

CODIFIED ORDINANCES OF BOLIVAR, WV

Part 17 - Building and Housing

- (c) State Building Code: the contents of the WV State Building Code in its entirety
- (d) ICC: the International Code Council, 5203 Leesburg Pike, Suite 600, Falls Church, Virginia 22041 and its distribution centers and operations centers as they may be moved after the date of enactment of this ordinance.

1702.02 See Article 1302 for further definitions.

ARTICLE 1703 Zoning Administrator Powers and Duties

- 1703.01 Administration: The Town Council shall designate a Zoning Administrator.
- 1703.02 Conflict: All departments officials, and public employees of the Town of Bolivar which are vested with the duty or authority to issue permits or licenses shall issue no permit or license for any use, building or purpose if the same would be in conflict with the provisions of this Ordinance.
- 1703.03 Power and Duties: It shall be the duty of the Zoning Administrator and he/she shall have the power to:
 - (a) Review of Applications:
 - (1) Receive and examine all applications for permits as noted in Articles 1715.04 and 1715.05 and requests for variances as defined herein.
 - (2) Forward applications for conditional uses, variances, and exceptions to the Board of Zoning Appeals.
 - (b) Issuance of Permits: Issue building, addition, structure, and demolition permits only where there is compliance with the provisions of this Ordinance.
 - (c) Inspections: Responsible for conducting or overseeing inspections.
 - (d) Issuance of Stop Work Orders: Issue stop, cease and desist orders, in writing by certified mail or in person, and to post such an order on the property, for correction of all conditions found to be in violation of provisions of this Ordinance, including Chapter 17. The written stop work order shall be signed by the Zoning Administrator and the Mayor. Such written orders shall be served by certified mail or in person upon persons, firms, or corporations deemed by the Zoning Administrator to be violation the terms of this ordinance. A posted stop work order shall not be removed by the contractor or landowner under penalty of law. This stop work order shall be considered by the Board of Zoning Appeals. The Board shall stipulate provisions and timetables for compliance with ordinances to lift stop work orders. The posted stop work order may not be removed until the Board has determined that the problem is resolved.

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- (e) Prevention Actions: With the approval of the Council or when directed by the Council, institute in the name of the Town any appropriate action or proceedings to prevent unlawful erection, construction, reconstruction, alteration, repair, demolition, conversion, maintenance or use of any building structure or land or to prevent any illegal act, conduct, business or use in or about such premises.
 - (f) Records: Record and file applications for permits with accompanying plans and documents. All applications, plans, and documents shall be a public record.
 - (g) Maps: Maintain Land Use Map and the relevant Assessor's Maps showing the current zoning of all land in the Town.
 - (h) Site Reviews: In cases, where site review is necessary, to conduct a review and record findings. When necessary and appropriate, report findings to any appropriate municipal body.
 - (i) Assistance to Other Bodies: Upon the request of the Council, the Planning Commission, or the Board of Zoning Appeals, provide to said bodies, facts, records, or reports in which they may require assistance in making decisions or support in any other way as requested.
 - (j) Examinations: The Zoning Administrator may examine structures on properties under permit in Bolivar during daylight hours either during a scheduled or unscheduled inspection.
- 1703.04 Participation on Other Bodies: Nothing in this article shall prevent the Zoning Administrator from also serving as a member of the Bolivar Planning Commission.
- 1703.05 Remuneration for Services: The Zoning Administrator shall be remunerated for his/her time and expenses from the Commission budget as approved by the Council in performance of those duties assigned to the Zoning Administrator as described in this section (1703.03).

ARTICLE 1704 Conflict

- 1704.01 Whenever there arises a conflict between the State Fire Code and the State Building Code, the State Fire Code shall take precedence.
- 1704.02 Whenever there arises a conflict between the BOCA National Plumbing Code portion of the State Building Code and the rules of the State Board of Health, the rules of the Board of Health, shall take precedence.
- 1704.03 Whenever there arises a conflict between the State Building Code and statutory laws of the State of West Virginia, the West Virginia State Code shall take precedence.

ARTICLE 1715 General Building Requirements and Permits

- 1715.01 New Construction of a single family or one two family duplex structure on a single existing lot