

Sec. 404. - Building permit required.

- (a) The developer or other person wishing to do any of the following must first apply to the administrative officer for a building permit:
 - (1) Excavation or filling of a lot for the construction of a building.
 - (2) Erection, movement, extension, or enlargement of a building.
 - (3) Work on an existing building which entails structural change.
 - (4) Installation of a manufactured home or industrialized building.
 - (5) Building or modifying any electrical service.
- (b) No electricity, water, or sewage hookup will be made available to the site of new construction until a building permit is secured.
- (c) The building permit must be applied for either by the owner of the land upon which the proposed building or alteration is to be located, or by the contractor doing the work.
- (d) No application will be accepted from any person who is in violation of the zoning ordinance. If an applicant for a building permit is, at the time of such application, determined by the administrative officer to be in violation of the zoning ordinance, then the administrative officer will be prohibited from accepting or processing any application from that applicant until the applicant does one of the following:
 - (1) He/she must voluntarily remove or change the cause of the violation and cease to be in violation. The applicant must notify the administrative officer that he has ceased the violation and obtain a release from the administrative officer as to the violation.
 - (2) He/she must be tried before a court of competent jurisdiction, acquitted of charges, and present a certified copy of the court order to the administrative officer within thirty (30) days of the final order of the court.
 - (3) When the applicant has ceased to be in violation by either [subsection] (1) or (2) above, the administrative officer will then accept the application for a building permit.
- (e) Before a building permit is issued by the administrative officer, the Lamar County Health Department must approve the proposed water supply and sewage disposal facilities required in connection with the proposed building or structure. In areas served by a public water and sewage system, the health department may elect to waive the requirement for approval. After study of the site of a proposed use, the health department may require for health reasons that all or any portion of the site not be used for the intended purpose. The health department may also set a minimum lot size larger than that required by these regulations. The Lamar County Health Department will either approve or disapprove the water and sewer facilities within thirty (30) days of receipt of the application from the administrative officer, providing a written decision, including reasons for the decision.
- (f) An existing use which is altered or extended must meet applicable Lamar County building codes and development regulations. When an applicant seeks a building permit for the extension or alteration of an existing use, the administrative officer will inspect the use and determine what (if anything) is needed to bring the use into conformance with applicable building codes and development regulations before a building permit may be issued.
- (g) The administrative officer is in charge of issuing building permits. The administrative officer will contact the applicant at the address shown on the application. The building permit will be issued if, upon review of the application and inspection of the site, the administrative officer is satisfied that the proposed project will meet the requirements of these regulations and all other applicable ordinances. The administrative officer may require the submission of additional materials if he concludes additional information is needed in order to determine if the proposed project meets the requirements of these regulations.

- (h) If the administrative officer feels that the proposed project as presented in the building permit application will not satisfy the requirements of these regulations, he will not issue a building permit. He will notify the applicant in writing within ten (10) days of the submission of the application, stating reasons for the refusal. The applicant will then need to confer with the administrative officer to determine what he needs to do in order to comply with the ordinance and be eligible for a building permit.
- (i) Construction on an approved project must start within six (6) months from the date of issue of the building permit, or the permit will become invalid and a new one must be applied for if construction of the project is desired at a future date. If construction has begun on an approved project and then ceases before the project is completed, construction must be restarted within twelve (12) months from the time that it was stopped, or the permit will become invalid and a new one must be applied for if construction of the project is desired to resume at a future date. Records of building permit applications and supporting materials will be maintained by the administrative officer.
- (j) All newly constructed buildings, as well as additions, extensions, or enlargements of structures must comply with all building codes in effect in Lamar County. The administrative officer will explain the procedures and timing of inspections to determine if work meets applicable codes.

(k) Fees for building permits are set by the Board of Commissioners. If work is started before the proper permits are obtained, the fee may be doubled.

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