building permit issued by the Zoning Administrator is required in advance of the initiation of construction, erection, moving, or alteration of any building or structure or for the development of land for a use with does not require a structure.

Sec. 9-3.1 Application for a Building Permit.

If the Zoning Administrator is satisfied that the work described in the application for the permit and by the drawing filed therewith conform to the requirements of this Ordinance, and if proper certifications have been obtained from the County Health Department approving the proposed development, then the Zoning Administrator shall issue a building permit for such development to the applicant, along with a signed copy of the plat or plan. Provided, however, that where the Zoning Administrator finds that a landfill or other environmentally potential health, safety or environmental detriment may exist on the site, the Zoning Administrator shall require an Environmental Site Assessment (ESA). This requirement may be waived in the event that the applicant submits to the Zoning Administrator evidence that the work described in the application for the permit does not contain a potential health, safety or environmental detriment. When a waiver is granted by the Zoning Administrator under this condition, the applicant shall hold Chatham County harmless for future damage that may result from issuance of the building permit, and the applicant shall sign a statement to that effect. Where required, the ESA shall conform to the standards and requirements set forth for such reviews in the Chatham County Engineering Policy adopted by the Chatham County Commission. Where an ESA is required by the Zoning Administrator, no building permit shall be issued until the ESA has been reviewed and approved by the County Engineer.

Sec. 9-3.2 Issuance of Building Permit.

If the Zoning Administrator is satisfied that the work described in the application for the permit and by the drawing filed therewith conform to the requirements of this Ordinance, and if proper certifications have been obtained from the County Health Department approving the proposed development, then the Zoning Administrator shall issue a building permit for such development to the applicant, along with a signed copy of the plat or plan.

Sec. 9-3.3 Building Permit Denied.

If the application for a permit and the plat or plan filed therewith, describes work which does not conform to the requirements therewith, describes work which does not conform to the requirements of this Ordinance, or if the Health Department recommends that a permit be denied for reasons of public health, then the Zoning Administrator shall not issue a permit. In such cases, the Zoning Administrator shall return the plat or plan to the applicant showing his refusal to issue such a permit. Such refusal shall state the reasons therefore, and shall cite the particular sections and articles of this Ordinance with which the application does not comply.

Sec. 9-3.4 Conditions of the Permit.

A building permit which has been issued shall be construed to be authority to proceed with the work, and shall not be construed as authority to violate, cancel,

alter, or set aside any provision of this Ordinance, not shall such issuance of a permit prevent the Zoning Administrator from thereafter requiring a correction of errors in plans or in construction or development which violates this ordinance. Any building permit which is issued shall become invalid unless the work authorized by it shall have commenced within six months of its issuance, or if the work or development authorized by such permit is suspended or abandoned for a period of six months after the work or development is commenced; provide that extensions of time for periods not exceeding six months each may be allowed in writing by the Zoning Administrator.

Sec. 9-3.5 Building Permit Not Required.

A building permit shall not be required for the construction, erection, alternation, or moving of any structure established in connection with agricultural, forestry, or fishery activities, or in connection with the raising of commercial livestock or poultry, or in connection with the development of land for any such purposes in any district in which such activities are permitted and constitute the principal use, individually or collectively, of a tract or plot of ground.

Sec. 9-4. Wetlands Protection.

- (a) When Wetlands Assessment Required. This section is intended to provide applicants for a building permit or a demolition permit with notice when the proposed activity may require a Department of the Army permit due to impact upon jurisdictional wetlands. The provisions in Subsection (b) of this section shall not apply if the applicant can provide to the Zoning Administrator a valid U.S. Army Corps of Engineers wetland delineation that verifies that the proposed activity is not located within jurisdictional wetlands, or if the applicant can provide a valid U.S. Army Corps of Engineers permit or letter that authorizes the proposed activity within jurisdictional wetlands. If such evidence of compliance with U.S. Army Corps of Engineers permitting requirements is provided, the Zoning Administrator shall follow normal procedures for issuing a building permit or a demolition permit.
- (b) Wetlands Assessment. Prior to the issuance of a building permit or a demolition permit the Zoning Administrator shall assess whether the proposed activity is of a type that could result in a disturbance of wetlands and, if so, shall also assess whether the proposed activity is located within a Wetland Inventory Area or within 100 feet of a Wetland Inventory Area. To assess whether the proposed activity is located within a Wetland Inventory Area or within 100 feet of a Wetland Inventory Area, the Zoning Administrator shall consult the current U.S. Environmental Protection Agency West Chatham County ADID Map of Wetlands and Uplands (ADID map). If the proposed activity is not located within the study area defined on the ADID map, the Zoning Administrator shall consult the current U.S. Fish and Wildlife Service National Wetlands Inventory (NWI) map for Chatham County.

- (1) If the Zoning Administrator determines that the proposed activity is of a type that could not result in a disturbance of wetlands or if the proposed activity is not located within a Wetland Inventory Area or within 100 feet of a Wetland Inventory Area, the Zoning Administrator shall follow normal procedures for issuing a building permit or a demolition permit.
- (2) If the Zoning Administrator determines that the proposed activity is of a type that could result in a disturbance of wetlands and that the proposed activity is located within a Wetland Inventory Area or within 100 feet of a Wetland Inventory Area, a U.S. Army Corps of Engineers jurisdictional wetland determination shall be required prior to issuance of a building permit or a demolition permit.
 - a. If the U.S. Army Corps of Engineers determines that a Department of the Army permit is required, a building permit or a demolition permit shall be issued only following issuance of the Department of the Army permit.
 - b. If the U.S. Army Corps of Engineers determines that the proposed activity would not require a Department of the Army permit, the Zoning Administrator shall proceed with normal procedures for issuing a building permit or a demolition permit.
- (c) Effect of Wetlands Assessment. Wetlands Inventory Areas as identified above and defined in Section 2 do not necessarily represent jurisdictional wetlands within Chatham County and cannot serve as a substitute for a jurisdictional wetland determination or a wetlands delineation. No permit issued pursuant to these regulations relieves a landowner from Federal or State permitting requirements

Sec. 9-5. Groundwater Recharge Area Protection.

- (a) Intent. This section is intended to protect groundwater quality by restricting land uses that generate, use, or store pollutants within groundwater recharge areas and by establishing minimum sizes for lots within groundwater recharge areas that are served by on-site sewage management systems.
- (b) Groundwater Recharge Area Assessment. Prior to the issuance of a building permit or a demolition permit, the Zoning Administrator shall assess whether the proposed activity is located within a Groundwater Recharge Area as identified by the Georgia Department of Natural Resources in Hydrologic Atlas 18, 1989 edition. All lands identified as Groundwater Recharge Areas shall be subject to the Development Standards in this section.
- (c) Development Standards. Areas of high, medium and low pollution susceptibility are identified by the Georgia Department of Natural Resources on the Pollution Susceptibility Map in Hydrologic Atlas 20, 1992 edition. Hydrologic Atlas 20 shall

be used to determine the applicability of the following development standards within Groundwater Recharge Areas:

- (1) Secondary Containment for New Above-Ground Storage Tanks. Within all pollution susceptibility areas, new above-ground chemical or petroleum storage tanks having a minimum volume of 660 gallons shall have secondary containment for 110% of the volume of such tanks or 110% of the volume of the largest tank in a cluster of tanks. This provision shall not apply to farm fuel tanks.
- (2) Liners for New Agricultural Waste Impoundment Sites. All new agricultural waste impoundment sites shall be lined if they are within:
 - a. a high pollution susceptibility area;
 - b. a medium pollution susceptibility area and exceed 15 acre-feet in size; or
 - c. a low pollution susceptibility area and exceed 50 acre-feet in size.

As a minimum, the liner shall be constructed of compacted clay having a thickness of one foot and a vertical hydraulic conductivity of less than 5×10^{-7} cm/sec or other criteria established by the U.S. Soil Conservation Service. Applications for a building permit for a new agricultural waste impoundment site that requires a liner under the provisions of this subsection shall include a site plan that shows the location and design of the liner.

- (3) Minimum Lot Sizes for Septic Tanks.
 - a. New lots served by septic tank/drain field systems shall meet the following minimum sizes as identified on Table MT-1 of the Georgia Department of Human Resources Manual for On-Site Sewage Management Systems (DHR Table MT-1):
 1. 150% of the subdivision minimum lot size of DHR Table MT-1 if within a high pollution susceptibility area;
 2. 125% of the subdivision minimum lot size of DHR Table MT-1 if within a medium pollution susceptibility area; and
 3. 110% of the subdivision minimum lot size of DHR Table MT-1 if within a low pollution susceptibility area.
 - b. New mobile home parks served by septic tank/drain field systems shall have lots or spaces having the following minimum sizes as identified on Table MT-2 of the Georgia Department of Human

Resources (DHR) Manual for On-Site Sewage Management Systems (DHR Table MT-2):

1. 150% of the subdivision minimum lot or space size of DHR Table MT-2 if within a high pollution susceptibility area;
 2. 125% of the subdivision minimum lot or space size of DHR Table MT-2 if within a medium pollution susceptibility area;
 3. 110% of the subdivision minimum lot or space size of DHR Table MT-2 if within a low pollution susceptibility area;
- c. No construction may proceed on any building or mobile home to be served by a septic tank unless the Chatham County Health Department first approves the proposed septic tank installation as meeting the standards and minimum lot size requirements of the Georgia Department of Human Resources Manual for On-Site Sewage Management Systems.
- (4) Impervious Surfaces for Hazardous Materials Handling Operations. Within all pollution susceptibility areas, new facilities that handle hazardous constituents in amounts of 10,000 pounds or more on any one day shall perform their operations on impervious surfaces and in conformance with any applicable Federal spill prevention requirements and the Chatham County Fire Prevention Code requirements. This provision shall not apply to underground storage tanks. Applications for a building permit for hazardous materials handling operations as defined in this subsection shall include a site plan that shows the location and design of any required spill and leak collection systems.
- (5) Permanent Stormwater Infiltration Basins Prohibited in Areas of High Pollution Susceptibility. Permanent stormwater infiltration basins shall not be constructed in areas having high pollution susceptibility.

Sec. 9-6 Sign Permits.

The Zoning Administrator shall receive applications for the construction of signs, as required by this Ordinance. Such applications shall follow the same forms as required for building permits, and shall contain information required by this Ordinance in Section 7. The Zoning Administrator shall process such sign applications and shall issue sign permits and sign permit numbers for proposed signs which comply with the requirements of this Ordinance.

Sec. 9-7 Occupancy Permits.

Except as hereinafter provided, an occupancy permit issued by the Zoning Administrator is required in advance of the occupancy of use of:

- a. Any building or structure hereafter erected, altered, or moved.
- b. Land on which a new use is established after the adoption of this Ordinance.
- c. A change in the use of a building or land to a use which requires a greater number of parking spaces or loading spaces than a use which previously occupied such building or land.

Sec. 9-7.1 Application for Occupancy Permit.

Each application for an occupancy permit shall be filed with the Zoning Administrator on a form furnished by him. The application shall be signed by the owner or his authorized agent.

Sec. 9-7.2 Occupancy Permit to be Denied.

Any occupancy permit shall not be issued unless the development for which such permit is requested, complies with all applicable provisions of this Ordinance. A record of all such occupancy permits shall be filed in the office of the Zoning Administrator.

Sec. 9-7.3 Occupancy Permit Not Required.

Any occupancy permit shall not be required for agricultural, forestry, or fishery activities, or the raising of commercial livestock, or poultry, in any district where such activities are permitted and when such activities, individually or collectively, constitute the principal use of the lot or tract of land on which they are being conducted.

Sec. 9-8 Reserved

Sec. 9-9 Appeals.

Appeals from the decisions of the Zoning Administrator with regard to the interpretation, administration, and enforcement of this Zoning Ordinance shall be made to the Board of Appeals in accordance with the provisions of Section 10.