

## CHAPTER 150: BUILDING REGULATIONS

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**Editor's Note:** The city has signed an Inter-local Agreement with Gaston County for the enforcement of the state building code, plumbing code, electrical code, and residential building code.

### **GENERAL PROVISIONS**

#### **§150.01 REGULATION OF CONSTRUCTION, REPAIR AND REMODELING**

- (A) No demolition, construction, repair or remodeling shall commence prior to 7:00am or continue past 8:00pm, or past sunset, whichever is sooner, within 1000 feet of any residential structure.
- (B) All demolition, construction, repair, and remodeling of any lot shall provide an adequate erosion control system designed to prevent runoff of silt, dirt, gravel, construction material, or other debris from construction property to any other property or ROW's.
- (C) All new construction or remodeled structures requiring a zoning permit shall display in a prominent location the correct street address of the structure and lettering for such display shall be a minimum of four inches high.

- (D) No track or cleat equipment is allowed to use, park on or move on or over an asphalt street in the city.  
(Ord. 94-15, passed 10-3-94) Penalty, see §10.99

### ***FIRE LIMITS***

#### **§150.10 DESCRIPTION**

In compliance with state law, the Board of Commissioners does hereby establish the following defined areas as constituting the primary fire limits of the city.

- (A) *Main business fire limit area.* Beginning at the point of intersection of South Main Street and North Main Street with Catawba Street and running thence westerly with George W. Stowe Estate line to the northwest corner of J.P. Stowe Estate property; thence southerly with the rear or westerly lines of the lots fronting on South Main Street to the line of First United Methodist Church; thence southerly with said line to South Main Street; thence easterly across South Main Street to Smith Street; thence with Smith Street to Bryant Street; thence northeasterly with Bryant Street and the extension thereof to an intersection with Mill Street; thence westerly with Mill Street to the Southern -most corner of the city property on Mill Street; thence with westerly line of Belmont Throwing Corporation property to Airline Street; thence easterly with Airline Street to the point where Glenway Street extends across the Southern Railway; intersects with Airline Street; thence northeasterly with said extension of Glenway to the point where it crosses the Piedmont and North Railway tracks; thence with said Piedmont and Northern tracks to the point where Woodrow Avenue crosses said tracks; thence westerly with Woodrow Avenue to Glenway Street; thence southerly with Glenway Street to an unopened alley was, the northeast rear corner lot fronting on Catawba Street; thence with the rear line of lots fronting on Catawba Street to point of intersection of the easterly line of City Supply Company property line extended southerly; thence with the extension of City Supply Company easterly property line and the line itself northerly to Kenwood Avenue; thence across Kenwood Avenue to Davis Street; thence with Davis Street and its extension northwesterly to Todd Street; thence with Todd Street westerly to North Main Street; thence southeasterly to the point or place of beginning.
- (B) *East Belmont fire limit area.* Beginning at the point of intersection of Park Street and Catawba Street and running thence southeasterly with Catawba Street to Sixth Street; thence northeasterly with Sixth Street to the southerly or rear corner of the lot situate in the intersection of Sixth Street with Church Street; thence with the rear lines of lots fronting on Church Street northwesterly to line of Gaston County Board of Education; thence northeasterly, northwesterly, southwesterly, northwesterly and southerly with five lines of property of Gaston County Board of Education to the point or place of beginning.  
(Ord. passed 11-20-69) Penalty, see §10.99

**§150.11 REGULATIONS WITHIN FIRE LIMITS**

No construction or alterations of any kind or description shall be made in the above described fire districts without a building permit and full compliance with ordinances governing construction in the city, and no frame or wooden building shall hereafter be erected, altered, repaired or moved, except upon the permit of the Building Inspector and approved by the State Insurance Commissioner. ('67 Code, Ch. C, Art. III, §2) Penalty, see §10.99

***Cross-reference:***

*Fire Department, see Ch. 32*

*Fire Prevention, see Ch. 93*

***MUNICIPAL CURB CUT***

**§150.25 PURPOSE**

It is recognized that driveway connections onto a road serve to increase traffic flow and volume on that road. Increased traffic congestion, increased travel times and to an increase in the number of accidents involving motorists, cyclists, and/or pedestrians. The purpose of this subchapter, per G.S. 16-A-307, is therefore to promote the orderly flow of traffic on streets through the city, and to provide for increased safety for pedestrians, cyclists, and motorists alike, by providing street curb-cuts and other associated road improvements through the issuance of driveway permits.

(Ord. 95-08, passed - -)

**§150.26 GEOGRAPHIC COVERAGE**

This subchapter shall be applicable within the corporate limits of the City of Belmont.

(Ord. 95-08, passed - -)

**§150.27 PROVISIONS**

- (A) This subchapter shall be applicable for any subdivisions proposed for plat approval; and for any other development or change of principal use for which a site plan or zoning permit approval is required with the following exceptions:
- (1) Accessory structures (not related to individual single-family dwellings) which are less than 750 square feet in area;
  - (2) Any enlargement of an existing principal structure by less than 20% of its existing size, provided such enlargement does not necessitate the creation of additional off-street parking or loading spaces;

- (3) A change in principal use which would not necessitate the creation of additional off-street parking and/or loading spaces.
  - (4) The initial development of one single-family or two-family dwelling structure, along with related accessory structures, on a recorded lot.
- (B) A driveway permit shall be required subsequent to the approval of any zoning permit, site plan, or final subdivision plot. The Driveway Permit may address such issues as (i) street medians, (ii) acceleration and deceleration lanes, (iii) location of driveway connections, and (iv) traffic storage lanes in association with driveway connections into a street. The city, in association with the issuance of a driveway permit, may require the applicant to construct (or reimburse the jurisdiction for associated construction costs) said improvements. The Driveway Permit shall be consistent with other conditions previously placed on the development through zoning, site plan, or preliminary subdivision approval. Evidence of conformity with this subdivision (receipt of a Driveway Permit, where required) shall be necessary prior to issuance of a building permit or certificate of occupancy or final plat approval.
- (C) Driveway permits which do not stipulate any conditions on the proposed use or development (other than those which may have previously been approved or mandated by the city) may be approved by the City Manager. Approval of all other driveway permits may only be made by the City Council subsequent to a public hearing and after having first determined each of the findings of fact:
- (1) The need for such improvements is reasonably attributable to the traffic served by the proposed driveway(s); and,
  - (2) The improvements serve the traffic of such driveway(s).
- (D) The applicant shall be notified by first class mail of the date, time, and place of the public hearing at least 10 days beforehand. Notice of the public hearing shall also be placed in a newspaper of general circulation on two or more occasions. The first shall appear not less than 10 nor more than 25 days prior to the public hearing.  
(Ord. 95-08, passed - - )