

ARTICLE 10

ADMINISTRATION

10.1 Enforcement Officer-A Building Official shall be appointed to issue all permits, maintain records, and forward materials to the Board of Zoning Appeals and the Planning Commission when applicable.

10.2 Permit Requirements (July 20, 2017) It shall be unlawful to erect, construct, place, enlarge, alter, move, or change the occupancy of a principal building, structure or accessory building on any lot, tract, parcel or plot of land, unless exempted from permit requirements, before the required building permit is obtained. It shall also be unlawful to construct a second principal structure on any single piece of property, or to make any additions or alteration to any existing building or structure, unless the proper approval and permit is first obtained. A building permit is not required for conducting ordinary repairs and maintenance activities to buildings or structures not involving the cutting away of any wall, the removal or cutting of any structural beam or load-bearing support, or any changes made to ingress or egress requirements. Exemptions from the permit requirements of the adopted codes shall not be deemed to grant authorization for any work or maintenance activity to be done in violation of the provisions of such codes or any laws of this state or resolutions of this jurisdiction.

A building permit is required for the placement of a modular home or structure and the placement, replacement or upgrading of a manufactured (mobile) home, or other similar type of mobile unit which is approved under Article 6.11 C., either temporarily or permanently. The storage of a mobile home anywhere other than in an approved mobile home park or on a mobile home sales lot is strictly prohibited.

It shall be unlawful to erect, install, enlarge, alter, repair, remove, convert or replace any mechanical, plumbing or gas system, the installation of which is regulated by adopted codes, or to cause such work to be done, unless exempted, without first obtaining the required permits for the work. Mechanical, plumbing, and gas permits shall not be required for minor repair work, direct replacement of an existing system or components or ordinary maintenance activities conducted on an existing mechanical, plumbing, or gas system. Exemption from the permit requirements of the adopted codes shall not be deemed to grant authorization for any work, replacement or maintenance activity to be done in violation of the provisions of such codes or any other laws of this State or resolutions of this jurisdiction.

It shall be unlawful to commence any land-disturbance activity that would require the uncovering of one acre, or more, without first receiving the approval and obtaining a general construction permit from the State of Tennessee and submitting an Erosion and Sediment Control Plan to the County, for its approval, and obtaining a local site development permit.

Unless otherwise provided, owners/agents of project developments of less than one acre of land disturbance are required to obtain authorization under a local storm water permit when the construction activities at the site are either: (1) part of a larger common development or

sale that is at least one acre in size; (2) discharges from the site are causing, contributing to, or are likely to cause local storm water violations; (3) discharges from the site are, or are likely to be a significant contributor of pollutants to waters of the State; or (4) local, state or federal laws or rules require such sites to obtain a permit.

In addition to any other provisions in this Resolution, the commencement, placement or modification made to any site, building, structure or system without first obtaining the required permit(s) shall subject the owner/agent to double permit fee(s). Also, failure to obtain any of the necessary inspections either before, during or after the course of site development or construction activity may require an engineer's certification on the site, building, structure or system to verify compliance with applicable laws, resolutions and adopted code provisions.

If a residence is occupied before a final inspection is completed, Hamblen County will not issue a certificate of occupancy. However, if the property owner provides the Planning Commission office with a certificate from a state licensed structural engineer saying that the building is structurally sound, the Planning Commission office will recognize that the evaluation was done and attach the report from the engineer to the building permit.

In a case that no building permit was issued and the property owner did not follow the proper building inspection process, the property owner can provide the Planning Commission office with a certificate from a state licensed engineer saying that the building is structurally sound and the Planning Commission office will acknowledge that the structural assessment has taken place. No building permit or certificate of occupancy will be issued. (Resolution 17-18)

10.3 Permit Denial-A building permit shall be denied when the proposed construction is a type of land use which is not allowed in that zoning district, when the setbacks cannot be met, or any other type of violation of the regulations in this Zoning Resolution. The applicant is required to submit relevant details of construction and certify on the permit that the details are correct.

10.4 Stop Work Order-A Stop Work Order may be issued on construction or land usage when the building inspector notices a zoning violation. All work must therein desist until the problem is corrected.

10.5 Time Limits-The building permit is valid for six (6) months after which time it is invalid if construction on the project site is not progressing.

10.6 Penalties-It shall be unlawful to erect, construct, reconstruct, alter, maintain or use any building or structure or to use any land in violation of any of the provision of this Resolution or any Amendment thereof enacted or adopted by the Hamblen County Board of Commissioners. A violation of this part shall constitute a Class C Misdemeanor. Each and every day during which such illegal erection, construction, reconstruction, alteration, maintenance or use continues is deemed a separate offense. In addition, Hamblen County shall also have the authority to enforce this Resolution by any and all permitted by Tennessee Code Annotated §5-1-121 and/ or 13-7-111. (December 2005)