

584

RE: BUILDING PERMIT ORDINANCE:

The Hardy County Commission reviewed and Ordinance presented them by Prosecuting Attorney, William D. Moomau, entitled HARDY COUNTY IMPROVEMENT LOCATION PERMIT ORDINANCE.

Motion was made by Commissioner Teets to adopt this Building Permit Ordinance. Commissioner Champ seconded the motion.

The Ordinance is recorded as follows:

**HARDY COUNTY IMPROVEMENT LOCATION PERMIT ORDINANCE**

This Ordinance, entitled "Hardy County Improvement Location Permit Ordinance", adopted by the County Commission of Hardy County, West Virginia, on April 24, 1992.

WHEREAS, West Virginia Code Chapter 11, Article 3, Section 3a requires that any person, corporation, association or other owner of real property, subject to the payment of property tax, who shall improve said real property as set forth in said Code Section, shall give notice in writing to the Assessor within sixty (60) days after the commencement of the improvement of said property; and

WHEREAS, West Virginia Code Chapter 7, Article 1, Section 3v(c) empowers the County Commission of each county to require and issue building permits for all proposed construction or other improvements located in Hardy County; and

WHEREAS, in accordance with West Virginia Code Chapter 16, Article 1, Section 9, no person, firm, company, corporation, institution or association, whether public or private, county or municipal, shall install or establish any system or method of drainage, water supply, sewage or excreta disposal, or solid waste disposal, without first obtaining a written permit to install or establish such system or method from the State Director of Health or his authorized representative; and

WHEREAS, in accordance with West Virginia Code Chapter 7, Article 1, Section 3, a County Commission has certain powers and authorities including the administration of the internal fiscal affairs of the county; and

WHEREAS, in accordance with West Virginia Code Chapter 17, Article 4, Sections 47, 48 and 49, certain requirements must be met before access can be gained to and from a state highway from real estate; and

WHEREAS, this Ordinance is being enacted and adopted for the purpose of insuring that all applicable provisions of the West Virginia Code, including the foregoing, are met before any real estate is improved as described hereinabove; and

WHEREAS, this Ordinance is being enacted and adopted in accordance with all the applicable provisions of the West Virginia Code including the foregoing.

It is hereby ORDERED and ADOPTED that any person, corporation, association or other owner of real property, subject to the payment of property tax, who shall hereafter erect any building or structure, or who shall add, enlarge, move, alter, convert, extend or raise any building or structure in Hardy County, West Virginia, shall first obtain an improvement location permit from the Hardy County Sheriff's Office. Applications for improvement location permits shall be available at the Hardy County Assessor's Office. The fee for an improvement location permit shall be as follows:

A. New Construction

- 1. Industrial buildings and major additions:  
 Permit Fee: \$175.00  
 Extensions: Two (no fee)
- 2. Commercial Business (new buildings and major additions):  
 Permit Fee: \$125.00  
 Extensions: Two (no fee)
- 3. Commercial Residential:  
 Permit Fee: \$125.00 (up to four units)  
 \$25.00 (per unit thereafter)  
 Extensions: Two (no fee)
- 4. Single Family Unit:  
 Permit Fee: \$50.00 (under 2,000 sq. ft.)  
 \$100.00 (over 2,000 sq. ft.)  
  
Mobile Home Fee:  
 \$50.00  
 Extensions: Two (no fee)
- 5. Secondary and/or Seasonal Dwelling:  
 Permit: \$125.00  
 Extensions: Two (no fee)
- 6. Residential Outbuildings Including Carports and Garages:  
 No permit fee for total cost **under** \$1,000.00  
 \$25.00 permit fee for total cost **over** \$1,000.00
- 7. Swimming Pools: Permanent, above or below ground.  
 Permit Fee: \$50.00  
 Extensions: Two (no fee)
- 8. Agricultural Buildings:  
 Permit Fee: \$100.00 **over** 1,000 sq. ft.  
 \$50.00 **under** 1,000 sq. ft.  
 Extensions: Two (no fee)

B. New Additions to Existing Buildings

- 1. Industrial:  
 Permit Fee: No fee (total cost **under** \$2,000.00)  
 \$100.00 (total cost **over** \$2,000.00)  
 Extensions: Two (no fee)
- 2. Commercial:  
 Permit Fee: No fee (total cost **under** \$2,000.00)  
 \$50.00 (total cost **over** \$2,000.00)  
 Extensions: Two (no fee)

3. Residential: Outbuildings, including carports and garages:

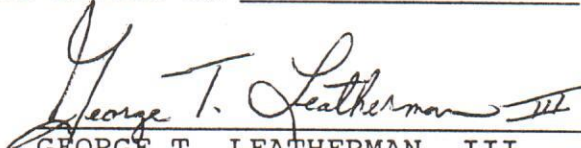
Permit Fee: \$25.00 (total cost over \$1,000.00)  
No fee (total cost under \$1,000.00)  
Extensions: Two (no fee)

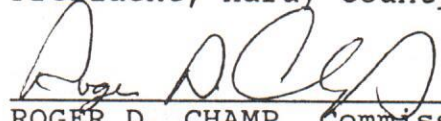
4. Agricultural:

Permit Fee: \$50.00 (total cost of \$2,000.00 or more)  
No fee (total cost under \$2,000.00)

The requirements of this Ordinance may be enforced by injunctive action in the Circuit Court of Hardy County.

This Ordinance shall take effect on April 24, 1992.

  
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GEORGE T. LEATHERMAN, III  
President, Hardy County Commission

  
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ROGER D. CHAMP, Commissioner

  
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J. MICHAEL TEETS, Commissioner

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