

SUB-CHAPTER 2.27
ADMINISTRATION AND ENFORCEMENT

SECTION

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14-2.2701. Rulemaking authority. The planning commission has the authority to set forth special requirements, including but not limited to, such items as screening/buffering, landscaping, signage, access, circulation and other requirements of a similar nature to bring a site into compliance with neighboring land uses. (As added by Ord. #14-323, Jan. 2014)

14-2.2702. Enforcing officer. The provisions of this ordinance shall be administered and enforced by the Municipal Building Inspector. The official shall have the right to enter upon any premises for the purpose of making inspections of buildings or premises necessary to carry out his duties in the enforcement of this ordinance. (Ord. No. 338, Sec. 16 (A))

14-2.2703. Building permit required. It shall be unlawful to commence the excavation for or the construction of any building or other structure, including accessory structures, or to commence the moving, alteration or repair of any structure including accessory structures, where the alteration or repair will affect the appearance, structural stability, fire resistance or intended use, until the Municipal Building Inspector has issued for such work a building permit including a statement that the plans, specifications, and intended use of such structure in all respects conform with the provisions of this ordinance. Application for a building permit shall be made in writing to the Municipal Building Inspector on forms provided for that purpose. (Ord. No. 338, Sec. 16 (B))

14-2.2704. Approval of plans and issuance of building permit. It shall be unlawful for the Building Inspector to approve any plans or issue a building permit for any excavation or construction within the City until he has inspected such plans and found them conforming with the provisions of this ordinance. The Building Inspector shall require that all plans for construction be drawn to scale and submitted in duplicate and that they show:

- (1) Actual shape, location, and dimensions of the lot to be built upon.
- (2) The shape, size, height, and location of all buildings to be erected, altered, or moved and of any building already on the lot.
- (3) The existing and intended use of all such buildings.
- (4) Such other information concerning the lot and adjoining lots as may be essential for determining whether the provisions of this ordinance are being observed.

If the proposed excavation or construction as set forth in the application are in conformity with the provisions of this ordinance, the Building Inspector shall issue a building permit for such excavation or construction. If a building permit is refused, the Building Inspector shall state such refusal in writing with the cause. Issuance of a permit shall, in no case, be construed as waiving any provision of this ordinance.

A building permit shall become void one year from the date of issuance, unless an extension of not more than one year is granted by the Building Inspector on proper application in writing thereof. (Ord. No. 338, Sec. 16 (C))

14-2.2705. Foundation survey required. A foundation survey to verify that a buildings or other structures required setbacks have been met shall be prepared by a registered Land Surveyor licensed in the State of Tennessee, if any of the following applies:

(1) Where a proposed new building or other structure is proposed on a vacant lot, as reflected on the submitted site plan and building drawings, which shall include a proposed new or reconstructed principle building on an otherwise vacant lot precipitated by the demolition and/or destruction of an existing principle building;

(2) Where a proposed new building or other structure, or addition to an existing structure on a non-vacant lot:

a. Extends within two (2) feet or less of a required side, rear or front setback, or a dedicated utility easement, as reflected on the submitted site plan and building drawings;

b. Is placed in an area with steep topography or wooded terrain making field verification difficult to determine accurately; and

c. Cannot be staked accurately in the field due to lot line pins not being located or in place, or if it appears that pins have been improperly relocated.

When a building permit is issued, that includes footing and foundation work, a foundation survey shall be submitted to the Building Inspector within fifteen (15) days of an approved footing inspection. If said survey has not been submitted for review and approval all work shall cease. A foundation survey shall identify the location of the as-built foundation, including all cantilevered portions, which shall be within the required setbacks. Any setback violations found must be corrected.

For purpose of this section, all references to structures do not apply to fences. (As amended by Ord. #23-578, June 2023)

14-2.2706. Certificate of occupancy required. No land or building or part thereof hereafter erected or altered in its use or structure shall be used until the Building Inspector shall have issued a certificate of occupancy stating that such land, building, or part thereof and the proposed use thereof, are found to be in conformity with the provisions of this ordinance.

Within three days after notification that a building or premises or part thereof is ready for occupancy or use, it shall be the duty of the Building Inspector to make a final inspection thereof, and to issue a certificate of occupancy, if the land, building, or premises or part thereof and the proposed use thereof, are found to conform with the provisions of this ordinance. If such certification is refused he shall state the reasons in writing therefor.

Pending the issuance of a regular certificate a temporary certificate of occupancy may be issued by the Building Inspector for a period not exceeding six months, during the completion of alterations or during partial occupancy of a building pending its completion. Such temporary certificate shall not be construed as in any way waiving the respective rights, duties or obligations of the owners or of the City relating to the use of occupancy of the premises or any other matter covered by this ordinance, and such temporary certificate shall not be issued except under such restrictions and provisions as will adequately insure the safety of the occupants.

The decision of the Building Inspector shall be final, unless reversed, annulled, or modified as hereinafter set forth. (Ord. No. 338, Sec. 16 (D))

14-2.2707. Penalties. Any person violating any provision of this ordinance, upon conviction from the Alcoa Municipal Court, shall be fined fifty (\$50.00) dollars for each offense, plus court costs and expenses. Each day such violation continues shall

constitute a separate offense. (Ord. No. 338, Sec. 16 (E), as amended by Ord. #14-323, Jan. 2014)

14-2.2708. Remedies. In case any building or structure is erected, constructed, re-constructed, altered, repaired, converted, or maintained, or any building, structure, or land is used in violation of this ordinance, the Building Inspector of the municipality or any other appropriate authority or any adjacent or neighboring property owner who would be specially damaged by such violation, in addition to other remedies, may institute injunction, mandamus, or other appropriate action or proceeding to prevent such unlawful erection, construction, reconstruction, alteration, repair, conversion, maintenance or use; or to correct, or abate such violation; or to prevent the occupancy of such building, structure, or land. (Ord. No. 338, Sec. 16 (F))