

ARTICLE 12 BUILDING REGULATIONS

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Sec. 1201. Minimum standard codes to be enforced.

Except as otherwise specifically provided in this article, it is be the intention of the Royston City Council to enforce the latest edition of the following Georgia State Minimum Standard Codes, as adopted and amended by the Georgia Department of Community Affairs:

- (a) International Building Code.
- (b) International Residential Code.
- (c) International Fire Code.
- (d) International Plumbing Code.
- (e) International Mechanical Code.
- (f) International Fuel Gas Code.
- (g) National Electrical Code.
- (h) International Energy Conservation Code.
- (i) International Swimming Pool and Spa Code.

Sec. 1202. Appendices.

Any appendices to codes referenced in this article are not adopted and are not an integral part of the minimum standard codes, unless specifically indicated otherwise.

Sec. 1203. Existing buildings.

- (a) **General.** Alterations, repairs, or rehabilitation work may be made to any existing structure, building, electrical, gas, mechanical, or plumbing system without requiring the building, structure, plumbing, electrical, mechanical, or gas system to comply with all the requirements of the construction codes, provided that the alteration, repair, or rehabilitation work conforms to the requirements of the construction codes for new construction. The building official shall determine the extent to which the existing system shall be made to conform to the requirements of the construction codes for new construction.
- (b) **Change of occupancy.** If the occupancy classification of any existing building or structure is changed, the building, electrical, gas, mechanical, and plumbing systems shall be made to conform to the intent of the construction codes as required by the building official.

Sec. 1204. Building official.

- (a) In the absence of an appointed building official the zoning administrator shall assume the functions of building official.
- (b) The building official is hereby authorized and directed to enforce the provisions of the minimum standard codes and other codes adopted per this ordinance, except as specifically provided otherwise in this ordinance.
- (c) The building official is further authorized to render interpretations of adopted codes, which are consistent with its intent and purpose.
- (d) The building official may at his or her discretion delegate certain building regulation functions to a city-approved third-party building inspector or plans reviewer, or both.

Sec. 1205. Permit application – when required.

When a permit is required, any owner, authorized agent, or contractor who desires to construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert, or replace any electrical, gas, mechanical, or plumbing system, the installation of which is regulated by the construction codes, or to cause any such work to be done, shall first make application to the building official and obtain the applicable permit, if required, for the work.

Sec. 1206. Work authorized.

A building, electrical, gas, mechanical, or plumbing permit shall carry with it the right to construct or install the work, provided the same are shown on the drawings and set forth in the specifications filed with the application for the permit. Where these are not shown on the drawings and covered by the specifications submitted with the application, separate permits shall be required.

Sec. 1207. Minor repairs exempted.

Ordinary minor repairs, with a value of less than \$10,000, may be made without a permit, provided that such repairs shall not violate any of the provisions of the minimum standard or other adopted codes.

Sec. 1208. Information required for permit.

- (a) Each application for a permit, with the required fee, shall be filed with the building official on a form furnished for that purpose, and shall contain a general description of the proposed work and its location.
- (b) The application shall be signed by the owner, or his/her authorized agent.

- (c) The permit application shall indicate the proposed occupancy of all parts of the building and of that portion of the site or lot, if any, not covered by the building or structure, and shall contain such other information as may be required by the building official.

Sec. 1209. Drawings and specifications – requirements.

- (a) When required by the building official, two or more copies of specifications and of drawings drawn to scale with sufficient clarity and detail to indicate the nature and character of the work, shall accompany the application for a permit.
- (b) Such drawings and specifications shall contain information, in the form of notes or otherwise, as to the quality of materials, where quality is essential to conformity with the construction codes.
- (c) All information, drawings, specifications and accompanying data shall bear the name and signature of the person responsible for the design.

Sec. 1210. Drawings and specifications – design professional.

The design professional shall be an architect or engineer legally registered under the laws of this state regulating the practice of architecture or engineering and shall affix his official seal to said drawings, specifications, and accompanying data, for the following:

- (a) All Group A, E, and I occupancies.
- (b) Buildings and structures three stories or more in height.
- (c) Buildings and structures 5,000 square feet (465 m²) or more in area.

For all other buildings and structures, the submittal shall bear the certification of the applicant that some specific state law exception permits its preparation by a person not so registered.

EXCEPTION: Single-family dwellings, regardless of size, shall not require a registered architect nor engineer, and they shall not require a certification that an architect or engineer is not required.

Sec. 1211. Drawings and specifications – additional data.

- (a) The building official may require details, computations, stress diagrams, and other data necessary to describe the construction or installation and the basis of calculations.
- (b) All drawings, specifications, and accompanying data required by the building official to be prepared by an architect or engineer shall be affixed with their official seal.

Sec. 1212. Site drawings.

All permit applications shall include a drawing that shows the location of the proposed building or structure and of every existing building or structure on the site or lot. The building official may require a boundary line survey prepared by a qualified surveyor.

Sec. 1213. Fee required.

- (a) **Fee required.** A permit shall not be issued until the fees prescribed by resolution of the Royston City Council have been paid. Nor shall an amendment to a permit be released until the additional fee, if any, due to an increase in the estimated cost of the building, structure, electrical, plumbing, mechanical, or gas systems, etc. has been paid. On all buildings, structures, electrical, plumbing, mechanical, and gas systems or alterations requiring a permit, a fee for each permit shall be paid as required at the time of filing application, in accordance with the fee schedules as set by the Royston City Council.
- (b) **Additional fee if commencement before permit issuance.** Any person who commences any work on a building, structure, electrical, gas, mechanical, or plumbing, etc. system before obtaining the necessary permits, shall be subject to a penalty of 100 percent of the usual permit fee in addition to the required permit fees.
- (c) **Accounting.** The building official shall keep a permanent and accurate accounting of all permit fees and other money collected, the names of all persons upon whose account the same was paid, along with the date and amount thereof.

Sec 1214. Completeness check.

The city-approved third-party building inspector or building official shall review the permit application for completeness. If incomplete, the city-approved third-party building inspector or building official shall notify the permit applicant of additional information needed to render the application complete.

Sec. 1215. Requirements for plan reviews and inspections provided by private (third-party) providers.

- (a) The person, firm, or corporation retaining a private professional (third-party) provider to conduct an inspection or a plan review shall be required to pay to the city the regulatory fees and charges which are required by Section 8-2-26 O.C.G.A. as applicable.
- (b) A private professional (third-party) provider performing plan reviews under this article shall review plans to determine compliance with all applicable regulatory requirements. Upon determining that the plans reviewed comply with the applicable regulatory requirements, such private professional provider shall prepare an affidavit or affidavits on a form adopted by the Georgia Department of Community Affairs certifying under oath

that the following is true and correct to the best of such private professional provider's knowledge and belief and in accordance with the applicable professional standard of care:

1. The plans were reviewed by the affiant who is duly authorized to perform plan review pursuant to this subsection and who holds the appropriate license or certifications and insurance coverage stipulated in this subsection;
 2. The plans comply with all applicable regulatory requirements; and
 3. The plans submitted for plan review are in conformity with plans previously submitted to obtain governmental approvals required in the plan submittal process and do not make a change to the project reviewed for such approvals.
- (c) The private professional (third-party) provider shall be empowered to perform any plan review or inspection required by the city, including, but not limited to, inspections for footings, foundations, concrete slabs, framing, electrical, plumbing, heating ventilation and air conditioning (HVAC), or any and all other inspections necessary or required to determine compliance with all regulatory requirements and for the issuance of a building permit or certificate of occupancy by the city, provided that the plan review or inspection is within the scope of such private professional provider's area of competency; and provided, further, that a qualified inspector acting as a private professional (third-party) provider shall only be empowered to perform a plan review or inspection within an area for which such qualified inspector has been issued a certification, license, or completion of training provided for in Section 8-2-26 O.C.G.A.

Sec. 1216. Procedures for private professional (third-party) plan reviews.

- (a) A permit applicant shall submit a copy of the private professional (third-party) provider's plan review report to the city within five days of its completion. Such plan review report shall include: the required affidavit of the private professional provider; the applicable fees; and any documents required by the building official and any other documents necessary to determine that the permit applicant has secured all other governmental approvals required by law.
- (b) No more than 30 days after receipt of both a permit application and the affidavit from the private professional (third-party) provider, the building official shall issue the requested permit or provide written notice to the permit applicant identifying the specific plan features that do not comply with the applicable regulatory requirements, as well as the specific code chapters and sections of such regulatory requirements. If the building official does not provide a written notice of the plan deficiencies within the prescribed 30 day period, the permit application shall be deemed approved as a matter of law and the permit shall be issued by the building official on the next business day. [Reference: Section 8-2-26 O.C.G.A.]
- (c) If the building official provides a written notice of plan deficiencies to the permit applicant within the prescribed 30 day period, the 30 day period shall be tolled pending

resolution of the matter. To resolve the plan deficiencies, the permit applicant may elect to dispute the deficiencies pursuant to Section 8-2-26 O.C.G.A. or to submit revisions to correct the deficiencies.

- (d) If the permit applicant submits revisions to address the plan deficiencies previously identified, the building official shall have the remainder of the tolled 30 day period plus an additional five business days to issue the requested permit or to provide a second written notice to the permit applicant stating which of the previously identified plan features remain in noncompliance with the applicable regulatory requirements, with specific reference to the relevant code chapters and sections of such regulatory requirements. If the building official does not provide the second written notice within the prescribed time period, the permit shall be issued by the building official on the next business day. In the event that the revisions required to address the plan deficiencies or any additional revisions submitted by the applicant require that new governmental approvals be obtained, the applicant shall be required to obtain such approvals before a new plan report can be submitted.
- (e) If the building official provides a second written notice of plan deficiencies to the permit applicant within the prescribed time period, the permit applicant may elect to dispute the deficiencies or to submit additional revisions to correct the deficiencies. For all revisions submitted after the first revision, the building official shall have an additional five business days to issue the requested permit or to provide a written notice to the permit applicant stating which of the previously identified plan features remain in noncompliance with the applicable regulatory requirements, with specific reference to the relevant code chapters and sections.

Sec. 1217. Action on permit.

- (a) **Time frame for action.** The building official shall act upon an application for a permit without unreasonable or unnecessary delay.
- (b) **Issuance if satisfactory.** If the building official is satisfied that the work described in an application for a permit and the contract documents filed therewith conform to the requirements of the construction codes and other pertinent laws and ordinances, he shall issue a permit to the applicant.
- (c) **Stamping of plans.** When the building official issues a permit, he/she shall indicate, in writing or by stamp, on both sets of plans “reviewed for code compliance.” One set of drawings so reviewed shall be retained by the building official and the other set shall be returned to the applicant. The permitted drawings shall be kept at the site of work and shall be open to inspection by the building official or his/her authorized representative.
- (d) **Posting of permit.** Work requiring a permit shall not commence until the permit holder or his/her agent posts the permit card in a conspicuous place on the premises. The permit shall be protected from the weather and located in such position as to permit the building official or representative to conveniently make the required entries thereon. This permit

card shall be maintained in such position by the permit holder until the certificate of occupancy or completion is issued by the building official.

- (e) **Refusal to issue permit.** If the application for a permit and the accompanying contract documents describing the work do not conform to the requirements of the construction codes or other pertinent laws or ordinances, the building official shall not issue a permit, but shall return the contract documents to the applicant with his refusal to issue such permit. Such refusal shall, when requested, be in writing and shall contain the reason for refusal.

Sec. 1218. Foundation only permit.

When an application for permit to erect or enlarge a building has been filed and pending issuance of such permit, the building official may, at his discretion, issue a special permit for the foundation only. The holder of such a special permit is proceeding at his own risk and without assurance that a permit for the remainder of the work will be granted nor that corrections will not be required in order to meet provisions of the minimum standard or other codes.

Sec. 1219. Conditions of permit – permit intent.

A permit issued shall be construed to be a license to proceed with the work and not as authority to violate, cancel, alter, or set aside any of the provisions of the construction codes, nor shall issuance of a permit prevent the building official from thereafter requiring a correction of errors in plans, construction, or violations of the construction codes.

Sec. 1220. Content specified for certain permits.

Any city building permit issued to a general contractor or homebuilder for residential or commercial construction, and any city construction permit, including but not limited to mechanical, plumbing, or electrical permits, issued on existing residential or commercial property, shall have prominently printed thereon at least one inch apart from any other text on such permit and in type size and boldness equal to or greater than any other type size and boldness in the body of the permit the following:

“The issuance of this permit authorizes improvements of the real property designated herein which improvements may subject such property to mechanics’ and materialmen’s liens pursuant to Part 3 of Article 8 of Chapter 14 of Title 44 of the Official Code of Georgia Annotated. In order to protect any interest in such property and to avoid encumbrances thereon, the owner or any person with an interest in such property should consider contacting an attorney or purchasing a consumer’s guide to the lien laws which may be available at building supply home centers.”
[Reference: Section 8-2-26 O.C.G.A.]

Sec. 1221. Duration of permit validity.

- (a) Every permit issued shall become invalid unless the work authorized by such permit is commenced within six (6) months after its issuance, or if the work authorized by such

permit is suspended or abandoned for a period of six (6) months after the time the work is commenced.

- (b) One or more extensions of time, for periods not more than ninety (90) days each, may be allowed for the permit. The extension shall be requested in writing and justifiable cause demonstrated. Extensions shall be in writing by the building official.

Sec. 1222. Inspections generally.

- (a) An in-house or city-authorized and approved third-party building inspector shall inspect all buildings, structures, electrical, gas, mechanical, and plumbing systems, from time to time, during and upon completion of the work for which a permit was issued,.
- (b) The inspector shall upon notification from the permit holder or his agent make or arrange for the inspections specified in this article and such other inspections as necessary, and shall either release that portion of the construction or shall notify the permit holder or his agent of any violations which must be corrected in order to comply with the minimum standard code.
- (c) The inspector shall make a record of every such examination and inspection and of all violations of the minimum standard codes.

Sec. 1223. Procedures for private professional (third-party) inspections.

Upon submission by the private professional (third-party) provider of a copy of his or her inspection report to the city, the city shall be required to accept the inspection of the private professional (third-party) provider without the necessity of further inspection or approval by the inspectors or other personnel employed by the city, unless said city has notified the private professional (third-party) provider, within two business days after the submission of the inspection report, that it finds the report incomplete or the inspection inadequate and has provided the private professional (third-party) provider with a written description of the deficiencies and specific regulatory requirements that have not been adequately addressed.

Sec. 1224. Building inspection.

- (a) **Foundation and foundation wall inspection:** To be made after trenches are excavated, the reinforcement is in place, and the forms erected, prior to the placing of concrete.
- (b) **Slab inspection:** To be made prior to the placing of concrete.
- (c) **Frame inspection:** To be made after the roof, all framing, fireblocking, bracing and fasteners are in place, all concealed wiring, all pipes, chimneys, ducts, and vents are complete.
- (d) **Moisture barrier inspection:** To be made prior to the installation of the exterior finishing materials.

- (e) **Final inspection:** To be made after the building is completed and ready for immediate occupancy.

Sec. 1225. Electrical inspection.

- (a) **Underground inspection:** To be made after trenches or ditches are excavated, conduit or cable installed, and before any backfill is put in place.
- (b) **Rough-in inspection:** To be made after the roof, framing, fireblocking, and bracing is in place and prior to the installation of wall or ceiling membranes.
- (c) **Final inspection:** To be made after the building is complete, all required electrical fixtures are in place and properly connected or protected, and the structure is ready for occupancy.

Sec. 1226. Plumbing inspection.

- (a) **Underground inspection:** To be made after trenches or ditches are excavated, piping installed, and before any backfill is put in place.
- (b) **Rough-in inspection:** To be made after the roof, framing, fireblocking, and bracing is in place and all soil, waste, and vent piping is complete, and prior to this installation of wall or ceiling membranes.
- (c) **Final inspection:** To be made after the building is complete, all plumbing fixtures are in place and properly connected, and the structure is ready for occupancy.
- (d) **Note:** See Section 312 of the International Plumbing Code for required tests.

Sec. 1227. Mechanical inspection.

- (a) **Underground inspection:** To be made after trenches or ditches are excavated, underground duct and fuel piping installed, and before any backfill is put in place.
- (b) **Rough-in inspection:** To be made after the roof, framing, fireblocking, and bracing are in place and all ducting, and other concealed components are complete, and prior to the installation of wall or ceiling membranes.
- (c) **Final inspection:** To be made after the building is complete, the mechanical system is in place and properly connected, and the structure is ready for occupancy.

Sec. 1228. Gas inspection.

- (a) **Rough piping inspection:** To be made after all new piping authorized by the permit has been installed, and before any such piping has been covered or concealed or any fixtures or gas appliances have been connected.
- (b) **Final piping inspection:** To be made after all piping authorized by the permit has been installed and after all portions which are to be concealed by plastering or otherwise have been so concealed, and before any fixtures or gas appliances have been connected. This inspection shall include a pressure test.
- (c) **Final inspection:** To be made on all new gas work authorized by the permit and such portions of existing systems as may be affected by new work or any changes in order to insure compliance with all the requirements of the construction codes and to assure that the installation and construction of the gas system is in accordance with reviewed plans.

Sec. 1229. Energy inspection.

- (a) **Foundation inspection:** To be made before slab concrete is poured in place. To verify that perimeter insulation has been installed correctly on any slab on grade foundations, if required.
- (b) **Frame inspection:** To be made before exterior wall insulation is concealed by wall board to check installation of exterior walls insulation and to inspect that all holes and cracks through the structure envelope have been sealed in an appropriate manner as to restrict air passage.
- (c) **Final inspection:** To be made after the building is completed and ready for occupancy, to verify installation and R-value of ceiling and floor insulation, to verify correct SEER ratings on appliances, and to verify the building envelope tightness has been demonstrated and documented on the Georgia Residential Energy Code Compliance Checklist.

Sec. 1230. Written release.

Work shall not be done on any part of a building, structure, electrical, gas, mechanical, or plumbing system beyond the point indicated in each successive inspection without first obtaining a written release from the third-party inspector or the building official. Such written release shall be given only after an inspection has been made of each successive step in the construction or installation as indicated by each of the foregoing inspections.

Sec. 1231. Inspection exception for licensed master plumbers and utility contractors.

In lieu of inspection by a city-approved third-party inspector, a licensed master plumber or utility contractor shall have the option of installing a water or sewer line according to the alternative

inspection procedure described in Section 8-2-26 O.C.G.A, where the installation is on private property outside the building underground, subject to compliance with Section 8-2-26 O.C.G.A. The local fee is still required to be submitted to the city.

Sec. 1232. Building certificate of occupancy.

- (a) A new building shall not be occupied or a change made in the occupancy, nature, or use of a building or part of a building until after the city-approved third-party inspector or building official has issued a certificate of occupancy.
- (b) Said certificate shall not be issued until all required electrical, gas, mechanical, plumbing, and fire protection systems have been inspected for compliance with the construction codes and other applicable laws and ordinances and released by the city-approved third-party inspect or building official.

Sec. 1233. Issuance of certificate of occupancy.

Upon satisfactory completion of construction of a building or structure and installation of electrical, gas, mechanical, and plumbing systems in accordance with the construction codes, reviewed plans and specifications, and after the final inspection, the city-approved third-party inspector or the building official shall issue a certificate of occupancy stating the nature of the occupancy permitted, the number of persons for each floor when limited by law, and the allowable load per square foot for each floor in accordance with the provisions of the construction codes.

Sec. 1234. Temporary/partial occupancy.

A temporary/partial certificate of occupancy may be issued for a portion of a commercial building, which in the opinion of the building official, may safely be occupied prior to final completion of the building. The temporary/partial certificate of occupancy shall be forfeited if the certificate of occupancy is not issued within ninety (90) days.

Sec. 1235. Existing building certificate of occupancy.

- (a) A certificate of occupancy for any existing building may be obtained by applying to the city-approved third-party inspector or building official and supplying the information and data necessary to determine compliance with the minimum standard codes for the occupancy intended.
- (b) Where necessary, in the opinion of the city-approved third-party inspector or building official, two sets of detailed drawings, or a general inspection, or both, may be required.
- (c) When, upon examination and inspection, it is found that the building conforms to the provisions of the minimum standard codes and other applicable laws and ordinances for such occupancy, a certificate of occupancy shall be issued.

Sec. 1236. Certificate of completion.

- (a) Upon satisfactory completion of a building, structure, electrical, gas, mechanical, or plumbing system, a certificate of completion may be issued.
- (b) This certificate is proof that a structure or system is complete and for certain types of permits is released for use and may be connected to a utility system.
- (c) This certificate does not grant authority to occupy or connect a building, such as a shell building, prior to the issuance of a certificate of occupancy.

Sec. 1237. Connection of service utilities.

No person shall make connections from a utility, source of energy, fuel, or power to any building or system which is regulated by the construction codes for which a permit is required, until released by a city-approved third-party inspector or building official.

Sec. 1238. Temporary connection.

A city-approved third-party inspector or the building official may authorize the temporary connection of the building or system to the utility source of energy, fuel, or power for the purpose of testing building service systems or for use under a temporary certificate of occupancy.

Sec. 1239. Authority to disconnect service utilities.

- (a) The building official shall have the power to authorize disconnection of utility service to the building, structure, or system regulated by the construction codes, in case of emergency where necessary to eliminate an immediate hazard to life or property.
- (b) The building official shall notify the serving utility, and whenever possible the owner and occupant of the building, structure, or service system of the decision to disconnect prior to taking such action. If not notified prior to disconnecting, the owner or occupant of the building, structure, or service system shall be notified in writing, as soon as practical thereafter.

Sec. 1240. Revocation and other enforcement actions.

- (a) **Misrepresentation of application.** The building official may revoke a permit or approval, issued under the provisions of the construction codes, in case there has been any false statement or misrepresentation as to the material fact in the application or plans on which the permit or approval was based.
- (b) **Violation of code provisions.** The building official may revoke a permit upon determination by the building official that the construction erection, alteration, repair, moving, demolition, installation or replacement of the building, structure,

electrical, gas, mechanical, or plumbing systems for which the permit was issued is in violation of, or not in conformity with, the provisions of the minimum standard codes.

- (c) **Stop work order.** A city-approved third-party inspector or the building official may issue a stop-work order for a building project or any portion of such project, which may go into effect immediately as provided by law, after giving notice and opportunity to remedy the violation, if the building official determines that a condition on the building site constitutes an immediate threat to public safety and welfare.

Sec. 1241. Stop work orders.

- (a) Upon notice from the city-approved third-party inspector or 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.
- (b) 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.
- (c) Where an emergency exists, the building official shall not be required to give a written notice prior to stopping the work.
- (d) Any person who shall continue any work in or about the structure after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe conditions, shall be subject to penalties as prescribed in the Royston Code of Ordinances for violations to code provisions.
- (e) A stop-work order issued for reasons of immediate threat to public safety and welfare shall be appealable as provided in Article 13 of this ordinance

Sec. 1242. Violations determined during inspections.

A city-approved third-party inspector or the building official, as well as any fire service employee enforcing a state or local fire safety standard, who specifies a code violation noted during an inspection shall, upon the written request of the permit holder, cite in writing the particular code book, section, and edition of the code which is the basis of the violation.

[Reference: Section 8-2-26 O.C.G.A.]