
IMPROVEMENT LOCATION PERMIT ORDINANCE

ARTICLE 100.00 ENACTMENT AND SCOPE OF ORDINANCE**100.01 PURPOSE**

To assure all structures, developments, and their locations conform to the County's comprehensive plan and ordinances.

100.02 AUTHORITY

This Improvement Location Permit Ordinance is adopted by Putnam County by powers vested through Chapter 8A – Article 1 – Section 1 of West Virginia State Code. *(Amended: 10-11-22)*

100.03 NAME

The Improvement Location Permit shall hereafter be known as the Building Permit.

100.04 AUTHORITY TO ISSUE BUILDING PERMIT

A. The Director of the Planning Commission and/or a Planning Commission employee designated by the Planning Commission or Director shall have the authority to issue building permits within the jurisdiction of the Commission and in conformity with the comprehensive plan, the Zoning Ordinance for the Zoned Unincorporated Areas of Putnam County, the Putnam County Subdivision Regulations and Flood-Plain Regulations. *(Amended: 10-11-22)*

B. It is the applicant's responsibility to obtain all applicable permits and plan approvals from all authorities having jurisdiction in the State of West Virginia (i.e., Department of Environmental Protection, West Virginia Department of Highways, Putnam County Health Department, Putnam Public Service District, West Virginia American Water, etc.). Each permit can be obtained in phases and does not require pre-approval or approval from stated entities for the Planning Commission, or Planning Director to approve the development/construction and/or plats, regardless of development type. Therefore, it is not the responsibility of the Office of Planning and Infrastructure, Staff, Planning Commission, or County Commission if development/construction begins prior to obtaining applicable permits from stated entities during each phase of development. It is also the responsibility of the stated West Virginia entities to enforce their own agency regulations and violations. *(Amended: 10-11-22)*

ARTICLE 200.00 CONDITIONS**200.01 RESIDENTIAL CONSTRUCTION PROJECT**

A residential construction project must be completed within twenty-four (24) months of the date on which a building permit was issued. If the residential construction is not completed within the twenty-four (24) months following the date on which the permit was issued, the applicant will be required to pay a new permit fee which shall be in the same amount as the original permit fee. The Planning Director may confer with the President of the Planning Commission to determine if the applicant is required to pay a new permit fee which shall be in the same amount as the original permit fee. *(Amended 12-13-22)*

200.02 COMMERCIAL CONSTRUCTION PROJECT

A commercial construction project must be completed within thirty (36) months of the date on which a building permit was issued. If the commercial construction is not completed within thirty (36) months following the date on which the permit was issued, the applicant will be required to pay a new permit fee which shall be in the same amount as the original permit fee. The Planning Director may confer with the President of the Planning Commission to determine if the applicant is required to pay a new permit fee which shall be in the same amount as the original permit fee. *(Amended 12-13-22)*

- It is the applicant's responsibility to demonstrate through engineering calculations that the proposed commercial construction project's drainage and/or stormwater management will cause no adverse impact (if required by the Planning Director and/or the Planning Commission). *(Amended 12-13-22)*
- This requirement is relative to Commercial Development, Industrial Development, Multi-Family Development, and Manufactured Home Parks. *(Amended 12-13-22)*
- See ILP Appendix 'A' and ILP Appendix 'B' for Application Checklists relative to Commercial Development for Non-Zoned and Zoned parcels in the unincorporated areas of Putnam County. *(Amended 12-13-22)*

ARTICLE 300 CONDUIT REQUIREMENTS

This requirement will be applicable to all areas of Putnam County, West Virginia through the Improvement Location Permit Ordinance (ILP).

All newly located or relocated single family structures, all new residential structures, and all new construction of any residential or non-residential structure, including any major subdivision development, any manufactured home park development, any lease community development, or any other development in Putnam County shall include the following:

1. An entry point into the new residential or non-residential structure consisting of a conduit with a one and one-quarter inch (1 1/4") diameter from the street or road into the new building or structure; and
2. The conduit will penetrate the structure at the electrical panel or network area. The conduit shall be stubbed off at this location; and
3. There shall be a working electrical outlet within 3 feet of the terminus point of the conduit; and
4. The Developer of any major subdivision development, any manufactured home park development, any lease community development, or any other development shall install the one and one-quarter inch (1 1/4") conduit through the right-of-way of the development and shall include the location of the conduit on any map or plat so that it can be located in the future.

This provision shall not be applicable to any area of Putnam County that is only being provided with wireless broadband service; PROVIDED, that if the Office of Planning and Infrastructure, in consultation with the Fiber Optic Director, determines that an area currently served by wireless broadband service is to be served in the future with a fiber optic cable, then the provisions indicated above shall apply. *(Added 02/2022)*

ARTICLE 400 ENFORCEMENT, VIOLATIONS, AND PENALTIES

It shall be the duty of the office of the Planning Commission to enforce the ordinance and to bring to the attention of the Prosecuting Attorney any violations or lack of compliance. Any person, firm, or corporation who fails to comply with or violates any of these regulations shall be subject to a fine or imprisonment as provided by laws of the State of West Virginia, Chapter 8, Article 24, Part XVIII of the Code of West Virginia.

Appropriate actions and proceedings may be taken by law or in equity to prevent any violation of these regulations, to prevent unlawful construction, to recover damages, to restrain, correct, or abate a violation, to prevent illegal occupancy of a building, structure, or premises, and these remedies shall be in addition to the penalties described above.

ARTICLE 500 STORM DRAINAGE MANAGEMENT

1. Private Property owners are responsible for storm drainage flowing through their property.
2. Putnam County does not maintain drainage utility easements (including culverts, concrete channels, retention walls, retention ponds, detention ponds, etc.) located on privately owned property.

3. Private drainage and erosion issues, as well as ground water issues (i.e., natural springs), are the responsibility of the private property owner (and/or any applicable homeowner's association or maintenance association). Putnam County is not responsible for ensuring proper drainage on privately owned property. In general, the easement holder (property owner) has the duty to maintain the easement. This includes public drainage utility easements located on private property.
4. Driveways, and their associated culverts, bridges, or other appurtenances, that cross public drainage systems (i.e., ditches or streams) are also the private property owner's responsibility.
5. Drainage directed from gutters, French drains, downspouts, swimming pools, retention walls, or other private systems to neighboring properties is a civil matter between the private property owners. Moreover, private property owners that place obstructions, or fail to maintain property within public drainage easements (i.e., structures, sheds, buildings, curbs, retaining walls) may be subject to civil action from adjacent property owners. *(Amended: 10-11-22)*

Adopted: May 21, 1992,

Amended: September 30, 2021

Amended: August 29, 1994,

Amended: February 9, 2022

Amended: October 4, 2005,

Amended: October 11th, 2022

Amended: December 13th, 2022

**IMPROVEMENT LOCATION PERMIT ORDINANCE (ILP)
APPENDIX 'A'**

ALL APPLICATIONS FOR:

- **COMMERCIAL DEVELOPMENT,**
- **INDUSTRIAL DEVELOPMENT,**
- **MULTI-FAMILY DEVELOPMENT,**
- **LEASE COMMUNITY DEVELOPMENT &**
- **MANUFACTURED HOME PARKS**

IN THE UNINCORPORATED NON-ZONED AREAS OF PUTNAM COUNTY SHALL BE ACCOMPANIED BY THE FOLLOWING:

1. Site Plan that includes:
 - a. boundary lines of parcel
 - b. tax map and parcel number of parcel
 - c. scale
 - d. north arrow
 - e. location, dimensions, and labeling of proposed and existing structures
 - f. location, dimensions, and labeling of parking areas and other impervious areas
 - g. location and labeling of proposed and existing driveway entrance(s)
 - h. access road labeled
 - I. location and width of rights-of-way and drainage and utility easements
 - j. signature and seal of registered professional engineer required if any drainage data is included on site plan
2. Drainage analysis, drainage plan and drainage calculations signed and sealed by a registered professional engineer (if required by the Planning Director and/or the Planning Commission).
3. Design of stormwater detention facility signed and sealed by a registered professional engineer (if required by the Planning Director and/or the Planning Commission).
4. Application fee (confer with staff).
5. **IF IT IS DETERMINED THE SITE IS IN THE FLOODPLAIN, THE COUNTY'S FLOODPLAIN MANAGER WILL PROVIDE FLOODPLAIN REQUIREMENTS.**

Please note the following:

- It is recommended that the applicant schedule a free sketch plan meeting with the Office of Planning and Infrastructure so the above requirements may be discussed prior to applying.
- Where the Planning Director determines that any of the items listed above is unnecessary, the requirement may be waived.
- No site plan shall be accepted unless it is complete and is verified as to the correctness of information given by the signature of the developer.
- An application is not deemed complete until all the above requirements are submitted.

**IMPROVEMENT LOCATION PERMIT ORDINANCE (ILP)
APPENDIX 'B'**

ALL APPLICATIONS FOR:

- ***COMMERCIAL DEVELOPMENT,***
- ***INDUSTRIAL DEVELOPMENT,***
- ***MULTI-FAMILY DEVELOPMENT,***
- ***LEASE COMMUNITY DEVELOPMENT &***
- ***MANUFACTURED HOME PARKS***

IN THE UNINCORPORATED ZONED AREAS OF PUTNAM COUNTY SHALL BE ACCOMPANIED BY THE FOLLOWING:

1. Site plans shall be drawn to a scale of one inch (1") equals fifty feet (50') or larger and include the following data:
 - a. Date of preparation, north point, and scale.
 - b. Legal description and tax parcel.
 - c. Applicant/owner name and address.
 - d. Signature of applicant.
 - e. Existing and proposed zoning.
 - f. Existing and proposed uses of the structure(s) and land.
 - g. Existing and proposed contours, at an interval appropriate for proper review.
 - h. Actual dimensions, size, square footage, and shape of the lot to be built upon as shown on an actual survey by a surveyor or engineer.
 - i. Certification by a land surveyor or engineer that the dimensions and bearings are accurately delineated and location of all easements and rights-of-way.
 - j. Location of the lot with respect to adjacent rights-of-way.
 - k. Total number and type of building/units proposed, gross floor area of each building, bedrooms per dwelling unit (for residential developments), estimated number of employees (where applicable), and other information necessary to determine off-street parking and loading space requirements.
 - l. Location, shape, exterior dimensions, square footage, and height of each proposed structure/alteration on the site.
 - m. Location, shape, exterior dimensions, square footage, and height of any existing structures.
 - n. Location of landscaped areas (to be detailed on landscape plan), fences, walls, and other screening required.
 - o. Standard yard setbacks required in the zoning district.
 - p. Location, grade, and dimensions of paved surfaces, and of all abutting streets, including a street typical for internal roadways.
 - q. Curb radii, aisle width, vision field, location, and dimensions of parking spaces.
 - r. Location of barriers in parking spaces.
 - s. Raised islands around perimeter of parking areas and end of aisles.
 - t. Location and type of screening, if applicable.
 - u. Location of fire hydrant, show a 10' setback around area.
 - v. Location of all drainage facilities and easements.
 - w. Location and size of utility lines and easements.
 - x. Location of sign.
 - y. Location of garbage collection area.
2. Three (3) copies of a stormwater analysis that bears the name, address, signature, and seal of an engineer to determine the accommodation of upstream drainage areas and the effect on downstream drainage areas.
3. Three (3) copies of a drainage plan that bears the name, address, signature, and seal of an engineer.

4. Three (3) copies of drainage calculations that bear the name, address, signature, and seal of an engineer.
5. Three (3) copies of the design of the stormwater management facility and drainage calculations that bear the name, address, signature, and seal of an engineer.
6. A traffic impact study approved by the WV Division of Highways (if required by the Planning Director and/or the Planning Commission).
7. Lighting Plan.
8. Landscaping and Screening Plan.
9. Signage Plan.
10. Traffic Circulation and Parking Plan.
11. Application fee (confer with staff).
12. **IF IT IS DETERMINED THE SITE IS IN THE FLOODPLAIN, THE COUNTY'S FLOODPLAIN MANAGER WILL PROVIDE FLOODPLAIN REQUIREMENTS.**

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