



MEMORANDUM

To: Mayor and City Council
From: Steve Foote, AICP
Date: January 12 and 26, 2015
Subject: Text Amendment to City of Dunwoody Buildings and Building Regulations Ordinance

BACKGROUND

The State recently adopted new mandatory and permissive State Minimum Standard Codes effective January 1, 2015. The amendments before you tonight adopt the revised codes that will be required by state law in 2015, as well as one revised permissive code (International Property Maintenance Code). Other housekeeping changes included in the ordinance are as follows:

1. The existing code cites the specific edition of each document, and this amendment deletes those references. By doing so, the City will not have to revise this section in the future to stay consistent with the state adopted codes ; and
2. Two new sections (f and g) are added to reflect the City's enforcement of fire and life safety codes applicable to buildings.
3. A specific fine is provided for the unauthorized removal of a stop work order. This is inserted in Section 8-26(c).

RECOMMENDATION

The recommended changes to City Code Chapter 8 are attached.

**AN ORDINANCE AMENDING CHAPTER 8 OF THE CITY OF
DUNWOODY CODE OF ORDINANCES BY**

WHEREAS, the City of Dunwoody is charged with preserving the health, safety and welfare of the citizens of the City; and

WHEREAS, the City of Dunwoody currently enforces building regulations as set out in Chapter 8 of the City of Dunwoody Code and, as part of those regulations, has adopted the State-adopted Minimum Standard Codes; and

WHEREAS, the State of Georgia has adopted new versions of such Codes effective on January 1, 2015; and

WHEREAS, the Mayor and City Council find that in order to continue proper enforcement of said codes, the City should adopt the revised codes to prevent any inconsistencies and discrepancies between the City’s enforcement rules and the rules newly adopted by the State.

THEREFORE, Mayor and City Council of the City of Dunwoody hereby **ORDAIN as follows:**

Section 1: Chapter 8 (Building Code) of the City of Dunwoody Code of Ordinances is hereby amended by revising Article I (“In General”), Section 8-1 (“State Minimum Standard Codes”) to read as follows:

Sec. 8-1. - State minimum standard codes.

(a) It is hereby declared to be the intention of the council to enforce and adopt the state minimum standards codes as defined by O.C.G.A. § 8-2-20(9). The adoption ~~also~~ includes the latest edition of the following state minimum standard mandatory codes, as adopted and amended by the state department of community affairs, ~~for all permits approved after the adoption of this ordinance:~~

International Building Code	2006 edition
International Fuel Gas Code	2006 edition
International Mechanical Code	2006 edition
International Plumbing Code	2006 edition

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National Electrical Code	2011 edition
International Fire Code	2006 edition
International Energy Conservation Code	2009 edition
International Residential Code	2006 edition
International Property Maintenance Code	2006 edition

(b) The following appendices of said codes, as adopted and amended by the state department of community affairs, are hereby adopted by reference as though they were copied herein fully:

International Mechanical Code	Appendix C
International Plumbing Code	Appendices C (state version), H, I (state version)
International Residential Code	Appendix G
International Energy Conservation Code	Appendices A, B, C, D (new per the state DCA)

(c) It is hereby declared to be the intention of the Council to enforce and adopt the following codes; the latest editions of the state minimum standard permissive codes as adopted by the state department of community affairs, or other applicable agencies; ~~The following codes, the latest editions as adopted and amended by the state department of community affairs, or other applicable agencies, are hereby adopted by reference as though they were copied herein fully:~~

<u>International Property Maintenance Code</u>
Swimming Pool Code as adopted by the county board of health

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- (d) For all permits granted or approved by the county under earlier versions of any or all of these codes, it is hereby declared to be the intention of the council to enforce the code under which the project was approved.
- (e) Amend the following adopted codes to reflect missing or jurisdictional information referenced through adoption:

. . . .

(f) [It is the declared intention of the Council to adopt and enforce the rules and regulations of the Safety Fire Commissioner Chapter 120-3-3 "Rules and Regulations for the State Minimum Fire Safety Standards" as specified in O.C.G.A. Section 25-2-4.](#)

(g) [It is the declared intention of the Council to adopt and enforce the rules and regulations of the Safety Fire Commissioner Chapter 120-3-20 "Access to and use of Public Facilities by Handicapped Persons" as specified in O.C.G.A. 30-3-7\(G\).](#)

Section 2: Chapter 8 (Building Code) of the City of Dunwoody Code of Ordinances is hereby amended by revising Article II ("Administrative Procedures for Enforcement of Adopted Codes"), Section 8-26(c) ("Building Official") to read as follows

Sec. 8-26. - Building official.

. . . .

- (c) *Stop work orders.* Upon notice from the building official, work on any building, structure, electrical, gas, mechanical, or plumbing system that is being done contrary to the provisions of the construction codes or in a dangerous or unsafe manner, shall immediately cease. Such notice shall be in writing and shall be given to the owner of the property, or to his agent, or to the person doing the work, and shall state the conditions under which work may be resumed. Where an emergency exists, the building official shall not be required to give a written notice prior to stopping the work. [Removal of a stop work order authorized under any City code without the approval of the building official shall be considered a violation of Section 24-5 and carries a fine of up to \\$1,000 for each offense.](#)

. . . .

Section 3: This Amendment shall become effective immediately upon its adoption by the City Council, and incorporated into the Code of the City of Dunwoody, Georgia. This Amendment hereby repeals any and all conflicting ordinances and amendments.

#J.3.

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SO ORDAINED AND EFFECTIVE, this ____ day of _____,
2015.

Approved:

Michael G. Davis, Mayor

ATTEST:

Approved as to Form and Content:

Sharon Lowery, City Clerk
(Seal)

Office of City Attorney