

County of Monroe  
Ordinance Requiring Building Permits  
In the Unincorporated areas of Monroe County, West Virginia

An ordinance requiring all persons, partnerships and corporations to obtain a permit for the construction, substantial improvements or relocation of any building or structure; and establishing penalties for any person who fails to comply with the requirements or provisions of this ordinance.

BE IT ENACTED AND ORDAINED by the County Commission of Monroe County, West Virginia, as follows;

**ARTICLE I – GENERAL PROVISIONS**

Section 1.1 Intent

The intent of this Ordinance is to:

- A. Promote the general health, safety and welfare of the community.

Section 1.2 Abrogation and Greater Restrictions

This ordinance supersedes any ordinance currently in effect regarding building permits in the unincorporated areas of Monroe County, West Virginia. However, any ordinance shall remain in full force and effect to the extent that its provisions are more restrictive.

Section 1.3 Applicability

It shall be unlawful for any person, partnership, business, or corporation to undertake or cause to be undertaken, any development or the new construction, substantial improvement, replacement or relocation of any structure (including manufactured homes) within the unincorporated area of Monroe County, unless a permit has been obtained from the permit officer.

**ARTICLE II – BASIC FORMAT**

Section 2.1

The Basic Format of the Building Permit shall include the following:

1. Name and address of the applicant
2. Name and address of the owner of the land on which proposed construction is to occur.
3. Name and address of contractor (if any)
4. Site location
5. Brief description of proposed work and estimated cost.

6. Plan of the site showing exact size and location of the proposed construction.

## Section 2.2 Other Information

If proposed construction, improvements, alterations, or relocations is within the FLOODPLAIN AREA, further information will be required in accordance with the County of Monroe's Floodplain Ordinance.

## **ARTICLE III ADMINISTRATION**

### Section 3.1 Approval of Permits

All permits and plans shall be approved only after it has been determined that the proposed work to be undertaken will be in conformance with the requirements of the State and other applicable codes and all other applicable codes and ordinances.

A record of all information supplied the permit officer shall be kept on file by the Monroe County Commission.

### Section 3.2 Application Procedure

Applications for Building Permits shall be made, in writing, to the Permit Officer, and shall include all information stipulated under Article II of this Ordinance.

### Section 3.3 Changes

After the issuance of a Building Permit by the Permit Officer, no changes of any kind shall be made to the application or permit, without the written consent of the Permit Officer.

### Section 3.4 Placards

In addition to the Building Permit, the Permit Officer shall issue a placard which shall be displayed on the premises during the time construction is in progress. This placard shall show the number of the Building Permit, the date of its issuance and be signed by the Permit Officer.

### Section 3.5 Start of Construction

Work on a proposed construction shall begin within the six (6) months after the date of the issuance of the Building Permit or the permit shall expire unless a time of extension is granted, in writing, by the Permit Officer.

### Section 3.6 Inspection and Revocation

During the construction period, the Permit Officer may inspect the premises to determine that work is in compliance with the information provided on the permit application. In the event the Permit Officer discovers that the work does not comply with the application or that there has been a false statement by the applicant, the Permit Officer shall revoke the building permit.

### Section 3.7 Fees

Application for a Building Permit shall be accompanied by a \$25.00 fee if the cost of the proposed construction as determined by the Permit Officer, is \$5,000.00 or greater.

## **ARTICLE IV - PENALTIES**

### Section 4.1 Penalties

Any person who fails to comply with any or all of the requirements or provisions of this ordinance or direction of the Permit Officer or any other authorized employee of the county shall be guilty of an offense, and, upon conviction, shall pay a fine to the Monroe County Commission of not less than twenty five (\$25.00) nor more than \$300.00 plus cost of prosecution. In default on such payment, such person shall be imprisoned in the Regional Jail for a period not to exceed ten (10) days. Each day during which any violation of this Ordinance continues shall constitute a separate offense. In addition to the above penalties, all other actions are hereby reserved including an action in equity for the proper enforcement of this Ordinance. The imposition of a fine or penalty for any violation of, or non-compliance with, this Ordinance or permit it to continue; and all such persons shall be required to correct or remedy such violations or non-compliances within a reasonable time. Any structure constructed, reconstructed, enlarged, altered or relocated in non-compliance with this Ordinance may be declared by the Monroe County Commission to be a public nuisance and abatable as much.

## **ARTICLE V – SEVERABILITY AND COUNTY LIABILITY**

### Section 5.1 – Severability

If any section, subsection, paragraph, sentence, clause or phrase of this Ordinance shall be declared invalid for any reason whatsoever, such decision shall not affect the remaining portions of this Ordinance which shall remain in full force and effect, and for the purpose the provisions of this Ordinance are hereby declared to be severable.

### Section 5.2 – County Liability

The granting of a permit shall not constitute a representation, guarantee, or warranty of any kind by the Monroe County Commission or by any employee or official thereof of the

practicability or safety of the proposed use and shall create no liability upon the Monroe County Commission.

**ARTICLE VI - ENACTMENT**

Enacted and Ordained by the County Commission of Monroe County, West Virginia, this 9<sup>th</sup> day of July 2010.

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Joyce Pritt, President

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Michael Shane Ashley, Commissioner

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William Miller, Commissioner

ATTEST: \_\_\_\_\_  
Donald J. Evans, Clerk